

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003

Dated: 4th December, 2023

To,

The Addl. Chief Secretaries/Principal Secretaries (Forests),
All States/ Union Territory Administrations.

Subject: Maintenance of Safety Zone; review of guidelines given under Para 7.9 of the Handbook of Forest (Conservation) Act, 1980 vis-à-vis approvals obtained under the Forest (Conservation) Act, 1980 - regarding.

Madam/Sir,

I am directed to refer to above mentioned subject and to inform that the Ministry from time to time has issued guidelines regarding the diversion of forest within the safety zone along the boundary of mining lease. As per the guideline issued vide letter no. FC- 11/151/2022-FC dated 07.11.2022 it was stipulated that:

- i. To enable various user agencies to align their forest land located in the safety zone with the relevant provisions of the guidelines issued by the Ministry, last opportunity is hereby being provided by the Ministry by opening a window for the user agencies to deposit NPV by 31.03.2023 along with simple interest of 12% w.e.f. 1.04.2018 onwards till the deposit is made.
- ii. The user agency should submit proposal and obtain approval under the Forest (Conservation) Act, 1980 for diversion of forest area located in the safety zone by 30.09.2023.
- iii. In case of failure of compliance of recommendations, mentioned under (i) and (ii) above, possession of forest land located in the safety zone will be considered as violation of the FC Act, 1980 and appropriate penalties will be imposed on defaulting user agencies.
- iv. The IROs concerned will monitor the compliance in the matter and submit six monthly report to the Ministry.

In this regard, keeping in view the request received from the Secretary, Ministry of Steel for extension of the time limit for obtaining approval for diversion of forest land within safety zone, the matter was reconsidered in the Ministry and placed for consideration before the Advisory Committee in its meeting held on 14.11.2023. Based on the recommendations of the Advisory Committee, and approval of the same by the competent authority in the MoEF&CC it has been decided that:

- I. In such cases where the proposal for the diversion of forest areas within the safety zone has been submitted by 30.09.2023 the time period for obtaining approval under FCA, 1980 is extended further till 30.09.2024.
- II. In cases where the proposal for the diversion of forest land within the safety zone

has not been submitted by 30.09.2023, the User agency shall deposit one-time penal NPV + Normal NPV and obtain the approval under FCA,1980 for the forest areas within the safety zone latest by 30.09.2024.

- III. Further, in case the required compliance is not done even till 30.09.2024, approval under FCA, 1980 in such cases shall be considered deemed to be in abeyance.
- IV. As provided in the guidelines issued vide letter dated 07.11.2022, the deposit of NPV in all cases is to be made along with simple interest of 12% w.e.f. 1.04.2018 onwards till the deposit is made.
- V. The IROs concerned will monitor the compliance in the matter and submit six monthly report to the Ministry.

This issues with the approval of Competent Authority.

Signed by Suneet Bhardwaj

Date: 04-12-2023 15:18:28

Reason: Approved

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), All States/ Union Territories Administration;
2. The Dy. DGF/IGF/Dy. IGF, All Regional Office of MoEF&CC;
3. The Nodal Officer (FCA), All States/ Union Territories Administration;
4. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal;
5. Guard File.