Government of India  
Ministry of Environment, Forest & Climate Change  
(Forest Conservation Division)  
*****  
Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.  
Dated: 21st March, 2023  

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

Sub: Applicability of Compensatory Afforestation in respect of forest land broken prior to 1980 while transferring the approval granted under the Forest (Conservation) to the new lessee after expiry of old lease tenure -reg.  

Sir,  
I am directed to refer to the Indian Steel Associations' letter no. ISA/Rep-Secy MoEFCC(CA land)/2022-23 dated 17.05.2022 on the above subject and to say that matter was considered by the Advisory Committee in its meeting held on 27.12.2022 and 23.02.2023. Copy of the minutes of the meeting of the Advisory Committee may be accessed at www.parivesh.nic.in. The Advisory Committee, after detailed deliberations observed that forest areas broken prior to 1980 which have already been mined out and are not required for further mining operations should have been returned back to the Forest Department of the respected States/UTs to help their reclamation. Continuation of possession of such area with the user agency deprives the Forest Department to rejuvenate or recoup the ecosystem goods and services lost by allowing their non-forestry use. The Ministry in view of the aforementioned facts has already clarified the applicability of compensatory afforestation in such cases under para 2.4(iv) of the Handbook and in the guidelines dated 7.07.2021.  

Based on the recommendation of the Advisory Committee and approval of the same by the competent authority, the Central Government hereby clarifies that during the transfer of approval granted under the FC Act from erstwhile agency to new lessee by the State/UT Governments, the provisions of CA will be applicable in respect of broken up forest area before the commencement of Act, 1980 which are continued to be under the possession of the user agency, in case the CA has not been raised earlier.  

This issue with the approval of Competent Authority of the Ministry.  

Signed by Charan Jeet Singh  
Date: 21-03-2023 12:59:52  

Yours faithfully  

(Charan Jeet Singh)  
Scientist ‘D’  

Copy to:  
1. The PCCF, All States/ Union Territories Administration.
2. The Regional Officer, All Integrated Regional Office of MoEF&CC
3. The Nodal Officer, O/o the PCCF, All States/ Union Territories Administration.
4. Monitoring Cell of FC Division, MoEF&CC, New Delhi
5. Guard file.