

*GUIDEBOOK ON APPLICATION AND INSPECTION PROCEDURE FOR  
OBTAINING NOC/TRANSIT PERMIT FOR TREE  
FELLING/TRANSPORTATION AND USE OF FOREST LAND FOR NON  
FORESTRY USE*



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## A. Obtaining NOC For Felling Of Trees On Forest Land/Non- Forestry use of Forest Land Prior to Commencement Of Construction Activities

### A.1. Introduction

<b>Name of Service</b>	<b>NOC for felling of trees on Forest Land prior to commencement of Construction Activities from Appropriate Authority.</b>
<b>Authority/Department</b>	Ministry of Environment, Forest and Climate change, Government of India, New Delhi, Environment & Forest Department, Govt of Bihar.
<b>Regulatory Framework</b>	Forest (Conservation) Act, 1980.
<b>Service Condition (i.e. Who requires this service?)</b>	Every User Agency/ Every Industry who wants to avail/use forest land for non-forestry purposes regardless of tree felling involved or not.
<b>Application Method</b>	Online and Manual
<b>List of prescribed documents to be submitted</b>	<ul style="list-style-type: none"> <li>• Application in Form ‘A’ for proposals seeking first time approval and in Form ‘B’ for proposals seeking renewal of leases.</li> <li>• Location map of the Proposed Site, duly signed by both U/A and DFO.</li> <li>• Index Map in Survey of India topo sheet (1:50,000) or (1:25,000) duly signed by both UA and DFO concerned.</li> <li>• Joint Site Inspection Report (User Agency and DFO).</li> <li>• Lay out Plan.</li> <li>• Undertaking by U.A to pay cost of Compensatory afforestation /penal CA.</li> <li>• Undertaking by U.A. to pay royalty of timber and / or operational cost for extraction of timber from the project site, as the case may be.</li> <li>• Undertaking by U.A. to pay N.P.V.</li> <li>• E.I.A. Report as applicable in cases of mining/ or proposals of more than 100 ha.</li> <li>• Wildlife Clearance from State Board for Wild Life (SBWL)/ National Board for Wild Life(NBWL) as required, Application in Part-I and Part-II has to be submitted to the concerned Protected Area Authority.</li> </ul>
<b>Application Processing Fee (if any) and Mode of Payment</b>	Nil.
<b>Application to be submitted at:</b>	Ministry of Environment & Forest, GoI (Online).( <a href="http://www.moef.nic.in">www.moef.nic.in</a> ) Project approvals-registration-login-uploading of documents and Form A and TOPO sheet and KML file of the site. online migration of proposals to Nodal officer Forest Conservation in Environment & Forest Department, GoB and thereafter manual

	submission in 8 copies,
<b>Key Approving Authority</b>	Ministry of Environment & Forest, GoI.
<b>Whether prior inspection is required for this approval</b>	Yes.
<b>Prescribed Timeline for service delivery (from date of application)</b>	210 days. (Excluding the time taken in issuing Forest Right Act (FRA), certificates by the concerned District Magistrate.)

## **A.2. Application and approval procedure**

#	Process Details:
1.	Submit the online application in the Form 'A' if seeking first time approval under the Act or online in Form 'B' for seeking renewal of leases along with all necessary documents as listed above to the online portal ( <a href="http://www.moef.nic.in">www.moef.nic.in</a> ).
2.	On submission, the respective User Agency can get a printout of the Application and a machine generated project number is also generated. and proposal automatically migrated to Nodal officer, Forest Conservation of the State.
3.	The Nodal Officer Forest conservation, Environment & Forest Department after receiving the online proposal can raise query or ask the U/A to submit the Proposal in 8 copies to the office of Nodal officer. Nodal officer can take 10 days time to send the proposal to concerned D.F.O.
4.	If the Nodal Officer of State Environment & Forest Department finds that the proposal is incomplete, he shall return it within the period of 10 days to the concerned User Agency/Industry and this time period shall not be counted for any future reference.
5.	The Nodal officer forwards the proposal to Concerned DFO and CF for joint enumeration and inspection which is to be carried out within 90 days. A certificate under Forest Rights Act 2006 is also taken from the District Magistrate and given to Nodal Officer by U/A.
6.	The Divisional Forest Officer or the Conservator of Forests shall examine the factual details and feasibility of the proposal, certify the maps, carry out site-inspection and enumeration of the trees and forward these findings in the Formats specified in this regard to the Nodal Officer, State E& F Department, within a period of 90 days of the receipt of such proposal from him.
7.	The State Nodal Officer, through the Principal Chief Conservator of Forests, shall forward the proposal to State Government along with his recommendations, within a period of 30 days of the receipt of such proposal from the Divisional Forest Officer or the Conservator of Forests.
8.	The State Government shall forward the complete proposal, along with its recommendations, to the GOI in the specified Forms within a period of 60 days of the receipt of the proposal from the Nodal Officer.
9.	These proposals shall be processed and put up before the Regional Expert Committee or the Forest Advisory Committee and the recommendations of the Committee shall be placed within a period of ninety days (90) of the receipt of such proposals from the State Government

