

**GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

No. RDM-LRGEA-POLICY-0003-2018-

7311

/R&DM Dated

24.2.18

From

Dr. C.S. Kumar, IAS,
Principal Secretary to Government

To

All Collectors

Sub: Identification of land for compensatory afforestation in lieu of the forest land being diverted for non- forest use

Madam/ Sir,

I am directed to say that the Ministry of Environment, Forest and Climate Change, Government of India vide letter No. F.No.11-423/2011/FC dated 08/11/2017 have issued certain guidelines on the categories of land which can be considered for compensatory afforestation purpose in lieu of the forest land being diverted for non-forest use under the provisions of the Forest (Conservation) Act, 1980. The Forest & Environment Department vide their Memo No. 23908/F&E dated 20/11/2017 have already sent copy of the said guidelines of the Central Government to all Collectors. However, a copy of the same is enclosed for ready reference.

2. In this context, you are requested to take appropriate steps to identify suitable land of the categories as specified in the aforesaid guidelines issued by Central Government in consultation with concerned DFOs for compensatory afforestation purpose while processing proposals for forest diversion.

Yours faithfully,

Principal Secretary to Government

Memo No 7312 / R&DM Dated

24.2.18

Copy with copy of the enclosure forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ all RDCs for information and necessary action.

Principal secretary to Government

Memo No. F313 / R&DM Dated 24.2.18

Copy forwarded to Forest & Environment Department for information and necessary action with reference to their Memo No. 23908/F&E dated 20/11/2017.


Principal Secretary to Government

Memo No. F314 / RDM Dated 24.2.18

Copy with copy of the enclosure forwarded to Joint Secretary (In charge of IMU Cell), Revenue & DM Department with a request to upload the letter in the Department website.


Under Secretary to Government

No. 3958/CMO

24.11.17

Most urgent / By fax/e-mail

Government of Odisha

Forest and Environment Department

-0-

No. 10F(Con) 8/2014

F&E dated 20.11.17

From

Sri Debidutta Biswal, IES
Special Secretary to Govt.

To

The PCCF, Odisha

Sub-

Guidelines of MoEF&CC, Govt on identification of 'suitable' land for the purpose of raising compensatory afforestation against the projects requiring forest land for non-forest use

Sir,

I am directed to enclose herewith the copy of letter F.No. 11-423/2011-FC dt. 8.11.2017 of Government of India, MoEF&CC and to say that vide the letter under reference, the MoEF&CC have prescribed further guidelines/explanation for the purpose of identifying land for the purpose of compensatory afforestation against the projects requiring forest land for non-forest use and further processing of such identified land to be brought under the control of administrative control of State Forest Department/Working Plan prescriptions.

Necessary instructions/guidance in this respect may also be imparted to the RCCFs/Divisional Forest Officers(T&WL) and user agencies for their compliance in this context while processing/filing the relevant forest diversion proposals for consideration under Section 2 of Forest Conservation Act, 1980.

Yours faithfully,

Special Secretary to Government

Memo No. 23908 /F&E, Dated: 20.11.17

Copy with copy of MoEF&CC guidelines forwarded to Revenue & DM Department/ all Collectors for information and immediate necessary compliance.

Special Secretary to Government

Memo No. 23909 /F&E, Dated: 20.11.17

Copy with copy of MoEF&CC guidelines forwarded to all Regional Chief Conservator of Forests /all Divisional Forest Officers(T&WL) for information and immediate necessary compliance.

Special Secretary to Government

Memo No. 23910 /Dated. 20.11.17

Copy with copy of MoEF&CC guidelines forwarded to the Planning & Convergence Department/ Steel & Mines Department/ Water Resources Department/Energy Department/Rural Development Department/Works Department/ Commerce & Transport Department/FS&CW Department /Industries Department/ Electronics & IT Department / Housing & Urban Development Department for information and necessary follow action.

