

मध्यप्रदेश शासन
वन विभाग
मंत्रालय, वल्लभ भवन भोपाल, 462004

क्रमांक/एफ 5-16/1981/10-3
प्रति,

भोपाल, दिनांक: 22 अक्टूबर, 2013

समस्त कलेक्टर
मध्यप्रदेश.

विषय:- वन (संरक्षण) अधिनियम 1980 के अंतर्गत वन भूमियों का गैर वानिकी प्रयोजन हेतु व्यपवर्तन-अनुसूचित जनजाति आर अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम 2006 का पालन सुनिश्चित करना।

- संदर्भ:- (i) मध्यप्रदेश शासन, वन विभाग का ज्ञाप क्रमांक/एफ-5-16/81/10-3/डी-2823, दिनांक 27 नवम्बर, 2010
(ii) भारत सरकार, पर्यावरण एवं वन मंत्रालय नई दिल्ली का ज्ञाप क्रमांक/एफ-11-9/98-एफ.सी.(पी.टी.) दिनांक 05 जुलाई, 2013

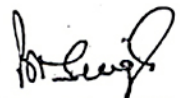
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कृपया उपरोक्त विषय में संदर्भित पत्र क्रमांक (i) द्वारा वन भूमि व्यपवर्तन के प्रकरणों में अनुसूचित जनजाति आर अन्य परम्परागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम 2006 के अंतर्गत अधिकारों के विनिश्चयन की स्थिति प्रमाणित करने हेतु आवश्यक निर्देश एवं प्रमाण-पत्र के प्रारूप संलग्न कर भेजे गये थे, का अवलोकन करें।

2. भारत सरकार, पर्यावरण एवं वन मंत्रालय, नई दिल्ली द्वारा संदर्भित पत्र क्रमांक (ii) (छायाप्रति संलग्न) द्वारा निर्देशों को यथावत रखते हुये linear projects एवं अन्य प्रोजेक्ट हेतु जारी किये जाने वाले प्रमाण पत्र के दो नये प्रारूप प्रेषित किये गये हैं, जो संलग्न प्रेषित हैं।

3. वनभूमि व्यपवर्तन के प्रचलित समस्त प्रकरणों हेतु संलग्न नवीन प्रारूपों में ही प्रमाण-पत्र जारी किये जायें।

संलग्न:- उपरोक्तानुसार।


(बसंत प्रताप सिंह)

प्रमुख सचिव
म.प्र. शासन, वन विभाग

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क्रमांक/एफ 5-16/1981/10-3

भोपाल, दिनांक: 22 अक्टूबर, 2013

प्रतिलिपि:-

1. प्रमुख सचिव/सचिव, म.प्र. शासन, आदिम जाति एवं अनुसूचित जाति कल्याण/राजस्व/लोक निर्माण/जल संसाधन/ऊर्जा/पंचायत एवं ग्रामीण विकास/लोक स्वास्थ्य यांत्रिकी/खनिज साधन/नर्मदा घाटी विकास/वाणिज्य, उद्योग और रोजगार/ आवास एवं पर्यावरण विभाग, मंत्रालय भोपाल।
 2. प्रधान मुख्य वन संरक्षक, मध्यप्रदेश, सतपुड़ा भवन, भोपाल।
 3. प्रधान मुख्य वन संरक्षक, (वन्यप्राणी) मध्यप्रदेश, भोपाल।
 4. प्रबंध संचालक, मध्यप्रदेश राज्य वन विकास निगम, भोपाल।
 5. समस्त कमिश्नर, मध्यप्रदेश।
 6. मुख्य कार्यपालन अधिकारी, ईको पर्यटन विकास बोर्ड, भोपाल मध्यप्रदेश।
 7. समस्त मुख्य वन संरक्षक (क्षेत्रीय) वन वृत्त, मध्यप्रदेश।
 8. समस्त क्षेत्र संचालक, मध्यप्रदेश।
 9. समस्त वनमंडलाधिकारी, (क्षेत्रीय) वनमंडल, मध्यप्रदेश।
10. ^{गैड फाइल} की ओर सूचनाथ एवं आवश्यक कार्यवाही हेतु अग्रेषित।

प्रमुख सचिव
म.प्र. शासन, वन विभाग

F. No. 11-9/98-FC (pt.)
Government of India
Ministry of Environment & Forests
(FC Division)

पंजी क्र. २५२७ १२/०८/१३
दिनांक १२/०८/१३

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110 003
Dated: 5th July, 2013

To,
The Principal Secretary (Forests),
All State/ Union Territory Governments

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Sir,

I am directed to refer to this Ministry's letters of even number dated 3rd August 2009 and dated 5th February 2013 on the above mentioned subject wherein this Ministry issued detailed guidelines on submission of evidences, for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and to say that certificate in accordance with the said letters in respect of (a) linear, and (b) other projects shall be submitted in the formats enclosed as Annexure-I (FORM-I) and Annexure-II (FORM-II) respectively.

Encl.: As above.

Yours faithfully,

(H.C. Chaudhary)
Assistant Inspector General of Forests

Copy To:

1. The Secretary, Ministry of Tribal Affairs, New Delhi.
2. Principal Chief Conservator of Forests, all State/UT Governments.
3. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
4. All Regional Offices, Ministry of Environment & Forests.
5. Joint Secretary in-charge, Impact Assessment Division, MoEF.
6. All Assistant Inspector General of Forests/ Directors in Forest Conservation Division, MoEF.
7. Director R.O. (HQ), Ministry of Environment & Forests, New Delhi.
8. Sr. Director (Technical), NIC, MoEF with a request to place a copy of the letter on website of this Ministry.
9. Guard File.

(H.C. Chaudhary)
Assistant Inspector General of

24/12/13
24/12/13

FORM-I
(for linear projects)
Government of
Office of the District Collector,

No.

Dated.....

TO WHOSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that hectares of forest land proposed to be diverted in favour of (name of user agency) for (purpose for diversion of forest land) in district falls within jurisdiction of village(s) intehsils.

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire hectares of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub- Division Level Committee(s) and the District Level Committee are enclosed as annexure ... to annexure
- (b) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it;
- (c) the proposal does not involve recognised rights of Primitive Tribal Groups and Pre-agricultural communities.

Encl.: As above.

Signature
(Full name and official seal of the District Collector)

FORM-II

(for projects other than linear projects)

Government of

Office of the District Collector

No.

Dated

TO WHOSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposes, it is certified that..... hectares of forest land proposed to be diverted in favour of (name of user agency) for (purpose for diversion of forest land) in district falls within jurisdiction of village(s) intehsils.

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire hectares of forest land proposed for diversion. A copy of records of all consultation and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub- Division Level Committee(s) and the District Level Committee are enclosed as annexure ... to annexure
- (b) the proposal for such diversion (with full details of the project and its implications, in vernacular/ local language) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA;
- (c) the each of concerned Gram Sabha(s), has certified that all formalities/ processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the gram sabha of villages(s) is enclosed as annexure ... to annexure.....
- (d) the discussion and decisions on such proposals had taken place only when there was a quorum of minimum 50 % of the members of Gram Sabha present;
- (e) the diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Grama Sabhas have given their consent to it;
- (f) the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safeguarded as per section 3 (1) (e) of the FRA.

Encl: As above.

Signature
(Full name and official seal of the District Collector)