



Streamlining of approval process envisaged under the (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, Rules and guidelines framed thereunder

Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980

Forest (Conservation) Act 1980: Section 2 of the Act made prior approval of Central Government mandatory for:

- i. De-reservation of reserved forests;
- ii. Use of forest land for non-forest purpose;

Amendment made to the Act in 1988:

New sub-sections inserted in Section - 2 of the Principal Act:

- i. Assignment of forest land on lease to private entities; and
- ii. Clear felling of trees in forest areas.

New section 3 A and 3B: Penal provisions of 15 days imprisonment introduced.

Supreme Court's order dated 12.12.1996 enlarged the scope of applicability of the Act and subsequently, besides notified forest lands, the Act was also started applying to lands recorded as forests in Govt. records and forest like areas identified by the Expert Committee

Forest (Conservation) Amendment Act-2023

Forest (Conservation) Amendment Act, 2023:

Important features



- Elaborating name of the Act and insertion of a Preamble
- Clarity of applicability of the Act on forest lands
- Exemptions to certain categories of forest lands
- Insertion of new sub-section (2) under section 2 on surveys in forest lands
- Amendment of section 2 (iii)
- Inclusion of more forestry activities under 'Explanation of non-forestry activities
- Insertion of new section 3C to issue directions for the proper implementation of the Act

Van (Sanrakshan Evam Samvardhan) Rules, 2023: Salient Features



- Introduction of Project Screening Committee at State Level
- Promoting Conservation Principles in Compensatory Afforestation (CA)
- Emphasis on increase in extent of notified Forest Land by Creation of Land Bank
- Accredited Compensatory Afforestation
- Reduction in time limit for submission of compliance of 'in-principle' approval
- To ensure timely completion of compensatory measures by the State/User agency
- Time lines for processing the proposals by various authorities

Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024



- **Amendment of Rule 13 (1)** to enable the various projects of Central Agencies/Central PSUs and captive coal blocks of State PSUs to raise CA over degraded forest land, double in extent, as under:

“Provided also in exceptional circumstances when the suitable land required for compensatory afforestation under this sub-rule is not available, the compensatory afforestation may be considered on degraded forest land which is twice in extent to the area proposed to be diverted in case of the Central Government agencies or Central Public Sector Undertakings or captive coal blocks of State Public Sector Undertakings on a case to case basis”.

Sub-ordinate Legislation



Sub-ordinate legislation in terms of rules, notifications has been issued on the following:

- i. Notification dated 29th November, 2023 of guidelines specifying terms and conditions for exemptions considered for security related linear infrastructure within 100 km of distance from international borders, LAC and LoC, defence infrastructure, public utility projects in LWE Districts
- ii. Clarification dated 24.09.2024 and 6.10.2024 issued on the guidelines notified on 29.11.2023 for Defence projects
- iii. Notification dated 29th November, 2023 specifying the terms and conditions for not treating the surveys in forest area as non-forest activity
- iv. Notification dated 29th November, 2023 of guidelines for assignment of forest land on lease.

Important Systemic Reforms



- Allowed State PSE to raise Compensatory afforestation over degraded forest land for Captive coal blocks
- Allowing ROs to deal with linear projects linked with mining
- Inter-ministerial Coordination and Monitoring Committee (ICMC) at Ministry
- FRCM to review the status of proposals pending at various levels in the States at RO
- Creation of land bank for compensatory afforestation
- Constitution of Committee headed by the Regional Office to review the progress of land bank
- State Government have been allowed to charge lump sum amount of 2% of total project cost and 0.5 % of total project cost for WLMP and SMC works, proportionate to forest area
- Doing away with the practice of processing proposals after receiving physical copy
- Accredited compensatory Afforestation
- PARIVESH 2.0

PARIVESH 2.0 – Important Features



- Know Your Approval and Approving Authority (KYAA)
- Common Application Form
- Elimination of redundancies by developing simpler forms
- Embedded Decision Support System
- End-to End Online Process
- Automated generation of Agenda, minutes and approvals
- Efficient Payment Module
- Curtailment of delay in unnecessary correspondences
- Reduction in Processing time
- Maintenance of Transparency
- Ease of Doing Business

Streamlining of approval process pertaining to Mining Sector



Survey and Explorations in the forest areas :