	before the Central Government for its decision.
10.	If Central Government approves the proposal then Stage-1 approval will be sent to the applicant agency through State government.
11.	The Ministry first grants the in principle approval for any project with some conditions, including payment of Net Present Value of the Forest Land and cost of cCompensatory Afforestation of double degraded forest/ten times of trees to be felled.
12.	In some cases, equivalent non forest area is taken in lieu of non forestry us of the forest land.
13.	When the user Agency deposits the NPV and CA and gives undertaking to follow all the conditions, the again the proposal is submitted for stage II approval to the Ministry.
14.	The Ministry grants Stage II approval. The state Government of Bihar also finally issue a notification to this effect.
15.	It is to mention that the Forest land under non forestry use always remains the Forest and its legal status does not change.
16.	In Protected Areas/Eco-Sensitive Zone, Non-Forestry use requires clearance from State Board for Wildlife (SBWL)/National Board for Wildlife (NBWL) prior to forest clearance. Application for necessary clearance has to be submitted to the Protected Area Authority(PA) in Part-I and Part-II of the prescribed format. The P.A. Authority submits its recommendation to the Chief Wildlife Warden or the officer authorized by him in Part-III within 30 days from receipt of Part-II, who submits his/her recommendation in Part-IV to the State Government within 15 days from receipt of Part-III. The State Government submit its recommendation in Part-V within 30 days from receipt of Part-IV. Thus a period of 75 days has been prescribed for giving clearance by the State Government and thereafter the proposal is forwarded for clearance by the NBWL.

**-: IMPORTANT NOTE:-**

- ✓ Under the Forest Act 1980 Ministry of Environment and Forest, MoEF&CC, GoI is the nodal department for issuing tree cutting permission on Forest Land or allowing for the non forestry use of the Forest land.
- ✓ All proposals relating to diversion of forest land will be forwarded by State government to the Additional Principal Chief Conservator of Forests of the concerned regional office of MoEF&CC for approval.
- ✓ Whenever any proposal for diversion of forest land is submitted, it should be accompanied by a resolution of the 'Aam Sabha' of Gram Panchayat/Local Body endorsing the proposal that the project is in the interest of people living in and around the proposed forest land under Forest Rights Act 2006. It is followed by approval by Sub- Divisional Committee and District level committee.
- ✓ For projects involving linear forest patches of Roadside and canal side, a simple (FRA, 2006) proforma has been prescribed.
- ✓ For obtaining wildlife clearance, formats have been prescribed.

## B. Obtaining NOC for Felling Of Trees on Government Land (Non-Forest) Prior To Commencement of Construction Activities.

### B.1. Introduction

<b>Name of Service</b>	<b>NOC for felling of trees on Govt. Land (Non-Forest) prior to commencement of construction activities from Appropriate Authority.</b>
<b>Authority/Department</b>	Parent Department of the state government which owns the land, Environment & Forest Department, GoB.
<b>Regulatory Framework</b>	Tree felling and Transit Regulations in the State of Bihar. Government Resolution No. 43 (E) date-28.01.2013 as amended by Resolution No. 178(E) dtd. 29.03.2016 (Available on dept.website)
<b>Service Condition (i.e. Who requires this service?)</b>	All User Agency/ All Industries that want to avail/use govt. land (non-forest land).
<b>Application Method</b>	Manual.
<b>List of prescribed documents to be submitted</b>	<ol style="list-style-type: none"> <li>1. Application.</li> <li>2. Affidavit.</li> <li>3. Property/occupancy documents.</li> <li>4. Plan of the property showing the khasra number.</li> <li>5. Enumeration list (duly signed by the applicant).</li> <li>6. Boundary list (duly signed by the applicant).</li> <li>7. Latest jamabandi of land record issued by the Tehsildar.</li> <li>8. “No Objection Certificate” from the concerned local body.</li> <li>9. Compensatory Afforestation Scheme.</li> </ol>
<b>Application Processing Fee (if any) and Mode of Payment</b>	Nil.
<b>Application to be submitted at: (<i>Manual application</i>)</b>	NOC from the Parent Department of the state Government. Then application to Environment & Forest Department, GoB.
<b>Key Approving Authority</b>	Divisional Forest Officer.
<b>Whether prior inspection is required for this approval</b>	Yes.
<b>Prescribed Timeline for service delivery (<i>from date of application</i>)</b>	27 days.

