

## ANNEXURE II

### PUBLISHED IN PART-II SECTION 3 SUB SECTION (1) OF THE GAZETTE OF INDIA

No. 8-6/80-FRY (COORD)

Government of India

Ministry of Agriculture

(Department of Agriculture & Cooperation)

New Delhi the 1st August, 1981

### NOTIFICATION

G.S.R. 819.....In exercise of the powers conferred by Sub-Section (i) of section 4 of the Forest (Conservation) Act, 1980 (69 of 1980), the Central Government hereby makes the following rules, namely:-

**1. short title, extent and commencement.**-(1) These rules may called the Forest (Conservation) Rules, 1981.

(2) They shall extend to the whole of India except the State of Jammu and Kashmir.

(3) They shall come into force on the date of their publication in the Official Gazette.

**2. Definition.**-In these rules, unless the context other wise requires:-

(a) "Act" means the Forest (Conservation) Act, 1980 (69 of 1980);

(b) "Committee" means the Committee constituted under section 3;

(c) "Chairman" means the Chairman of the Committee;

(d) "Member" means a member of the Committee;

(e) "Section" means a section of the Act.

**3. Conduct of business of the Committee.**-The Chairman shall call the meetings of the Committee as often as necessary.

(2) The meetings of the Committee shall, unless the Chairman in any case otherwise directs, be held in Delhi.

(3) The Chairman shall preside over every meeting of the Committee at which he is present.

Provided that if the Chairman is absent from a meeting and it is not expedient to adjourn the meeting, the senior most member of the Committee shall preside over the meeting.

(4) Every question upon which the Committee is required to advise shall be considered either at its meetings, or if the Chairman so directs, by sending necessary papers to members for their opinion.

**4. Procedure to make proposal by a State Government or other authority.**-(1) Every State Government or other authority which seeks prior approval of the Central Government under section 2 shall send its proposal to that Government alongwith the particulars specified in the Annexure to these rules.

(2) Every proposal referred to in sub-rule (1) shall be sent to the following address, namely, 'Secretary to the Government of India, Department of Agriculture and Co-operation, Krishi Bhavan, New Delhi.

**5. Committee to advise on proposals received by the Central Government.**-(1) The Central Government may refer any proposal received by it under sub-rule (1) of rule (4) to the Committee for its advice thereon.

(2) The Committee shall have due regard to all or any of the following matters while tendering its advice on the proposals referred to it under sub-rule (1), namely:-

(a) Whether the forest 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 threatened species of flora and fauna or of an area lying in severely eroded catchment;

(b) 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;

(c) 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

(d) 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.

(3) While tendering the advice, the Committee may also suggest any conditions or restrictions on the use of any forest land for any non-forest purpose which, in its opinion, would minimise adverse environmental impact.

6. Action of the Central Government on the advice of the Committee.-The Central Government shall, after considering the advice of the Committee tendered under rule 5 and after such further enquiry as it may consider necessary, grant approval to the proposal with or without conditions or reject the same.

Sd/-

(J.P. Bhatnagar)

Under Secretary to the Govt. of India.