

F. No. 11-18/2017-FC
Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.
Dated: 22nd March, 2017

To,
The Principal Secretary/ Secretary (Forests),
All State/ UT Governments.

Sub: Review of cases pending beyond timelines in the digitized services of Ministry of Environment, Forest and Climate Change- reg.

Sir,

Please find enclosed herewith the minutes of meeting of PMO Project Monitoring Group (PMG) meeting held on 15.03.2017 in which the review of pending cases beyond time line prescribed, in digitise review of Ministry of Environment, Forest and Climate Change was done. It was highlighted that the cases pertaining to forest land diversion are pending at different levels in the State. These proposals have not been dealt as per the time schedule prescribed.

In view of the above, I am directed to request you to kindly issue direction to all officials dealing with diversion of forest land cases under Forest Conservation Act, 1980, that they shall strictly process all such cases within the time limit prescribed by Ministry of Environment, Forest and Climate Change.

Encl: As above

Yours faithfully


(Sandeep Sharma)

Assistant Inspector General of Forest (FC)

Copy to:

1. Principal Chief Conservator of Forests, all State/UT Governments
2. Joint Secretary, PMG, Room No. 254, 1st Floor, Vigyan Bhawan Annexe, New Delhi
3. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
4. All Regional Offices, Ministry of Environment, Forest and Climate Change, GoI.
5. Monitoring Cell, FC Division, MoEF&CC
6. Guard File


(Sandeep Sharma)

Assistant Inspector General of Forest (FC)

No.1-34011/4/2016 Cab.III (PMIG)
PRIME MINISTER'S OFFICE
PROJECT MONITORING GROUP

Subject: Review of Cases pending beyond timelines in the digitized services of Ministry of Environment, Forest and Climate Change.

A list of participants is at Appendix-I

2. The digitized services of MoEF&CC were reviewed in detail and after detailed discussions about the reasons for pendency of cases beyond stipulated time limits and nature of cases processed through each of the digitized service with the representatives of MoEF&CC, following broad conclusions were arrived at:

S.No	Name of Service(s)	Section/Category	Record of Discussions/Conclusions
i.	Prior Environmental Clearance required under Environment Impact Assessment Notification 2006	Under Examination for TOR Awaiting for TOR Under Examination of EC Awaiting for EC	There were 118 cases pending for prior EC under the section "Under examination for TOR". It was indicated by the representatives of MoEF&CC that these cases were required to be accepted by the nodal officer in the first instance, but these cases generally remain pending for acceptance, until there is some clarity about the forthcoming meeting as otherwise these would be automatically approved after expiry of the specified time limit. It was suggested to the representatives of MoEF&CC that the time frame laid down for acceptance of cases and option of auto acceptance be considered/reviewed internally within the Ministry and it needs to be ensured that cases do not remain pending beyond the stipulated time lines. The time lines, if necessary, can also be revisited to make them more realistic and pendency disposed at a faster pace.
ii.	Forest Clearance required for diversion of forest land for non-forest use under Section 2 of Forest Conservation Act 1980	Under Examination - Pending At DFO/DC Pending At	it was seen that there were large number of cases/counts under all sections/categories. It was mentioned that these cases were spread over a large number of forest office jurisdictions and vary significantly from office to office depending upon the resources/mines/plants located or proposed to be located in the region. However, there was

S.No	Name of Service(s)	Section/ Categor y	Record of Discussions/Conclusions
		CF/CCF - Pending At Nodal Officer	<p>significantly large pendency in some of the districts and States. It was therefore considered essential that an institutional mechanism be set up within the Ministry to constantly monitor and review the pendency and periodically remind all concerned officers in the States to dispose the pending applications. The concerned administrative division in MoEF&CC will send periodical reminders to the Chief Secretary/ ACS/Principal Secretary (E&F) of the State concerned with details of pendency with a copy to PMG. This would enable PMG to also place such details of delays before the Chief Secretary in the forthcoming PMG meetings with the concerned State Government.</p> <p>2.1 NIC division of the Cabinet Secretariat and MoEF&CC will take steps to integrate the other sections/categories of Forest clearance (Service ID 14) with a view to ensure that all other sections of the FC are integrated with e-nivesh portal. In addition, the pendency data should be computed in such a way that the delay period attributed against a particular office/jurisdiction meets the twin tests of objectivity and clarity to avoid any erroneous conclusions. To ensure this, the fields that need to be captured from the MoEF&CC portals should be carefully reviewed in the light of discussions and re-formatted so as to focus on the delay period being made clearly visible/available on the screen.</p>
iii.	Clearance under Wildlife Protection Act 1972- If project is situated within 10 KM from the boundary of the wildlife sanctuary/national park then application for clearance from	Pending at Standing Committee of NBWL	<p>It was seen that 33 cases were pending beyond 60 days. However, the cases which had been considered by the Standing Committee of NBWL as well as the cases which had been approved by the said committee were also seen included in the category of pending cases. Also cases received during 2015 in the Ministry were seen as pending. Hence the</p>

