

F.No.11-9/98-FC(pt.)  
Government of India  
Ministry of Environment & Forests  
(FC Division)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110 003  
Dated: 5<sup>th</sup> July, 2013

To,  
The Principal Secretary (Forests),  
All State/Union Territory Government,

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980, ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Sir,

I am directed to refer to this Ministry's letters of even number dated 3<sup>rd</sup> August, 2009 and dated 5<sup>th</sup> February 2013 on the above mentioned subject wherein this Ministry issued detailed guidelines on submission of evidences for having initiated and completed the process of settlement of right under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and to say that certificate in accordance with the said letters in respect of (a) linear, and (b) other projects shall be submitted in the formats enclosed as Annexure-I (FORM-I) and Annexure-II (FORM-II) respectively .

Yours faithfully

Encl.: As above.

(H.C.Chaudhary)  
Assistant Inspector General of Forests

Copy To:

1. The Secretary, Ministry of Tribal Affairs, New Delhi.
2. Principal Chief Conservator of Forests, all State/UT Government.
3. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Government.
4. All Regional Offices, Ministry of Environment & Forests.
5. Joint Secretary in-charge, Impact Assessment Division, MoEF.
6. All Assistant Inspector General of Forests/Directors in Forest Conservation Division, MoEF.
7. Director R.O.(HQ), Ministry of Environment & Forests , New Delhi.
8. Sr. Director (Technical), NICm, MoEF with a request to place a copy of the letter on website of this Ministry.
9. Guard File.

(H.C.Chaudhary)  
Assistant Inspector General of Forests

FORM-I  
(for linear projects)  
Government of Rajasthan  
Office of the District Collector.....

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No. ....

Dated.....

**TO WHOSOEVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt) dated 3<sup>rd</sup> August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA' for short ) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5<sup>th</sup> February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that ..... hectares of forest land proposed to be diverted in favour of ..... (name of user agency) for..... (purpose for diversion of forest land ) in ..... district falls within jurisdiction of ..... village (s) in ..... tehsils.

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire ..... hectares of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed as annexure .... to ..... annexure .....
- (b) the diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA have been completed and the Gram Sabhas have given their consent to it;
- (c) the proposal does not involve recognised rights of Primitive Tribal Groups and Pre-agricultural communities.

Encl: AS above

Signature

(Full name and official seal of the District Collector)

## FORM-II

*(for project other than linear projects)*

Government of Rajasthan

Officer of the District Collector.....

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No. ....

Dated.....

**TO WHOWSOEVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No.11-9/98-FC (pt) dated 3<sup>rd</sup> August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short ) on the forest land proposed to be diverted in for non-forest purposes, it is certified that ..... hectares of forest land proposed to be diverted in favour of ..... (name if user agency) for .....(purpose for diversion of forest land) in ..... district falls within Jurisdiction of ..... village(s) in .....tehsils.

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire ..... hectares of forest land proposed for diversion. A copy of records of all consultation and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed as annexure.....to..... annexure.....
- (b) the proposal for such diversion (with full details of the project and its implications, in vernacular / local language) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA,
- (c) the each of concerned Gram Sabha(s), has certified that all formalities / processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the Gram Sabha of ..... village(s) is enclosed as annexure .....to annexure.....
- (d) the discussion and decisions on such proposals had taken pace only when there was a quorum of minimum 50% of the members of Gram Sabha present;
- (e) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and Gram Sabhas have given their consent to it;
- (f) the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safeguarded as per section 3 (1) (e) of the FRA.

Encl.: As above.

Signature

(Full name and official seal of the District Collector)