



सत्यमेव जयते

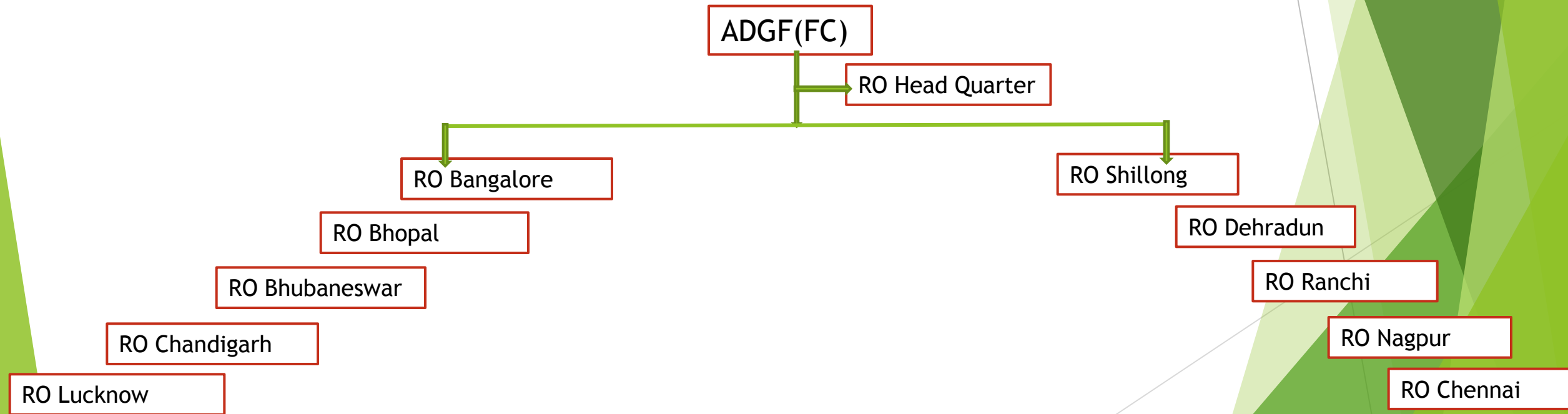
Forest Conservation Division *An Overview*

