

Government of India
Ministry of Environment, Forest & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 8th September, 2022

To

The Regional Officers,
All Integrated Regional Offices of MoEF&CC

Sub: Processing of proposals pertaining to violation of Forest (Conservation) Act, 1980 –reg.

Sir,

I am directed to refer to above mentioned subject and to inform that the issue related to processing of proposals in the MoEF&CC pertaining to violation of Forest (Conservation) Act, 1980 was considered by the Forest Advisory Committee (FAC) in its meeting held on 01.08.2022. The minutes of the FAC meeting held on 01.08.2022 is available at www.parivesh.nic.in. Based on FAC's recommendations and its approval by the competent authority, the following is clarified by the Ministry:

- i. Proposals submitted for ex-post facto approval, involving violation of Forest (Conservation) Act, 1980 are at par with the cases pertaining to encroachment of forest land and therefore the process prescribed under clause (c) of sub-rule 2 of rule 7 of the Forest (Conservation) Rules, 2003 needs to be followed for the processing of cases involving area up to 40 ha while proposal involving area more than 40 ha shall be dealt as per the provisions of sub-rule 4 of rule 7 of the Forest (Conservation) Rules, 2003. The proposals submitted after 28.06.2022 will be dealt as per the provisions of Forest (Conservation) Rules, 2022. All proposals of regularization of encroachment or *ex-post facto* approval shall be decided by Ministry at Central level and not by the IROs.
- ii. The IROs of the Ministry shall ensure that appropriate action under section 3A and 3B of the Forest (Conservation) Act, 1980 are initiated by them in such cases involving violation of the Forest (Conservation) Act, 1980.

This issue with the approval of the Competent Authority.

Yours faithfully
Sd/-

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The Principal Secretaries, All States Govts/Union territories Administrations
2. The PCCF, All States/ Union territories Administration.
3. The Regional Officer, All Integrated Regional Office of MoEF&CC
4. The Nodal Officer, O/o the PCCF, All States/ Union territories Administration.
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi
6. Guard file