## **B.2. Application and approval procedure**

#	Process Details:
1.	First Take NOC from the parent department who owns the land in question to cut the trees or use the land in question.
2.	Give the prior information of tree felling to the office of Divisional Forest Officer.
3.	A joint enumeration will be carried out by the concerned user agency & the officials of forest department within 20 days of receipt of information at the office of divisional forest officer.
4.	Afterwards, orders for tree felling will get issued to the user agency/industry by the divisional forest officer within ten (10) days of receipt of joint enumeration report.
5.	Deputation of an official from the forest department will be made for observation & logging of trees. Also, necessary direction for storage of felled off trees will also be given in the same orders.
6.	As a part of compensatory afforestation the user agency/industry will have to plant trees 3 times higher than the total number of felled off trees either on the same land or any other land identified for this purpose by the E & F department.
7.	All expenses incurred on tree felling, its logging & transportation (to & fro) to the forest department godown will have to be borne by the respective user agency/industry. This complete exercise will be carried out within 60 days of issuance of tree felling order from the divisional forest officer.
8.	The Concerned divisional forest will prepare & submit the afforestation plan for the same.
9.	In certain emergency situation wherein seeking prior approval for tree felling is not possible the user agency will carry out the tree felling activity and will inform the divisional forest officer subsequently about the same.
10.	In such situations the divisional forest officer will ensure the validation of the same within 7 days of receipt of tree felling information from the user agency. He will also ensure the deputation of personnel from the forest department for logging & storage of felled off trees in the respective go down of forest department.



## C. Obtaining NOC For Felling/Transit Of Trees On Private Land Prior To Commencement Of Construction Activities.

### C.1. Introduction

Name of Service	Obtaining NOC For Felling/Transit Of Trees On Private Land Prior To Commencement Of Construction Activities
Authority/Department	<ul style="list-style-type: none"> <li>➤ Mukhiya of Gram Panchayat for issuing transit permit within the district.</li> <li>➤ DFO for issuing transit permit from urban area of the district to any place within the district and outside district</li> <li>➤ DFO for issuing transit permit from village panchayat of the district to outside district boundaries.</li> </ul>
Regulatory Framework	✓ Bihar Kashth & other Forest Produce Transit Regulations Rules, 1973.
Service Condition (i.e. Who requires this service?)	All Industries/ All User Agencies who want to obtain transit permit of trees grown on private land.
Application Method	Manual.
List of prescribed documents to be submitted	<ol style="list-style-type: none"> <li>1. Property ownership/ Lease Documents.</li> <li>2. Application form.</li> <li>3. Affidavit.</li> <li>4. Plan of the property showing the khesra number.</li> <li>5. Boundary list (duly signed by the applicant).</li> <li>6. Latest jamabandi of land record issued by the Tehsildar.</li> </ol>
Application Processing Fee (if any) and Mode of Payment	Nil.
Application to be submitted at: ( <i>Manual application</i> )	<ul style="list-style-type: none"> <li>➤ Mukhiya of Gram Panchayat for issuing transit permit within the district.</li> <li>OR</li> <li>➤ DFO.</li> </ul>
Key Approving Authority	Mukhiya/DFO
Whether prior inspection of site is required for this approval	Yes.
Prescribed Timeline for service delivery ( <i>from date of application</i> )	No time limit prescribed.

