Sub: Guidelines for diversion of forest land for non-forest purpose and compensatory afforestation.

Enclosed, please find a letter from Ministry of Environment and Forest regarding diversion of forest land for non-forest purpose under Forest (Conservation) Act, 1980 and non-availability of non-forest land for creation of compensatory afforestation, addressed to Chairman Railway Board. The letter is self-explanatory.

You are requested to make use of these provisions for expediting clearance from MoEF.

Copy to: 1. The Principal Chief Engineers, All Indian Railways.
   2. Chairman cum Managing Directors, RVNL, IREON & KRCL.
F. No. 11-317/ 2014-FC (pt.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Arjun Jorbagh Road
New Delhi- 110 001
Dated: 25th August, 2014

To

The Chief Secretaries
All State/Union Territory Governments

Sub: Guidelines for diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- Non-availability of non-forest land for creation of compensatory afforestation- reg.

Sir,

I am directed to refer to this Ministry’s letter No. 11-423/2011-FC dated 13th February 2011 on the above mentioned subject, wherein it has inter-alia been stipulated that certificate regarding non-availability of non-forest land for creation of compensatory afforestation shall be accepted only from States having area of forest land more than 50% of their geographical area.

The Ministry has received requests from various States and Ministries in the Central Government that certificate of non-availability of non-forest land for Compensatory afforestation may be accepted from Chief Secretaries of States and Union Territories having area of forest land more than 33% of their geographical area.

After careful examination of the matter, I am directed to say that in partial modification of this Ministry’s said letter 11-423/2011-FC dated 2011, certificate regarding non-availability of non-forest land for creation of compensatory afforestation will be accepted from the States having area of forest land more than 33% of their geographical area.

I am further directed to say that to ensure that certificate regarding non-availability of non-forest land/ revenue forest land in a State/ Union Territory is issued by the Chief Secretary in an informed and objective manner, such certificate regarding non-availability of non-forest or revenue forest for compensatory afforestation shall be issued in the format enclosed on the personal Stationary of the Chief Secretary.

This issues with approval of the competent authority.

Yours faithfully,

(H.C. Chaudhary)
Director

Copy to:

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

(H.C. Chaudhary)
Director
Format of certificate of non-availability of land for compensatory afforestation in the State/Union Territory to be issued by the Chief Secretary on his/her official letter head

No. ...........................................

Dated ...................................

Certificate of Non-availability of Land for Compensatory Afforestation

I .................................. Chief Secretary ......................... (name of State/ Union Territory) do hereby certify that:

(i). I have obtained from each District Collector and Divisional Forest Officer in the ...........
(name of State/ Union Territory), a joint certificate to the effect that non-forest land, revenue lands, 
zudpi jungle, chhote jhar ka jungle, bade jhar ka jungle, jungle-jhari land, civil-soyam lands and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, which as per the extant guidelines of the Central Government may be utilised for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose are not available in the area under their respective jurisdiction; and

(ii). I have also examined all other relevant records.

On the basis of afore-mentioned joint certificates and examination of all other relevant records, I do hereby certify that non-forest land, revenue lands, 
zudpi jungle, chhote jhar ka jungle, bade jhar ka jungle, jungle-jhari land, civil-soyam lands and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, which as per the extant guidelines of the Central Government may be utilised for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose are not available in the entire ............. (name of State/ UT)

Issued under by hand and seal on this .......... day of ..............

Signature

Official seal