

F. No.5-1/98-FC (Pt II)
Ministry of Environment & Forests
Government of India
(FC Division)

Paryavaran Bhavan,
C.G.O, Complex, Lodi Road,
New Delhi-110 003

New Delhi, the 17/18th, September, 2003.

To,

The Secretary (Forests)
All States and Union Territories.

Subject: - Guidelines for diversion of forest land for non-forestry purpose under Forest (Conservation) Act 1980- Guidelines for collection of Net Present Value.

Sir,

I am directed to invite your attention to the orders of the Hon'ble Supreme Court of India dated 30.10.2002 and 01.08.2003 in I.A. No. 566 in Writ Petition (Civil) No. 202 of 1995 in the matter of Compensatory Afforestation Fund regarding collection of Net Present Value (NPV) from the User Agencies, which have already been circulated by this Ministry's letters of even number dated 10.07.2003 and 11/08/2003.

In this regard this Ministry has received correspondences from some States/UTs and Regional Officers requesting to issue the guidelines. Considering the request of the State/UT Government and the Regional Offices, the Ministry of Environment and Forests issues following guidelines for the recovery/collection of Net Present value of the forest land being diverted for non forest purposes under Forest (Conservation) Act, 1980:

1. NPV shall be charged in all those cases which have been granted in-principle approval after 30.10.2002.
2. NPV shall be realized before Stage-II (Final) approval.
3. Hon'ble Court has given a range for the rates i.e. Rs. 5.80 lakhs per hectare to Rs. 9.20 lakhs per hectare for Net Present Value depending upon the quantity and density of land in question, converted for non-forestry use. Therefore, the State/UT Governments should charge NPV within the given rates depending upon the quality of forest, density and the type of species in the area.
4. The State/UT Governments shall transfer these funds to Compensatory Afforestation Management and Planning Agency (CAMPA), as and when created.

Yours faithfully,

Sd/-
(ANURAG BAJPAI)
Asstt. Inspector General of Forests

Copy to:

1. ALL PCCF/Nodal Officers (All State/UTs).
2. All Regional Offices.
3. Director (FC)/AIGs (FC).

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Paryavaran Bhavan,
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New Delhi-110 003

Date:- 19th/22nd, September, 2003.

To,

The Secretary (Forests),
All States and Union Territories.

Sub: - Guidelines for diversion of forest land for non-forestry purpose under Forest (Conservation) Act 1980- Guidelines for collection of Net Present Value.

Sir,

In continuation of this Ministry's letter of even number dated 17.09.2003 regarding guarding guidelines for collection of Net Present Value in compliance to the orders of the Hon'ble Supreme Court of India dated 30.10.2002 and 01.08.2003 in I.A. No. 566 in Writ Petition (Civil) No. 202 of 1995, I am directed to clarify that NPV will be charged in all those cases which have been granted in-principle approval after 30.10.2002. NPV will be realized before Stage-II (Final) approval.

NPV will also charged in all those cases, where State-I approval has been granted after 30.10.2002 and final approval has also been granted.

All the States/UTs shall comply with the orders of the Hon'ble Court and complete the collection process of NPV for the cases approved under Forest (Conservation) Act, 1980 after 30.10.2002, within a period of two months and submit a compliance report through their respective Regional Offices of this Ministry. Regional Office shall submit the compliance report to the Ministry after due verification.

Yours faithfully,

Sd/-
(ANURAG BAJPAI)
Asstt. Inspector General of Forests

Copy to :

1. ALL PCCF/Nodal Officers (All State/UTs).
2. Member Secreatry, CEC for information.
3. All Regional Offices.
4. Director (FC)/AIGs (FC).
5. Shri A.D.N. Rao, Advocate, Supreme Corut, New Delhi, for information.
6. File.