

**GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA**

UNSTARRED QUESTION NO:281
ANSWERED ON:09.07.2014
DIVERSION OF FOREST LAND
Patel Smt. Jayshreeben

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

- (a) whether the procedure of disposing of proposals for diversion of forest land upto 40 hectares involves many channels and hence time consuming;
- (b) if so, the details thereof;
- (c) whether the Government proposes to simplify the procedure in order to speed up decision making; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) & (b) Proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land up to 40 hectares are processed at four levels in the State Government or the Union Territory Administration, as the case may be, before they are sent to the concerned Regional Office of the Ministry of Environment, Forests and Climate Change (MoEFCC). These levels are – the concerned Dy. Conservator of Forests; the concerned Conservator of Forests; Nodal Officer, Forest (Conservation) Act, 1980 or Principal Chief Conservator of Forests and Secretary in charge of Forest Department or any other authorized officer of the State Government or the Union Territory Administration, as the case may be, not below the rank of an Under Secretary.

In respect of the proposals involving diversion of forest land up to 40 hectares, Regional Office of the MoEFCC is competent to finally dispose off all proposals involving forest land up to 5 hectares, except in respect of the proposals for regularization of encroachments and mining (including renewal of mining leases).

The proposals involving diversion of forest land above 5 hectares and up to 40 hectares and all proposals for regularization of encroachments and mining up to 40 hectares, the proposals are examined by the Regional Addl. Principal Chief Conservator of Forests in consultation with an Advisory Group consisting of representatives of the State Government from Revenue Department, Forest Department, Planning and/or Finance Department and concerned Department whose proposal is being examined. The views of the Advisory Group are recorded by the Regional Addl. Principal Chief Conservator of Forests and along with the same, the proposals are sent to the MoEFCC for consideration and final decision. The MoEFCC after considering the views of the Advisory Group and after such further enquiry as it may consider necessary, grant approval to the proposal with or without conditions or reject the same after obtaining approval of the Minister for Environment, Forests and Climate Change.

(c) & (d) A proposal to delegate the power to the Regional Empowered Committees to be constituted under the Chairmanship of the senior most officer not below the rank of the Chief Conservator of Forest, appointed by the Central Government in the MoEFCC at its each Regional Office to deal with the forest conservation matters under the Forest (Conservation) Act, 1980 to finally dispose off the proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land above 5 hectares and up to 40 hectares except in respect of the proposals for hydel projects, regularization of encroachments and mining (including renewal of mining leases) is under consideration of the Central Government.