## C.2.Application and approval procedure

#	Process
1.	Submit the application to the appropriate authority for approval & issuance of transit permit.
2.	Enclosed all the relevant documents as mentioned above along with the application.
3.	If the details given in the application along with the documents submitted is found satisfactory, transit permit will be issued by the relevant authority

### -: IMPORTANT NOTE:-

- ✓ There is no Act enforced in the State for felling of trees grown on private land.
- ✓ No Permission required for felling of trees for personal use from private land.
- ✓ However, transit permit would be required for transportation of the felled off trees within the district or outside the district either from Mukhiya or the DFO, as the case may be.
- ✓ Registration of Property Mark is necessary for export or removal of timber. Registration fee is required for property mark.
- ✓ Twenty seven species are exempted from the purview of Transit Rule and therefore no transit permit is required for transportation of such tree species either within district or outside.
- ✓ The exempted tree species are: Semal, Eucalyptus, Poplar, Taad Khajur, Aam, Gamhar, Bamboo, Lichi, Kadamb, Israili Babul, Vilaiti Babul, Gulmohar, Ber, Amrud, Mithi neem, Jacranda, Subabul, Shahtut, Ashok, Casuraina, Silver oak, Palm, Nimbu, Santra ,Mosambi, Peltoforum, Rubbar, safed babul.

## D. Inspection by Appropriate Authority for felling trees (prior to commencement of construction activities)

### D.1. Introduction

<b>Name of Service</b>	Inspection by Appropriate Authority for felling trees (prior to commencement of construction activities)
<b>Authority/Department</b>	Environment & Forest Department.
<b>Regulatory Framework</b>	Forest (Conservation) Act, 1980 (For Proposals seeking NoC- Tree felling on Forest Land.) <b>OR</b> Bihar Kashth& other Forest Produce Transit Regulations Rules, 1973 (For Proposals seeking NoC- Tree felling on Government Land.) <b>OR</b> Tree Felling and Transit Regulations in the State of Bihar (For Proposals seeking Transit permits for Trees grown on Private Land.)
<b>Service Condition</b>	Every User Agency/ Every Industry who wish to get NOC for tree felling to use forest land/government land for non-forestry purposes <b>Or</b> Every User Agency/ Every Industry who wish to get Transit Permit
<b>Competent Authority for conducting the site inspection</b>	Concerned DFO or Conservator of Forest in case of Use forest Land for Non Forestry proposes under Forest Conservation Act 1980 In other cases Range Officer of Forests

### D.2. Inspection Procedure

#	Process
<b>Depending upon the nature of land Inspection would be carried out as follows:</b>	
<b>I. For Proposals seeking NoC- Tree felling on Forest Land under Forest (Conservation) Act, 1980.</b>	
1.	The Proposed forest area shall be inspected by the concerned DFO and Conservator of Forest prior to giving NOC for tree felling.
2.	If the area is very important from the forestry angle, the territorial Conservator should himself inspect the area and give complete information relating to the forest and aspects of wildlife.
3.	If the area is relatively less important, the DFO could inspect the area.
4.	The Inspecting Officer will record if any violation is observed like tree felling, land breaking etc., in that area by the user agency. He may also ask for the below documents: <ul style="list-style-type: none"> <li>✓ Location map of the Proposed Site, duly signed by both U/A and DFO.</li> <li>✓ Index Map in Survey of India topo sheet (1:50,000) or (1:25,000) duly signed by both</li> </ul>

	<p>UA and DFO concerned.</p> <p>✓ Lay out Plan. Joint Enumeration list of trees</p>
5.	The Conservator of Forests or the DFO, as the case may be, will submit the inspection report along with his recommendations & photographs of inspected sites, highlighting the aspects observed especially when the area is large or is sensitive and fragile.
6.	If approved NOC for tree felling will be granted to the User Agency after obtaining prior approval of MOEF&CC.
<b>II. For Proposals seeking NoC- Tree felling on Government Land Under Bihar Kashth &amp; other Forest Produce Transit Regulations Rules, 1973</b>	
1.	The DFO or any other official of forest department nominated by him will visit the proposed area to carry-out the inspection work.
2.	The Inspecting Officer may ask for the below mentioned documents for verification: <ul style="list-style-type: none"> <li>✓ Application.</li> <li>✓ Affidavit.</li> <li>✓ Property/occupancy documents.</li> <li>✓ Plan of the property showing the khasra number.</li> <li>✓ Enumeration list (duly signed by the applicant).</li> <li>✓ Boundary list (duly signed by the applicant).</li> <li>✓ Latest jamabandi of land record issued by the Tehsildar.</li> <li>✓ Compensatory Afforestation Scheme.</li> </ul>
3.	The Inspecting Officer will record if any violation is observed like tree felling, land breaking etc., in that area by the user agency.
4.	The Inspecting Officer will submit the inspection report along with his recommendations to the office of DFO.
5.	If approved, NOC for tree felling will be granted to the User Agency/industry.
<b>III. For Proposals seeking Transit permits for Trees grown &amp; fell down on Private Land under Tree Felling and Transit Regulations in the State of Bihar.</b>	
1.	Inspection will be carried out either by Mukhiya or the DFO depending upon the geographical limitations.
2.	If permit to transit the timber within the district is required then Mukhiya will carry out the inspection of the proposed area and if permit to transit the timber outside the district is required then DFO will carry out the inspection.
3.	Mukhiya or the DFO, as the case may be, will ask for the following documents for verification: <ul style="list-style-type: none"> <li>✓ Property ownership/ Lease Documents.</li> <li>✓ Application form.</li> <li>✓ Affidavit.</li> <li>✓ Plan of the property showing the khesra number.</li> </ul>