**Ministry of Environment, Forest & Climate Change
Government of India**

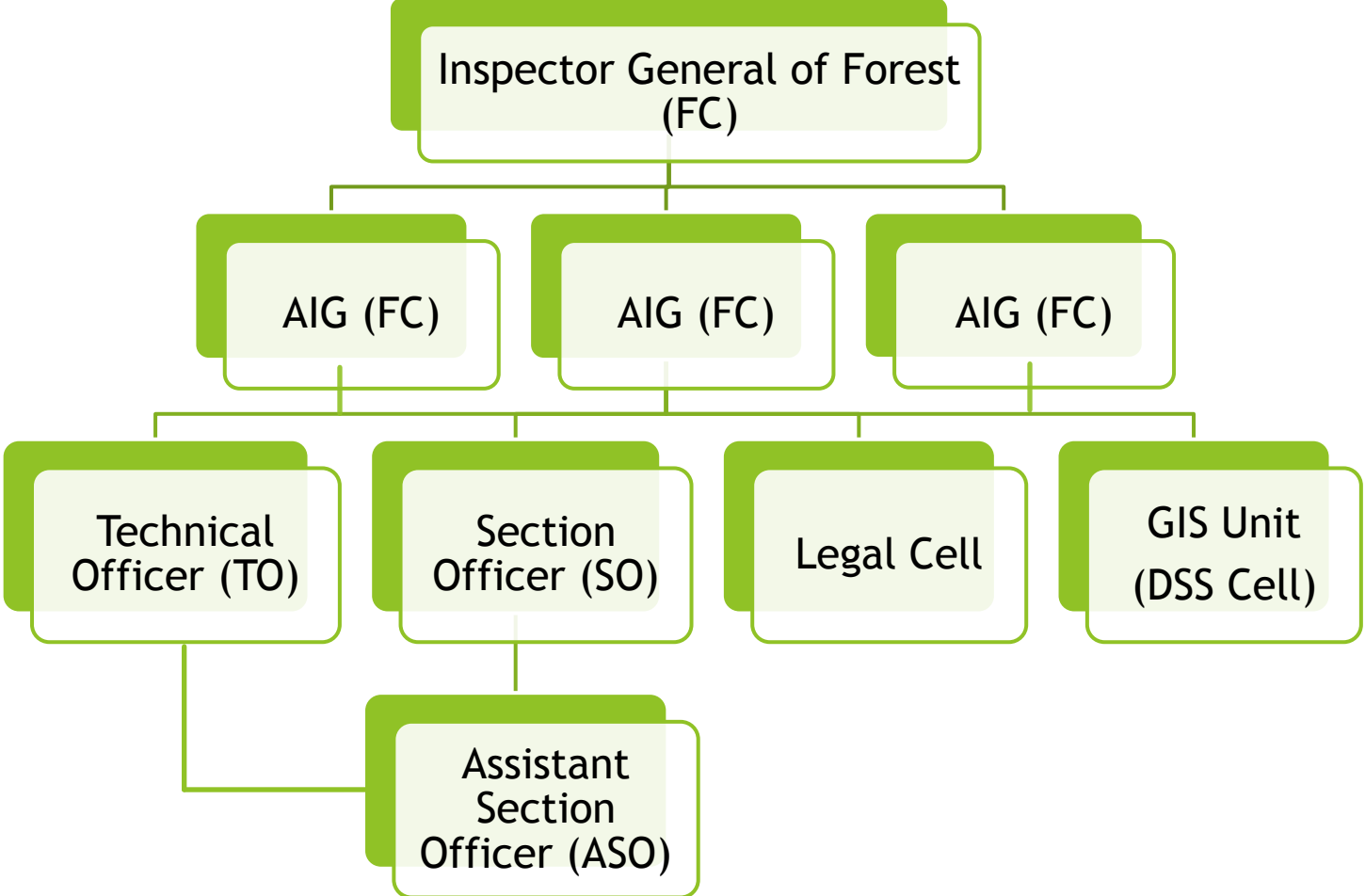
11.07.2016

Organizational Set up for implementation of FC Act 1980.

- Forest Conservation Division in MoEF &CC
- 10 Regional Offices and 1 RO (Headquarters)



Organizational Chart of FC Division at MoEF & CC



Functions of FC Division

1. To receive online application for forest clearance above 40 ha under FC Act 1980 from State Government and accord Forest Clearance (FC) on the recommendation of Forest Advisory Committee (FAC) and approval of Hon'ble Minister of Environment, Forest and Climate Change.
2. Forest Conservation Policies: Formulation and Implementation
3. Formulation and implementation of Forest Conservation Rules

Forest (Conservation) Act 1980

It was enacted on 25 October 1980

This has four sections, the important provisions are:

Section 2. Restriction on the de-reservation of forests or use of forest land.

Forest Clearance is given under this rule by MoEF & CC

Section 3. Constitution of Advisory Committee (FAC).

The Central Government may constitute a Forest Advisory Committee to advise that Government with regard to-

(i) the grant of approval. under Section 2; and

(ii) any other matter connected with the conservation of forests which may be referred to them by the Central Government.

3A. Penalty for contravention of the provisions of the Act.

Whoever contravenes or abets the contravention of any of the provisions of **Section 2**, shall be punishable with simple imprisonment for a period which may extend to fifteen days.

3B. Offences by the Authorities and Government Departments.

Where any offence under this Act has been committed -

(a) by any department of Government, the head of the department; or

(b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority;

shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

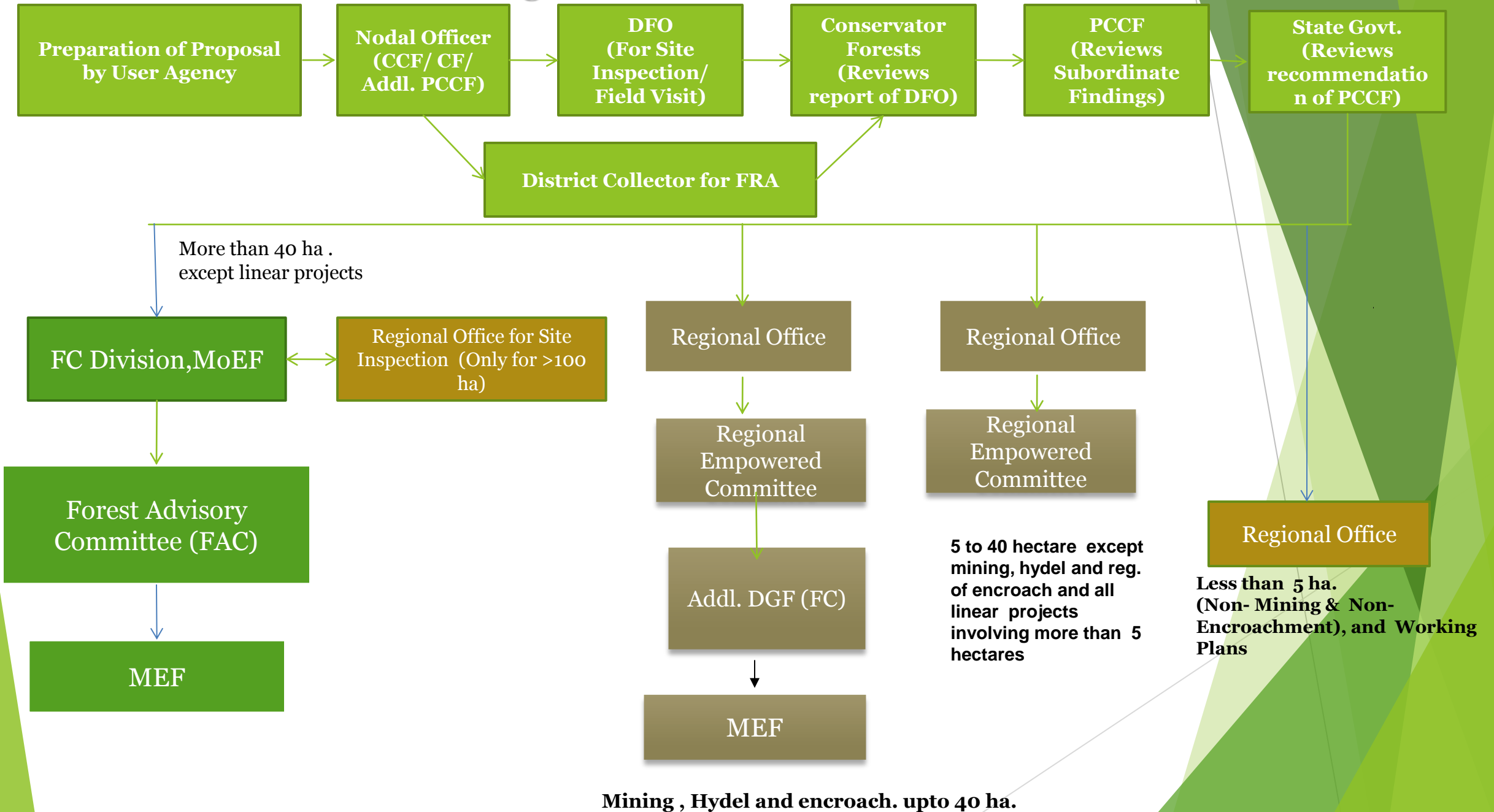
Section 4. Power to make rules.

Every rule made under this Act shall be laid, before each House of Parliament for approval.

Rules made so far

- a) Forest (Conservation) Rules, 2003
- b) Forest (Conservation) Amendment Rules, 2004
- c) Forest (Conservation) Amendment Rules, 2014
- d) Forest (Conservation) Second Amendment Rules, 2014

Delegation of Powers at various levels



Time- Lines for Processing of Stage-I FC Proposals at State Level

Level	5 ha.	5 to 40 ha.*	40 to 100 ha.	More than 100 ha.
Nodal Officer	10	10	10	10
DCF	30	30	45	60
District Collector for FRA				
CF	10	10	30	30
Nodal Officer/ PCCF	10	20	25	30
State Govt.	30	30	30	30
Transit Period	20	20	20	20
Total	110	120	150	180

