

P. No. 11-1/2014-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Allgani, Jorbagh Road
New Delhi - 110 001
Dated: 8th August, 2014

To

The Principal Secretary (Forests)
All State / Union Territory Governments

Sub: Guidelines for diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- Simplified procedure for grant of permission for felling of trees standing on forest land to be diverted for execution of linear projects; reg.

Sir,

I am directed to say that guidelines issued under the Forest (Conservation) Act, 1980 provides that forestry clearance will be given in two stages. In 1st stage, the proposal shall be agreed to in principle in which usually the conditions relating to transfer and mutation of equivalent non-forest land for compensatory afforestation and realization of funds for raising compensatory afforestation thereof and NPV etc. are stipulated and after receipt of compliance report from the State Government in respect of the stipulated conditions, formal approval under the afore-mentioned Act is issued. Central Government while according in-principle approval stipulates a condition that till receipt of the formal/ final approval of the Central Government, transfer of forest land to the User Agency shall not be affected by the State Government.

This Ministry has received representation to relax the above conditions in respect of projects involving linear diversion of forest land and allow the user agency to fell trees standing on the forest land even before grant of formal/final approval by the Central Government once the conditions relating to transfer and mutation of equivalent non-forest land for compensatory afforestation, wherever required and funds for NPV and raising compensatory afforestation etc. are complied with.

The matter has been examined in this Ministry and after careful consideration with a view to facilitate speedy execution of projects involving linear diversion of forest land such as laying of new roads, widening of existing highways, transmission lines, water supply lines, optic fiber cabling, railway lines etc., the Central Government hereby decides that for linear projects of National Highways Authority of India (NHAI), Border Roads Organization (BRO), Central Public Works Department (CPWD), Ministry of Road Transport and Highways (MoRTH), Ministry of Railways, and various other central agencies, in-principle approval under the Forest (Conservation) Act, 1980 may be deemed as the working permission for tree cutting and commencement of work, if the required funds for compensatory afforestation, NPV, wildlife conservation plan, plantation of dwarf species of medicinal plants, and all such other compensatory levies specified in the in-principle approval are realised from the user agency. In case of linear projects of other user agencies, in-principle approval under the Forest (Conservation) Act, 1980 may be deemed as the working permission for tree cutting and commencement of work, if the required compensatory levies as above, stipulated in the in-principle approval are realised from the

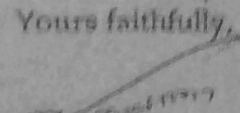
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user agency and where necessary, for compensatory afforestation, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department is affected.

The State Governments, in such cases will seek and obtain from the Central Government final/formal approval under the Forest (Conservation) Act, 1980 for diversion of such forest land at the earliest, and in any case not later than five years from the date of grant of the in-principle approval.

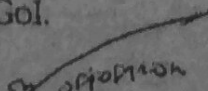
This issues with approval of the competent authority.

Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (Kind attn.: Shri Santosh D. Vaidya, Director), North Block, New Delhi.
2. Secretary, Ministry of Power, Government of India, Shram Shakti Bhawan, New Delhi.
3. Secretary, Ministry of Petroleum and Natural Gas, Government of India, Shastri Bhawan, New Delhi.
4. Chairman, Railways Board, Rail Bhawan, New Delhi.
5. Secretary, Ministry of Road Transport and Highways, Government of India, Transport Bhawan, New Delhi.
6. The Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
7. Director General, Border Roads Organization, New Delhi.
8. Principal Chief Conservator of Forests, all State/UT Governments.
9. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
10. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), Government of India (GoI).
11. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.
12. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
13. Director, Regional Offices Headquarters Division, MoEFCC, GoI.
14. Sr. Director (Technical), NIC, MoEFCC, GoI with a request to place a copy of this letter on website of this Ministry.
15. Sr. PPS to the Secretary, Ministry of Environment, Forests and Climate Change, GoI.
16. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
17. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
18. PS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
19. Guard File.


(H.C. Chaudhary)
Director