

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003

Dated: March, 2022

22nd

To
The Regional Officers (s),
All Integrated Regional Offices of Ministry

Sub: Processing of proposals involving *ex-post facto* approval under the Forest (Conservation) Act, 1980 cases pertaining to the violation of Forest (Conservation) Act, 1980 by the Integrated Regional Offices of the Ministry - reg.

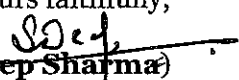
Madam/Sir,

I am directed to refer to para 1.21 of the guidelines pertaining to proposals seeking *ex-post-facto* approval of the Central Government under the Forest (Conservation) Act, 1980 and to say that recently, an apprehension was observed among many IROs related to processing of cases involving violation of the Forest (Conservation) Act, 1980. Some of IROs are submitting such cases to the Ministry for approval considering them as a case of encroachment on forest land while other IROs are submitting such cases to the Regional Empowered Committee for their *ex-post facto* approval. The matter was considered by FAC in its meeting on 26.11.2021. FAC, after thorough deliberation and discussion on the issue, observed that as per the FC Rules 2003, cases of violation even if involve forest area of less than 40 ha, has to be referred to Head Quarter of the Ministry. However, there is a need to bring clarity in dealing with cases of violation under the Act.

Based on the recommendation of the FAC and approval of the same by the competent authority in the Ministry, **it is hereby clarified that proposals for use of forest land for non-forest purposes which involve violation of Forest (Conservation) Act, 1980 as specified in Para 1.21 (i) and (ii) are required to be examined at the level of the Ministry. The Integrated Regional Offices may, therefore, examine and process all such proposals as per extant Rules and Guidelines, however, the same will be forwarded to the Ministry with specific comments/recommendations for appropriate decision.**

This issues with the approval of the competent authority in the Ministry.

Yours faithfully,


(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

1. Addl. Chief Secretary/Principal Secretary of Forests, All State Governments/UT Administrations;
2. Principal Chief Conservator of Forests, All State Governments/UT

File No.FC-7/43/2020-FC

Administration;

3. Nodal Officer (FCA), O/o PCCF, All State Governments/UT Administrations;
4. Monitoring Cell, FC Division, MoEF&CC, New Delhi;
5. Guard File.

Signed by Sandeep Sharma
Date: 22-03-2022 20:12:28
Reason: Approved