

Copy of letter No. 5-5/86-FC (Pt.) dated 03.02.99 from Sh. V.B. Kumar, Asstt. Inspector General of Forests, Government of India, Ministry of Environment & Forests, Paryavaran Bhawan, C.G.O. Complex, Lodhi Road, New Delhi-110003 to the Chief Secretary all States / UTs and copy endorsed to all Principal Chief Conservator of Forests etc.etc. Office of the Principal Chief Conservator of Forests, Rajasthan, Jaipur letter No. F16(Circular)98/FP/PCCF/8610-8759 dated 1.9.1999

Sub.: Guidelines for diversion of forest lands for non-forest purpose under Forest (Conservation) Act, 1980

Sir,

The detailed consolidated guidelines for submission of proposals for diversion of forest land for non- forest purposes under Forest (Conservation) Act, 1980 were issued vide letter of even no. dated 25.10.92. Certain amendments to these guidelines were issued subsequently from time to time. After further review it has been decided to modify Para 4.3 as under :-

“4.3.1 Cases have come to the notice of the Central Govt. in which permission for diversion of forest land was accorded by the concerned State Government in anticipation of approval of the Central Government under the Act and or where work has been carried out in forest area without proper authority. Such anticipatory action is neither proper nor permissible under the Act which clearly provides for prior approval of the Central Government in all cases. Proposals seeking ex-post-facto approval of the Central Government under the Act are normally not entertained. The Central Government will not accord approval under the Act unless exceptional circumstances justify condonation. However, penal compensatory afforestation would be insisted upon by the MOEF on all such cases of condonation.”

“4.3.2 The penal compensatory afforestation will be imposed over the area worked / used in violation. However, where the entire area has been deforested due to anticipatory action of the State Government, the penal compensatory afforestation will be imposed over the total lease area.”