

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 110003
Dated: January, 2025

To

The Addl. Chief Secretaries of Forests/Principal Secretary (Forests),
All States Governments and Union territory Administrations

Sub: Streamlining the process of identification and notification of land identified for raising compensatory afforestation - reg.

Madam/Sir,

I am directed to refer to the above subject and to inform that a meeting between the Ministry of Mines and Ministry of Environment, Forest and Climate Change was held on 6.01.2025 to review the various issues pertaining to mining sector including coal mining. The issues related to streamlining the processes related to delay in the notification of non-forest land identified for raising compensatory afforestation was also deliberated in the meeting. Based on the deliberations held in the said meeting, the Central Government, in accordance with the provisions of section 3C of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and in continuation to clarification dated 17.12.2024, hereby issues the following additional clarifications:

- i. The non-forest land, which is already transferred and mutated in the name of the State Forest Department and is under the possession of the State Forest Department can be notified as Protected Forest under section 29 of the Indian Forest Act, 1927 and in such cases the State Government may authorize PCCF & HoFF to issue notifications under the said Act.
- ii. In States/UTs Administration having 33% or more of their total geographical area under forest cover, the CA over degraded forest land is admissible as per Van (Sanrakshan Evam Samvardhan) Rules 2023 and in such cases the State/UT Administration shall authorize an officer for issuance of a certificate for non-availability of non-forest land for CA in the same States/UT, as has already clarified in the guidelines issued dated 17.12.2024 in this regard.
- iii. As per Rule 14(3) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the CA can be raised in the State/UT other than where the forest land is being diverted. In such cases only consent from both the States/UTs viz. States/UTs in which diversion of forest land is proposed to take place and States/UTs in which CA is proposed to be carried out shall be required. In such cases, the States/UTs shall adopt the following procedure to provide their consent:

In the event of non-availability of non-forest land or degraded forest land in the State/UT and as per the eligibility of the proposal, the concerned State Government/UT Administration where diversion of forest land is proposed and the concerned State Government/UT Administration where CA is proposed shall authorize the respective Nodal Officers, dealing with the matters related to Van (Sanrakshan Evam

Samvardhan) Adhiniyam, 1980, to provide such consent for taking up CA in other States/UTs and for raising CA respectively upon the receipt of such offline requests from the User Agency.

In view of the above, the State Government and Union territory Administrations are requested to take into consideration the guidelines mentioned hereinabove while considering the proposals submitted under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

This issues with the approval of the Competent Authority.

Yours faithfully,

(Charan Jeet Singh)
Scientist 'E'

Copy to:

1. Secretary, Ministry of Mines /Coal /Steel/ Power/ Railways/ MoRT&H/ Defence/MHA
2. Secretary, Ministry of Defence, Government of India
3. Principal Chief Conservator of Forests & HoFF, All States Governments and Union territory Administrations
4. Dy Director General of Forests (Central) All Regional Offices of the MoEF&CC
5. Nodal Officers, dealing with the matters related to the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, All States Governments and Union territory Administrations
6. Head, NIC, MoEFCC for aligning the PARIVESH 2.0 as per above