*: Including the proposals seeking diversion of forest land upto 5 hectares for mining and regularization of encroachments

Time- Lines for Processing of Stage-I FC Proposals in MoEF

Activity	5 ha.	5 to 40 ha.*	40 to 100 ha.	More than 100 ha.
Pre-inspection by MoEF/ RO to examine completeness	5	5	10	10
Site inspection by R. O.	-	-	-	45
FAC	-	-	30	30
SAG	-	30	-	-
REC	-	-	-	-
Approval by competent authority (CA)	20	30	30	30
Communication of approval of CA	5	5	5	5
Transit Period	-	5	-	10
Total	30	75	75	120

Decentralisation

- Constitution of Regional Empowered Committee (REC) at each Regional Office to finally dispose of proposals involving upto 40 hectares of forest land (except mining, encroachment and HEPs) and all proposals related to linear projects
- General approval for construction and widening of two lane roads by the within 100 kilometres aerial distance from LAC
- General approval for creation of border security related infrastructure within five kilometers aerial distance from the International Border
- General approval for construction of two lane roads within 117 LWE affected districts irrespective of area of forest land involved
- Delegation of powers to competent authority in the State Govt. to issue permission for tree felling and commencement of work on linear projects without waiting for final FC once compensatory levies and land for CA is received
- Extension of general approval for diversion of forest land upto 5.00 hectares in each case for 14 categories of public utility projects by Government Departments in 117 LWE affected Districts till 31.12. 2018

Stage-I/Stage-II FC accorded by MoEF&CC in last two years (w.e.f. 01.04.2014)

Sl. No.	State/ UTs	Stage-I		Stage-II	
		No.	Area Diverted (in ha)	No.	Area Diverted (in ha)
1	Andaman & Nicobar Islands	5	9.34	7	21.99
2	Andhra Pradesh	16	1854.95	18	2773.47
3	Arunachal Pradesh	15	5005.13	22	501.67
4	Assam	1	29.86	4	9.54
5	Bihar	44	652.69	33	180.11
6	Chandigarh	0	0	1	0.86
7	Chhattisgarh	24	1863.03	43	3203.04
8	Dadra & NH	2	0.28	1	7.4
9	DELHI	0	0	2	19.94
10	Goa	1	0.29	0	0
11	Gujarat	95	1479.3	91	1097.82
12	Haryana	347	1109.59	313	533.35
13	Himachal Pradesh	85	1499.93	97	784.32
14	Jharkhand	11	619.12	10	2730.43
15	Karnataka	60	1173.53	49	536.03
16	Kerala	7	3.91	2	6.89
17	Madhya Pradesh	87	10247.65	81	4719.19
18	Maharashtra	61	1978.81	60	2777.77
19	Manipur	8	1056.3	6	382.16
20	Meghalaya	4	12.19	3	145.28
21	Mizoram	5	110.77	3	79.33
22	Odisha	54	3158.92	37	4618.78
23	Punjab	354	601.94	263	508.18
24	Rajasthan	18	646.91	43	2836.24
25	Sikkim	7	48.52	18	55.99
26	Tamil Nadu	7	492.26	20	595.92
27	Telangana	13	2042.74	6	1933.38
28	Tripura	8	221.08	8	242.69
29	Uttar Pradesh	60	1863.46	80	822.24
30	Uttarakhand	165	2332.07	166	2241.87
31	West Bengal	11	346.06	3	84.31
Grand Total		1575	40460.63	1490	34450.19

Issues concerning FC Division

- ▶ Formulation of definition of ‘Forests’ for FC Act
- ▶ Identification of ‘inviolable forest areas’ for conservation and finalization of DSS
- ▶ Finalization of Revised Regional Plan of NCRPB
- ▶ Finalization of conservation plan of Saranda forest in Jharkhand in compliance of M.B.Shah Commission report on illegal mining.
- ▶ Finalization of FC for iron ore mines in Jharkhand and Odisha pending due to study of ICFRE and NEERI
- ▶ Strengthening of Regional Office and FC Division
 - ▶ Poor staffing, shortage of manpower and infrastructure

THANK YOU

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the frame, creating a dynamic, layered effect. The rest of the background is plain white.