	<ul style="list-style-type: none"><li>✓ Boundary list (duly signed by the applicant).</li><li>✓ Latest jamabandi of land record issued by the Tehsildar.</li></ul>
4.	The Inspecting Authority will also verify the species of trees that has to be transported to put a check on tree species that are restricted from felling down or requires no transit permit.
5.	Subsequently, transit permit will get issued to the User agency/Industry.

**-: IMPORTANT NOTE:-**

- ✓ The scientific names of important timber species should be given while describing composition of the forest crop.
- ✓ In respect of proposals involving diversion of forest land above 100 hectares, site inspection shall also be carried out by Regional Office of Ministry of Environment & Forest.
- ✓ State Government will send copy of all such forest diversion proposals to concerned Regional Office to facilitate timely inspection of such proposals.

**Annexure-Forms & Formats**

**(See Rule 6)**  
**FORM – ‘A’**  
**Form for seeking prior approval under section 2 of the proposals**  
**by the State Governments and other authorities**  
**PART-I**  
**(to be filled up by user agency)**

1. Project details:

- (i) Short narrative of the proposal and project/scheme for which the forest land is required.
- (ii) Map showing the required forest land, boundary of adjoining forest on a 1:50,000 scale map.
- (iii) Cost of the project:
- (iv) Justification for locating the project in forest area.
- (v) Cost-benefit analysis (to be enclosed).
- (vi) Employment likely to be generated.

2. Purpose-wise break-up of the total land required:

3. Details of displacement of people due to the project, if any:

- i. Number of families.
- ii. Number of Scheduled Castes/Scheduled Tribe families
- iii. Rehabilitation plan. (to be enclosed)

4. Whether clearance under Environment (Protection) Act, 1986 required? (Yes/No).

5. Undertaking to bear the cost of raising and maintenance of compensatory afforestation and/or penal compensatory afforestation as well as cost for protection and regeneration of Safety Zone, etc. as per the scheme prepared by the State Government (undertaking to be enclosed).

6. Details of Certificates/documents enclosed as required under the instructions.

Signature  
(Name in Block letters)  
Designation  
Address (of User Agency)

Date:-\_\_\_\_\_

Place:-\_\_\_\_\_

State serial No. of proposal\_\_\_\_\_

(To be filled up by the Nodal Officer with date of receipt)

**INSTRUCTIONS (for Part-I):-**

1. The project authorities may annex a copy of the approved project/plan in addition to filling Col. 1 (i) e.g. IBM approved mining plan for major minerals/CMPDI plan with subsidence analysis reports, etc.
2. Map has to be in original duly authenticated jointly by project authorities and concerned DCF – Col. 1 (ii).
3. Complete details of alternative alignments examined especially in case of project like roads, transmission lines, railway lines, canals, etc. to be shown on map with details of area of forest land involved in each alternative to be given - Col. 1 (iii).
4. For proposals relating to mining, certificate from competent authority like District Mining Officer about non-availability of the same mineral in surrounding/nearby non-forest areas.
5. In case the same company/individual has taken forest land for similar project in the State, a brief detail of all such approvals/leases be given as an enclosure along with current status of the projects.

The latest clarifications issued by the Ministry under Forest (Conservation) Act, 1980 may be kept in mind. In case such information do not fit in the given columns, the same shall be annexed separately.