Special Secretary to Government

Memo No. 23911 /Dated. 20.11.17

Copy with copy of MoEF&CC guidelines forwarded to CGM(Tech.)&RO, National Highway Authority of India, Ministry of Road Transport & Highways, 301-A, 3rd Floor, Pal Heights, Plot No. J/7, Jaydev Vihar, Bhubaneswar-751013 / Managing Director, Odisha Power Generation Corporation Ltd. , Zone-A, 7th floor, Fortune Tower, Bhubaneswar-23/ Chief Manager-(Civil), Power Grid Corporation of India Limited, POWER GRID, ER-II, 27, Sahid Nagar, Bhubaneswar /General Manager, Indian Oil Corporation Ltd. , Nandankanan Road, Kanan Vihar, Chandrasekharpur, Bhubaneswar-16/ Chairman-cum-Managing Director, Odisha Power Transmission Corporation Ltd, OPTCL Corporate Building, Gricco Colony, Bhoi Nagar, Bhubaneswar-22/ Chairman-cum-Managing Director, NALCO, Nalco Bhawan, P/1, Nayapalli, Bhubaneswar-13/ General Manager, NTPC Ltd, 3rd Floor, OCHC Building, Janpath, Bhubaneswar-1/Chairman-cum-Managing Director, Mahanadi Coalfields Ltd, PO- Jagruti Vihar, Burla. Dist. Sambalpur-768020/Managing Director, Odisha Mining Corporation Ltd, OMC House, Bhubaneswar/Managing Director, IDCO, Bhubaneswar for information and immediate necessary action.

Special Secretary to Government

As discussed in the meeting

Kind attention of Principal Secretary.

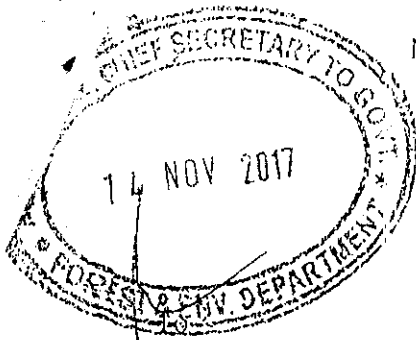
20/11/17

27/3/94
16 11 20 17

F.No. 11-423/2011 FC

Government of India

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



Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi-110003.
Dated: 8th November, 2017

The Principal Secretary (Forests)
All States/UT Governments.

Sub: Identification and suitability of Non-forest land for Compensatory Afforestation under Forest Conservation Act 1980 - regarding Identification of Land Bank for Compensatory Afforestation (CA)

I am directed to invite your kind attention to the chapter III of guidelines issued in 2003 by MoEF to implement the Forest Conservation Act 1980 which deals with compensatory afforestation. The para 3.2 of the said guidelines provides for identification of land for compensatory afforestation.

In 3.2 (i) it has been clarified that Compensatory afforestation shall be done over equivalent area of non-forest land (NFL).

As an explanation to 3.2(i) it has been mentioned that:

As a matter of pragmatism, the revenue lands/zudpi jungle/ Chhoti/ Bade jhar ka jungle/ jungle-jhari land/civil – soyam lands and all other such categories of land, on which the provisions of Forest (Conservation) Act, 1980 are applicable, shall be considered for the purpose of compensatory afforestation provided that lands on which compensatory afforestation is proposed shall be notified as RF under the Indian Forest Act, 1927.

The application of the GIS based Decision support system (DSS) by the ministry suggests that in many cases a substantial portion of the land identified for compensatory afforestation already contain vegetation of varying density. Creation of compensatory afforestation on such land will not fully compensate the loss of trees, as there will not be enough space for the requisite number of plants to be planted. Outright rejection of such NFL for compensatory afforestation is not desirable. However, once such NFL are selected for compensatory afforestation, these NFL are required to be transferred to State Forest Department and brought under the regular management control of the SFD.

The issue of identification of suitable land for Compensatory afforestation and land bank consisting of both Degraded Forest Land (DFL) and Non Forest Land (NFL) to be made available to user agencies for compensatory afforestation has been considered in the Ministry and following guidelines are issued for identification of suitable land for Compensatory Afforestation and creation of Land Bank under Forest Conservation Act 1980:

Handwritten notes:
A
27/3/94
All compensatory afforestation work shall be done in accordance with the provisions of the Forest Conservation Act, 1980.
S.O. (D-1)
May be concerned
15/11

The following amendment is made in 3.2(i) and explanation 2 is added as under :

