

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 10th May, 2021

To,
The Addl. Chief Secretary (Forest)/Principal Secretary (Forest),
All State Governments/UT Administrations

Sub: Guidelines under Forest (Conservation) Act, 1980 for security/Defence related projects, etc- reg.

Madam/Sir,

The Ministry has received requests from the Ministry of Defense and Ministry of Home Affairs to make special provisions to further reduce the time taken for obtaining approval under Forest (Conservation) Act, 1980 for different projects in border areas and in LWE districts of the country.

2. The matter was examined in the MoEF&CC in consultation with concerned authorities. To meet the urgent requirement of approvals for construction of critical public infrastructure projects by Government agencies in LWE districts and defence and security related infrastructure in the border areas, the following has been decided with the approval of the competent authority:

- i. Integrated Regional Offices (IROs) of the Ministry will consider and take decision on proposals concerning all such critical public infrastructure projects by Government agencies in LWE districts and defence & security related infrastructure in the border areas.
- ii. Regional Empowered Committee (REC) meetings will be conducted twice each month in each IRO.
- iii. The applications will be made in the PARIVESH portal as per procedures for processing of the applications stipulated in the Forest (Conservation) Rules 2003 as amended up to date. However, the Nodal Officer (FCA) of the State while forwarding the recommended proposal to the State Government will also send a copy to the concerned IRO, and the IRO will initiate necessary scrutiny / field enquiry on the proposal;
- iv. Decision on Stage-I approval for a complete proposal (involving forest land up to 5ha), will be taken within 15 days of the receipt of the proposal from the State Government by the IRO.
- v. Complete proposals involving forest land of more than 5 ha will be placed in the REC within 15 days of the receipt.
- vi. Decision on final approval will be taken by the IRO within one week of receipt of complete compliance of Stage-I conditions from the State/UT.
- vii. These guidelines will be subject to general, standard and specific conditions as

applicable to such projects and any additional conditions as the concerned Regional Officer/REC deems fit in the interest of conservation of biodiversity of the area.

3. The standard principles/conditions, as below, shall be followed by the State government while a proposal is submitted for consideration /examination at IRO /REC level:

- viii. The proposal has to be site specific.
- ix. The requirement of forest land is unavoidable and bare minimum.
- x. Three alternatives have been examined and details of the same have been made part of the proposal.
- xi. The forest area proposed for diversion is not within any National Park, Wild Life Sanctuary, Tiger Reserve, wildlife corridor or ESZ (when applicable; refer: Ministry's letter no 5-2/2017-FC dated 24.7.2020 and 6-60/2020WL(pt-1) dated 16.7.2020) for which clearance from Standing Committee of National Board of Wildlife shall be taken after recommendation of State Board for Wildlife.
- xii. All mitigation measures including levying of compensatory levies (CA, NPV, etc), as applicable, shall be prescribed.
- xiii. Timelines stipulated are subject to submission of complete proposals with recommendation for diversion by the State Government.

4. It is further clarified that the existing guidelines at paras 4.4 and 4.5 of Chapter-4 of the Handbook of FCA 1980, are hereby withdrawn.

This issues with the approval of competent authority.

Yours faithfully,

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

1. Secretary, Ministry of Home Affairs, Government of India
2. Secretary, Ministry of Defense, Government of India
3. Principal Chief Conservator of Forests, all State Governments/UT Administrations
4. Nodal Officer (FCA), all State Governments/UT Administrations
5. All Integrated Regional Offices (Central), MoEF&CC, GoI.
6. All DIGF/AIGF/Scientist 'D' in the Forest Conservation Division, MoEF&CC, GoI
7. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
8. PS to Hon'ble Union Minister (EF&CC)/PS to Hon'ble Union Minister of State (EF&CC)
9. Sr. PPS to the Secretary/ DGF&SS/ ADGF, MoEF&CC
10. Guard File