## **PART-II**

**(To be filled by the concerned Deputy Conservator of Forests)**

State serial No. of proposal \_\_\_\_\_

**7. Location of the project/Scheme:**

- i. State/Union Territory
  - ii. District.
  - iii. Forest Division
  - iv. Area of forest land proposed for diversion (in ha.)
  - v. Legal status of forest
  - vi. Density of vegetation.
  - vii. Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)
  - viii. Brief note on vulnerability of the forest area to erosion.
  - ix. Approximate distance of proposed site for diversion from boundary of forest.
  - x. Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed).
  - xi. Whether any rare/endangered/unique species of flora and fauna found in the area- if so details thereof.
  - xii. Whether any protected archaeological/heritage site/defense establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.
- 8. Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.**
- 9. Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.**
- 10. Details of compensatory afforestation scheme:**
- i. Details of non forest area/degraded forest area identified for compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.
  - ii. Map showing non-forest/degraded forest area identified for compensatory afforestation and adjoining forest boundaries.
  - iii. Detailed compensatory afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.
  - iv. Total financial outlay for compensatory afforestation scheme.
  - v. Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view. (To be signed by the concerned Deputy Conservator of Forests).

11. Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.

12. Division/District profile:

- i. Geographical area of the district.
- ii. Forest area of the district.
- iii. Total forest area diverted since 1980 with number of cases.
- iv. Total compensatory afforestation stipulated in the district/division since 1980 on (a) forest land including penal compensatory afforestation,  
  
(b) non-forest land.
- v. Progress of compensatory afforestation as on (date) \_\_\_\_\_ on

(a) forest land

(b) non-forest land.

13. Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.

Signature

Name

Official Seal

Date:-\_\_\_\_\_

Place:-\_\_\_\_\_

**PART-III**

**(To be filled by the concerned Conservator of Forests)**

14. Whether site, where the forest land involved is located has been inspected by concerned Conservator of Forests (Yes/No). If yes, the date of inspection & observations made in form of inspection note to be enclosed.
15. Whether the concerned Conservator of Forests agree with the information given in Part-B and the recommendations of Deputy Conservator of Forests.
16. Specific recommendation of concerned Conservator of Forests for acceptance or otherwise of the proposal with detailed reasons.

Signature

Name

Official Seal

Date:-\_\_\_\_\_

Place:-\_\_\_\_\_

**PART-IV**

**(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest department)**

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Signature

Name & Designation

(Official Seal)

Date:- \_\_\_\_\_

Place:- \_\_\_\_\_

**PART- V**

**(To be filled in by the Secretary in charge of Forest Department or by any other authorised officer of the State Government not below the rank of an Under Secretary)**

18. Recommendation of the State Government:

(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Signature

Name & Designation

(Official Seal)

Date:-\_\_\_\_\_

Place:-\_\_\_\_\_

**GENERAL INSTRUCTIONS:-**

1. On receipt of proposal, Nodal Officer shall issue a receipt to the user agency indicating therein the name of the proposal, user agency, area in hectare, serial number and date of receipt.
2. If the space provided above is not sufficient to specify any information, please attach separate details/documents.
3. While forwarding the proposal to the Central Government, complete details on all aspects of the case as per Form prescribed above read with the clarifications issued by the Ministry of Environment and Forests, Government of India, New Delhi should be given. Incomplete or deficient proposals shall not be considered and shall be returned to the State Government in original.
4. The State Government shall submit the proposal to the Central Government within stipulated time limits. In case of delay while forwarding, the reasons for the same to be given in the forwarding/covering letter.

**FORM – ‘B’**

**(See Rule 6)**

**Form for seeking prior approval under section 2 of the proposals by the State Governments and other authorities in respect of renewal of leases, which have been earlier granted clearance under Forest (Conservation) Act, 1980**

**PART-I**

**(to be filled up by user agency)**

1. Letter No. & date vide which clearance under Forest (Conservation) Act, 1980 accorded by the Central Government (copy to be enclosed):

2. Project details:

(i) Short narrative of the proposal and project/scheme for which the forest land is required.

(ii) Map showing the required forest land, boundary of adjoining forest on a 1:50,000 scale map.