- Clarification **issued on 19.11.2024** introduced the provisions of one time approval and prescribing time lines.
- Guidelines issued **on 17.12.2024** provided the following:
 - Authorizes DFO to give permissions for exempted categories of surveys in forest areas
 - Non-applicability of NPV in survey proposals involving drilling without felling of trees
 - Charging of NPV only in proposals involving felling of trees which will be adjusted against the diversion proposal
 - Allow user agency to collect sample from the forest area for the relevant purpose.
 - A separate category 'Mining of Critical Minerals' has been created on PARIVESH.
 - Non-applicability of CA and NPV in case of pitting and trenching. Permission to be given on simple offline application.
 - Form-C has been simplified and included in the guidelines issued on 17.12.2024



Clarification issued on 17.01.2025 introduced the following additional provisions:

- No cost other than NPV is to be charged from the User Agency
- Permission for survey and exploration in respect of already broken up forest land for which approval under the Adhiniyam under section 2(2)(ii) for mining operations already granted by the Central Government can be given by the State Forest Department in offline mode.
- Number of bore holes, exempted under the Adhiniyam, should not be assessed by the processing authorities in the State/UTs on a pro rata basis.
- The Nodal Officers (FCA) of the State has been authorized to forward the survey and exploration proposals which are not covered under exemption, directly to the Regional Office or the MoEF&CC.



Maintenance of Safety Zone in mining leases : Guidelines issued on 17.01.2025 provided the following:

- No requirement of diversion forest land located in the safety zone for which General Approval under section 2(2)(iii) of the Adhiniyam has already been granted by the State and CA and NPV paid by the user agency provided it will not be used for mining.
- Time period for obtaining approval of diversion of forest land under section 2(2)(ii) of the Adhiniyam located in the safety zone where CA and NPV is already paid has been extended for a period of two years w.e.f. 30.09.2024 provided it will not be used for mining.
- Safety Zone is not required to be maintained in respect of underground (UG) mines while in respect of mining leases having mixed operations i.e. both UG and opencast (OC), safety zone is to be maintained only for the portion of land falling in the OC operations.



- **Amendment of Van (Sanrakshan Evam Samvardhan) Rules, 2023** : The Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024 were notified on 20.09.2024, enabling the Central Government agencies/PSUs and captive coal blocks of the State PSUs to raise compensatory afforestation over degraded forest land which will be double in extent to the forest land being diverted.
- Guidelines were issued **on 26.12.2024** clarifying the following:
 - Change in landuse of the forest area diverted can be undertaken by the user agency as per approved modified plan.
 - Norms for charging 2% and 0.5% of the project cost from the User Agency for the Wildlife Management and Soil and Moisture Conservation Plans is only an indicative and optional arrangement.
 - Actual cost of such plans is to be charged in the case the Plan is prepared before Stage-II approval.
 - Cost of the Plan should be estimated based on actual intervention required at the site and not on the 2% and 0.5% basis which is only an indicative value.
- **Guidelines issued on 17.01.2025 allowing States to give permissions for laying of Slurry Pipelines within the RoW of roads by planting trees, 10 times to the trees earmarked for removal.**



Initiatives related to compensatory afforestation (CA): Clarification issued on 17.12.2024 clarifying the following:

- Notification of CA land, transferred and mutated in favour of the State Forest Department, can be undertaken before handing over the forest land to the User Agency
- CA to be proposed over degraded forest land (DFL) for the Central Agencies/PSUs and captive coal blocks of State PSUs. No CA over non-forest land is to be insisted by the States/UTs for the projects of Central Govt. Agencies/PSU and captive coal blocks of State PSUs.
- Submission of Stage-I compliance along with CA over DFL in respect of proposals originally submitted with CA over DFL and were granted in-principle approval stipulating CA over non-forest land (NFL)
- Submission of request for modification of CA condition over DFL in case the non-forest land, submitted along with the proposal, is not transferred and mutated in favour of the State Forest Department



Clarification issued on 17.01.2025 introduced the following additional provisions:

- The States have been authorized to allow the PCCF & HOFF of the State/UT concerned to issue notification under the IFA, 1927 in respect of CA land already transferred and mutated in favour of the SFD
- The State/UTs having 33% forest cover of their total geographical area can authorize a suitable officer to issue certificate of non-availability of suitable non-forest land for raising CA.
- For taking up CA in other States/UTs, the Nodal Officer of the concerned States/UTs have been authorized to provide consent to raise in other State/UTs and to raise CA in their State/UT.



Reclamation and Restoration of mined out areas

- **Key recommendation** made in the G-20 for the MoEF&CC
- Status of reclamation of mined out areas
 - Coal Mining – 2992 ha reclaimed by the Subsidiaries of Coal India Ltd.
 - Non-Coal mining – Efforts to be made to ensure reclamation of mined out areas



Thank You

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