S.No	Name of Service(s)	Section/ Category	Record of discussions/Conclusions
	Standing Committee of National Board for Wildlife is required to be made	V	pendency position did not appear to reflect a true and correct picture. It was felt that the data requires not only re-verification but a comprehensive review by the functional division of MoEF&CC and NIC division of the Ministry. The time lines for pendency application to fall into the "category" section of the category is clearly indicated in the portal. Data captured from the MoEF&CC portal.
iv.	CRZ Clearance	CRZ	Secretary, Director, MOEF&CC informed that the CRZ clearance portal has been launched. The Hon'ble Minister requested that all applications can be processed through the portal. JS (PMG) suggested for early integration of the CRZ clearance with the e-nivesh portal. NIC division of Cabinet Secretariat and MoEF&CC will take steps for completion of integration in the next two weeks.
v.	Other Suggestions to expedite FC	FC	As part of measures to improve the speed of clearance in respect of forest land, the representatives of Wildlife and Ministry of Coal suggested that acquisition of land for forest restoration can be done through Stage I FC on the lines of the Forest Land - Delinked from Stage I FC. The Secretary can be asked to direct the State Government for land in order to expedite Stage II FC. However, the process should not be held up for acquisition of such land. In any case, the State Government, usually identified as the State Government of Forest Land, should take the delinking of forest land. This can considerably expedite the process. Several held up projects were identified that MoEF&CC should take steps to examine these projects and expedite the same.

3. The meeting ended with thanks to the Chair.

PROJECT MONITORING GROUP
Review of Cases pending beyond timelines for grant disbursements/ clearances of Ministry of Environment, Forest and Climate Change

Venue : Room No.264, 3rd Floor, Vigyan Bhawan, New Delhi
Date of Meeting : 15.03.2017
Time : 1600 hrs

ESEI

Project Monitoring Group

Ms. Shubha Kumar, Joint Secretary
Shri S.D.Sharma, Director
Shri D.C. Bijalwan, Under Secretary

Ministry of Environment, Forest and Climate Change

Shri Sharath Kumar Palit, Director
Shri R.K Pathak, Senior Technical Officer
Shri Sandeep Sharma, ASG (FC)

Annexure

S.no	Service ID	Service Name	Status	Section/Category	Count
1.	13	Prior Environmental Clearance required under Environment Impact Assessment Notification 2006	Submitted by proponent for TOR	Under Examination for TOR(Pending)	118
2.	13	Prior Environmental Clearance required under Environment Impact Assessment Notification 2006	Submitted by proponent for TOR	Awaiting for TOR(Pending)	01
3.	13	Prior Environmental Clearance required under Environment Impact Assessment Notification 2006	Submitted by proponent for EC	Under Examination of EC(Pending)	24
4.	13	Prior Environmental Clearance required under Environment Impact Assessment Notification 2006	Submitted by proponent for EC	Awaiting for EC(Pending)	49

S.no	Service ID	Service Name	Status	Section/Category	Count
5.	14	Forest Clearance required for diversion of forest land for non-forest use under Section 2 of Forest Conservation Act 1980	Submitted by User Agency	Under Examination - Pending	396
6.	14	Forest Clearance required for diversion of forest land for non-forest use under Section 2 of Forest Conservation Act 1980	Accepted by Nodal Officer	At DFO/DCF - Pending	701 39
7.	14	Forest Clearance required for diversion of forest land for non-forest use under Section 2 of Forest Conservation Act 1980	Accepted by Nodal Officer	At CF/CCF - Pending	107
8.	14	Forest Clearance required for diversion of forest land for non-forest use under Section 2 of Forest Conservation Act 1980	Accepted by Nodal Officer	At Nodal Officer (After Processing) - Pending	208

S.no	Service ID	Service Name	Status	Section/Category	Count
6.	15	Clearance under Wildlife Protection Act 1972- If project is situated within ten KM from the boundary of the wildlife sanctuary/national park then application for clearance from Standing Committee of National Board for Wildlife	Reviewed By Chief Wildlife Warden	Pending at NBWL	18