- i. The purpose of compensatory afforestation (CA) is to compensate the loss of 'land by land' and loss of 'trees by trees'.
- ii. For compensatory afforestation the number of plants to be planted over compensatory afforestation land shall be at least 1000 plants per hectare of forest land diverted.
- iii. If the requisite number of plants @ 1000/ha can not be planted on the non-forest land identified for taking up CA, then the balance number of the plants will be planted in degraded forest land as per the provisions of working plans. The State Government will intimate to the MOEF&CC the names of the R.F./P.F. in which the balance seedling will be planted. The User Agency will deposit the cost of planting these seedlings.
- iv. If the compensatory afforestation has to be done on degraded forest land (DFL) identified for CA for as provided in para 3.2 (vi), 3.2(vii) and 3.2 (ix) then normally, 1000 saplings will be planted per ha of the diverted land. In case 1000 saplings can not be accommodated per ha in the DFL identified for CA, the balance seedlings will be planted in any RF/PF as per prescription of working plan. The State Govt. will intimate names of the RFs/PFs in which the balance seedlings will be planted. The user agency will deposit the cost of plantation of the same.
- v. The compensatory afforestation may also include several activities like soil & moisture conservation, regeneration cleaning, silvicultural activities in addition to plantation as prescribed in the working plan as applicable. Compensatory afforestation schemes under Assisted Natural Regeneration modes as applicable to the identified non forest land (NFL) as well as degraded forest land (DFL) may be considered as per the site requirement.
- vi. State Government will formulate compensatory afforestation scheme including activities like soil & moisture conservation, regeneration cleaning, silvicultural activities and shall ensure maintenance of these plantations for a period of seven to ten years as per requirement.
- vii. The non forest land over which compensatory afforestation will be taken up shall be notified as RF/PF and shall remain under the administrative control of State Forest Department. If the DFL over which CA will be taken up is not a notified forest under IFA or State Forest Act the same shall be notified as RF/PF under this act.

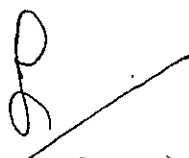
In para 3.2 (ix) the following sub para is added after (f) for identification of Land bank for compensatory afforestation

- (g) The States and UTs shall create land bank for Compensatory Afforestation for speedy disposal of the FC proposals under FC Act 1980. The degraded forest land with crown density upto 40% under the administrative control of forest department may be identified using the Satellite imagery and in consultation with Forest Survey of India and will be made available for CA for Central Government projects and Central Public Sector Units (CPSU). The revenue lands/zudpi jungle/ Chote/ Bad'e jhar ka jungle/ jungle-jhari land/civil - soyam lands and all other such categories of land, on which the provisions of Forest (Conservation) Act, 1980 are applicable and other

waste lands and non-forest lands may also be identified as land bank for the purpose of Compensatory Afforestation. Accordingly, it was decided that to expedite creation of land bank in a systematic manner a Committee under Chairmanship of the Principal Chief Conservator of Forests may be constituted with Chief Wildlife Warden and representatives of revenue department in the State as members of the Committee. The committee may identify the following areas as land bank on priority for inclusion in the land Bank in addition to the blank area and plantation blank referred in para 3.2 (ix)(c) :


- (i) Degraded forest land with crown density upto 40% under the administrative control of forest department
 - (ii) Areas falling in wildlife corridors to improve connectivity between habitats.
 - (iii) Areas falling in and around the Protected Areas (PAs), eco-sensitive zone of PAs, forest areas under direct administrative control of the SFDs to ensure consolidation of such areas.
 - (iv) Habitat of rare, threatened and endangered species of flora and fauna located in the areas not under direct administrative and management control of the SFD to ensure long term conservation of such habitats.
 - (v) Areas falling in catchment areas of important rivers, water supply schemes, irrigation projects, hydro-electric projects etc.
- (h) To monitor the progress of creation of land bank for compensatory afforestation, the Ministry will constitute committees under chairmanship of Head of each Regional Office of the Ministry. Among others, representatives of the National Tiger Conservation Authority (NTCA) and the FSI will also be included as member of these committees. These committees will review the progress in creation of land bank for compensatory afforestation in the States/UTs falling under jurisdiction of the Regional Offices and submit a quarterly report to the Ministry.

This issues with the approval of competent authority


(Nisheeth Saxena)
Assistant Inspector General of Forests (FC)

Copy to:

1. All PCCFs States/UTs
2. All Regional Office, MOEF&CC
3. Nodal Officers (FCA) O/o the PCCFs All States/UT
4. DIGF(FC)/Dir(ROHQ)/All AIGFs(FC), MOEF&CC New Delhi
5. PPS to Secretary, MOEF&CC New Delhi
6. PPS to DGF&SS, MOEF&CC New Delhi
7. PPS to IGF(FC)
8. Guard File


(Nisheeth Saxena)
Assistant Inspector General of Forests (FC)