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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-110003.
New Delhi, the 25th May, 2004.

To,

- 1.The Principal Secretary(Forests),
Government of Karnataka,
Bangalore.
- 2.The Principal Chief Conservator of Forests,
Government of Karnataka,
Bangalore.

Subject: Guidelines for diversion of forest land for non forest purposes under the Forest (Conservation) Act, 1980 -Collection of Net Present Value in compliance with the orders of the Supreme Court dated: 30-10-2002 in IA No.566 in Writ Petition (C) No. 202 of 1995 - Clarification thereof.

Sir,

This has come to the notice of the Central Government that the State Government of Karnataka has charged/has been charging Net Present Value of diverted forest land in certain cases in which in-principle approval was granted prior to the orders of the Supreme Court dated:30/10/2002 as mentioned above. In this connection, in continuation of the Ministry of Environment & Forests' letters of even number dated:18-9-2003 and 22-9-2003, I am directed to clarify that the Net Present Value of diverted forest land shall be charged in following categories of cases:

- (i) In-principle approval granted after 30-10-2002 but final approval is yet to be granted;
- (ii) In-principle approval granted after 30-10-2002 and final approval has also been granted subsequently;
- (i-iv) In those cases where in-principle approval was not required, single final approval has been granted after 30-10-2002.

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Further, Net Present Value of diverted forest land shall not be charged in those cases where in-principle or final approval has been granted prior to 30-10-2002.

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The State Government is requested to ensure the circulation of the clarification to avoid any confusion at the field level. If any action incoherent with the guidelines has already been taken at the field level, the State Government may resort to necessary rectification measures to avoid harassment of the user agencies.

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This issues with the approval of the competent authority.

Yours faithfully,

(ANURAG BAJPAI)

Asstt. Inspector General of Forests

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