(iii) Cost of the project:

3. Purpose-wise break-up of the total land required (already broken & to be broken):

4. Details of Certificates/documents enclosed as required under the instructions.

Signature

(Name in Block letters)

Designation

Address (of User Agency)

Date:- \_\_\_\_\_

Place:- \_\_\_\_\_

State serial No. of proposal \_\_\_\_\_

(To be filled up by the Nodal Officer with date of receipt)

**PART-II**

**(To be filled by the concerned Deputy Conservator of Forests)**

State serial No. of proposal \_\_\_\_\_

5. Location of the project/Scheme:

- i. State/Union Territory
- ii. District.
- iii. Forest Division
- iv. Area of forest land proposed for diversion (in ha.)
- v. Legal status of forest
- vi. Density of vegetation.
- vii. Species-wise (scientific names) and diameter class-wise enumeration of trees in unbroken area.
- viii. Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed).

6. Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.

7. Site inspection report of the DCF (to be enclosed) in respect to status of compliance of conditions stipulated during earlier approval.

8. Division/District profile:

- i. Geographical area of the district.
- ii. Forest area of the district.
- iii. Total forest area diverted since 1980 with number of cases.
- iv. Total compensatory afforestation stipulated in the district/division since 1980 on (a) forest land including penal compensatory afforestation, (b) non-forest land.
- v. Progress of compensatory afforestation as on (date) \_\_\_\_\_ on

(a) forest land

(b) non-forest land.

9. Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.

Signature

Name

Official Seal

Date:- \_\_\_\_\_

Place:- \_\_\_\_\_

**PART-III**

**(To be filled by the concerned Conservator of Forests)**

10. Whether site, where the forest land involved is located has been inspected by concerned Conservator of Forests (Yes/No). If yes, the date of inspection & observations made in form of inspection note to be enclosed.

11. Whether the concerned Conservator of Forests agree with the information given in Part-B and the recommendations of Deputy Conservator of Forests.

12. Specific recommendation of concerned Conservator of Forests for acceptance or otherwise of the proposal with detailed reasons.

Signature

Name

Official Seal

Date:- \_\_\_\_\_

Place:- \_\_\_\_\_



**PART-IV**

**(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest department)**

13. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Signature

Name & Designation

(Official Seal)

Date:- \_\_\_\_\_

Place:- \_\_\_\_\_

**PART- V**

**(To be filled in by the Secretary in charge of Forest Department or by any other authorised officer of the State Government not below the rank of an Under Secretary)**

14. Recommendation of the State Government:

(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Signature

Name & Designation

(Official Seal)

Date:-\_\_\_\_\_

Place:-\_\_\_\_\_

**INSTRUCTIONS (for Part-I):-**

1. The project authorities may annex a copy of the approved project/plan in addition to filling Col. 2 (i) e.g. IBM approved mining plan for major minerals/CMPDI plan with subsidence analysis reports, etc.
2. Map has to be in original duly authenticated jointly by project authorities and concerned DCF – Col. 2 (ii).
3. In case the same company/individual has taken forest land for similar project in the State, a brief detail of all such approvals/leases be given as an enclosure along with current status of the projects.
4. Item-wise requirement (Col. 3) should be separately shown for broken up and fresh areas.
5. The latest clarifications issued by the Ministry under Forest (Conservation) Act, 1980 may be kept in mind. In case such information do not fit in the given columns, the same shall be annexed separately.

**GENERAL INSTRUCTIONS:-**

1. On receipt of proposal, Nodal Officer shall issue a receipt to the user agency indicating therein the name of the proposal, user agency, area in hectare, serial number and date of receipt.
2. If the space provided above is not sufficient to specify any information, please attach separate details/documents.
3. While forwarding the proposal to the Central Government, complete details on all aspects of the case as per Form prescribed above read with the clarifications issued by the Ministry of Environment and Forests, Government of India, New Delhi should be given. Incomplete or deficient proposals shall not be considered and shall be returned to the State Government in original.
4. The State Government shall submit the proposal to the Central Government within stipulated time limits. In case of delay while forwarding, the reasons for the same to be given in the forwarding/covering letter.

(File No. 5-5/98-FC)

Sd/-

(DR. V.K. BAHUGUNA)

Inspector General of Forests (Forest Conservation)

**Note:-** The principal rules were published vide G.S.R. No. 719 dated the 1<sup>st</sup> August, 1981 in part II, Section 3, sub-section (i) of the Gazette of India and subsequently amended vide:

1. G.S.R. 14, dated the 28<sup>th</sup> December, 1987
2. G.S.R. 640(E), dated the 26<sup>th</sup> June, 1989
3. G.S.R. 563 (E), dated the 21<sup>st</sup> May, 1992.



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