

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

Indira Paryavaran Bhawan
Jor Bag Road, Aliganj
New Delhi - 110003
Dated: December, 2023

To
The Principal Secretary (Forests),
Government of Uttarakhand and Goa

Sub: Clarification on residential or dwelling houses in the Mussoorie Dehradun Development Authority (MDDA) areas of Uttarakhand as well as Private area (Deemed Forest) of Goa.

Madam/Sir,

I am directed to refer to the Guideline issued by the Ministry vide letter of even no. dated 11.02.2011 and 27.09.2018 wherein the State Government was inter-alia directed to demarcate the notified forest area as per the direction of Hon'ble Supreme Court in a time bound manner. In the said guidelines it was also directed that the word "*Homestead*" should continue to be retained in the existing Guidelines dated 11.02.2011. The removal of this word from the existing Guidelines is likely to lead to fragmentation of the private forest estate through sale of small plots and holdings with each subsequently built with building over 250 sq mts as per Guidelines. This would decimate the existing greenery around Mussoorie as most of the forest that one sees today around Mussoorie is in fact private forest. However, Ministry recommends that definition of homestead may be incorporated into the existing Guidelines.

2. In view of the above issues the matter was discussed in the Advisory Committee meeting held on 29.11.2023 and based on the recommendation of the Advisory Committee and approval of the same by the competent authority of the Ministry, the Central Government hereby defines the 'homestead owners' for construction of residential or dwelling houses in the Mussoorie Dehradun Development Authority (MDDA) areas of Uttarakhand as well as Private Forest areas of Goa and accordingly issues the following guideline:

- i. Construction activity for residential purpose in private forest shall be allowed only for domestic purpose and shall not be extended to any institutional buildings or commercial development.
- ii. The construction activities shall be restricted to a maximum of 250 square meter of built-up area in each case.
- iii. The construction of residential building in private forest is permitted in MDDA areas and other parts of Uttarakhand State and Goa only in order to alleviate hardship of homestead owners for constructing/completing their bonafide residential buildings.
- iv. *For deciding the status of the homestead, the cut of date shall be 11.02.2011*

and the limit of 250 square meter as in (ii) above will be applicable to such owner. In case of any sub-division of ownership of the forest land post 11.02.2011, the construction activities shall be restricted in such a way that the total of all construction activities in such subdivided portions post 11.02.2011 should not exceed a maximum of 250 square meter of built-up area.

- v. The permission will be subject to:
 - a. Tree felling should be minimum.
 - b. Sufficient soil conservation measures should be taken.
 - c. Permission of MDDA and other regulatory bodies for construction in hill areas shall be obtained.
- vi. All other standard conditions required for such projects including planting of tree species and NPV.
- vii. Above stipulation is strictly restricted to construction of residential or dwelling houses in private forest land in MDDA areas of Uttarakhand and Goa, where non-forest land is not available.

In view of the above, the Govt. of Uttarakhand and Goa are requested to take necessary action in the matter on para (2) above.

This issues with the approval of competent authority.

Yours faithfully

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. PCCF (HoFF), Government of Uttarakhand and Goa.
2. DDGF (Central), Regional Office of MoEF&CC at Bengaluru and Dehradun.
3. APCCF cum Nodal Officer (FCA), Government of Uttarakhand and Goa
4. Monitoring Cell of FC Division.