

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:6332

ANSWERED ON:06.05.2013

DIVERSION OF FOREST LAND

Devappa Anna Shri Shetti Raju Alias; Tagore Shri Manicka

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether the Forest Advisory Committee (FAC) has allowed to divert the forest land into non-forest including industrial purposes under the Forest Conservation Act, 1980;
- (b) if so, the details thereof;
- (c) whether a million trees to be fell down due to this policy;
- (d) if so, the details thereof and the reasons therefor; and
- (e) the corrective steps taken by the Government in this regard?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

(a) Section-3 of the Forest (Conservation) Act, 1980 provides that the Central Government may constitute a Committee consisting of such number of persons as it may deem fit to advise the Government with regard to

- (i) the grant of approval under Section 2 of the afore-mentioned Act; and
- (ii) any other matter connected with the conservation of forests, which may be referred to it by the Central Government. Accordingly, Central Government refers every proposal seeking its prior approval under the Forest (Conservation) Act, 1980, involving diversion of forest land more than forty hectares, complete in all respects, received by it including site inspection reports, wherever required, to the Forest Advisory Committee for its advice thereon.

The Forest Advisory Committee has due regard to all or any of the following matters while tendering its advice on the proposals referred to it, namely:-

- (i) Whether the forests land proposed to be used for non-forest purpose forms part of a nature reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or of an area lying severely eroded catchment;
- (ii) Whether the use of any forest land is for agricultural purposes or for the rehabilitation of persons displaced from their residences by reason of any river valley or hydro-electric project;
- (iii) Whether the State Government or the other authority has certified that it has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purpose; and
- (iv) Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof.

The Central Government, after considering the advice of the Forest Advisory Committee and after such further enquiry as it may consider necessary, grant approval to the proposal with or without conditions or reject the same. Keeping in view the above facts, the FAC is only a recommendatory authority. Final authority to accord approval under the Forest (Conservation) Act, 1980 lies with the Central Government.

(b) to (d) In view of reply to part (a) above, reply to parts (b) to (d) does not arise.

(e) As per details given in reply to part (a) above, adequate safeguards are already in place to ensure that approvals under the Forest (Conservation) Act, 1980 for diversion of forest land are accorded only after ascertaining that the area of forest land to be diverted is bare minimum and its diversion for non-forest purpose is unavoidable.