

Government of West Bengal  
Directorate of Forests  
**Office of the Principal Chief Conservator of Forests, Head of Forest Force**  
Aranya Bhawan, Block: LA-10A, Salt Lake City, Sector - III, Kolkata: 700 106  
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Visit us at: [www.westbengalforest.gov.in](http://www.westbengalforest.gov.in)

No- 1901 /L & LT/2M-126/2023

Dated: 01.06.2023.

To: 1. The All Circle-in-Charge.  
2. The All Divisional Forest Officer.

Sub: Processing of proposals involving violation of Forest (Conservation) Act, 1980 - Authorising State Government to take cognizance of the offence committed under the Forest (Conservation) Act, 1980 - reg.

Ref: Govt. of India, MoEF & CC, New Delhi, letter No. 11/113/2022-FC-Part (1) dated 15/05/2023 (copy enclosed).

Enclosed herewith please find copy of above letter from MoEF & CC, Govt. of India for strict compliance.

Competent Authority of MoEF & CC, Govt. of India has authorized officers of the rank of DFO/DCF and above of the State Government having jurisdiction over the forest land in respect of which any offense under the FCA 1980 is committed or violation of the provisions of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.

This is for your information and accordant action.

Encl.: As stated above.

491/6/2023  
Addl. Principal Chief Conservator of Forests  
& Nodal Officer, Forest Conservation Act.

No- 1902 /L & LT/2M-126/2023

Dated: 01.06.2023.

Copy forwarded for kind information and necessary action to:

1. The Principal Chief Conservator of Forests, General, West Bengal.
2. The Principal Chief Conservator of Forests, W.L. & C.W.LW., West Bengal.
3. The Principal Chief Conservator of Forests, R.M. & D., West Bengal.
4. The Chief Conservator of Forests, P.G.L.I., West Bengal.
5. The Chief Conservator of Forests, H.Q., West Bengal.

491/6/2023  
Addl. Principal Chief Conservator of Forests  
& Nodal Officer, Forest Conservation Act.

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

Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi-110003

Dated: 15<sup>th</sup> May, 2023

Notified  
30/05/23

To

The Addl. Chief Secretary/Principal Secretary (Forests),  
All State/UT Governments

**Sub: Processing of proposals involving violation of Forest (Conservation) Act, 1980 - Authorising State Government/Union territory Administrations to take cognizance of the offence committed under the Forest (Conservation) Act, 1980 - reg.**

Sir,

I am directed to refer to the above subject and to inform that matter was considered by the Advisory Committee in its meeting held on 24.03.2023. Minutes of the meeting of the Advisory Committee may be accessed at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Advisory Committee, inter-alia, observed that no enabling provisions have been provided in the Forest (Conservation) Rules, 2022 for taking cognizance of the offence committed against the provisions of the Act, 1980 and remove ambiguities in dealing with the legal proceedings arising out of the violations of the Forest (Conservation) Act, 1980 enabling provisions need to be provided. The Committee also observed that based on the past experience of dealing with the violations cases starting from taking cognizance of offence and thereafter its culmination, it will be appropriate and proper to delegate the power of taking cognizance of the offence committed under the Forest (Conservation) Act, 1980 to the authorities in the State Govt./UTs.

Based on the recommendation of the Advisory Committee and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby authorizes officers of the rank of Divisional Forest Officer (DFO)/Deputy Conservator of Forests (DCF) and above of the State Government or Union territory Administration concerned, having jurisdiction over the forest land in respect of which any offence under the Forest (Conservation) Act, 1980 is committed or violation of the provisions of the said Act has been made, to file complaints against such person/authority/organization, prima-facie found guilty of offence under the Act or the violation of the rules made thereunder, in the court having jurisdiction in the matter.

However, the Central government after receiving the information with respect to offence committed or violations made either through State government/authorities/ any other source or suo moto shall communicate the same after due examination to State government and the authorities concerned under whose jurisdiction the offence under the Forest (Conservation) Act, 1980 has been committed or any provision of the said Act has been violated, for filing the complaint against the offenders before the court of law and it shall act as a prerequisite for the authorized officer before such complaints are filed. Such

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complaints should be filed before the court within a period of 45 days from the receipt of such communication from Central Government. Moreover, a periodic report, as specified by the Central Government on time to time, regarding filing of the complaints shall be submitted by the State government/authorities/authorized officers.

This issues with the approval of competent authority.

**Signed by Charan Jeet  
Singh  
Date: 15-05-2023 16:23:13  
Reason: Approved**

Yours faithfully,

**(Charan Jeet Singh)**  
Scientist 'D'

Copy to:

1. The Principal Chief Conservator of Forests, All State/UT Governments
2. The Dy Director General of Forests (Central), All Regional Offices of the MoEF&CC
3. The Addl. PCCF & Nodal Officer (FCA), Office of the PCCF, All State/UIT Governments
4. Monitoring Cell, FC Division, MoEF, New Delhi
5. Guard File