

Government of India
Ministry of Environment & Forests
Tel/Fax : 24360379

No.7-16/2002-FC

Dated : 3.5.2002

To,

1. The Chief Secretary,
(All States/UTs)
2. The Secretary (Forests)
(All States/UTs)
3. The Principal Chief Conservator of Forests
(All States/UTs)

Subject : Eviction of illegal encroachment on forest lands in various States/UTs time bound action plan

Sir,

I am directed to draw your attention to the problem of encroachments of forest lands which is assuming a serious proportion in the country. These encroachments have been attracting the attention of Central Government and State Governments have been requested from time to time to take prompt action against the encroachers under various Acts and Rules. Such encroachments are generally done by the powerful lobbies and cause great harm to forest conservation particularly when these are carried out in the remote areas in a honey comb pattern. These encroachments are also seriously threatening the continuity of the Wild Life corridors between the various National Parks and Sanctuaries. Somehow, timely action is not being taken by the frontline staff for the eviction of the encroachers which further emboldens others also for similar actions. As per the information received from various States approximately 12.50 lakh hectares of forest land is under encroachment. There may be many more unrecorded instances which will add to the over all tally.

Hon'ble Supreme Court has also been greatly concerned with this pernicious practice and in their order of 23.11.2001 in IA No. 703 in WP No. 202/95 have restrained the Central Government from regularization of encroachments in the country. There is now a need to frame a time bound programme for eviction of the encroachers from the forest lands for which following steps are suggested:

- (i) All encroachments which are not eligible for regularization as per guidelines issued by this Ministry vide No. 13.1/90-F.P. (1) dated 18.9.90 should be summarily evicted in a time bound manner and in any case not later than 30th September, 2002.
- (ii) A cell should be constituted in the PCCF office headed by a CCF level officer to plan and monitor eviction of encroachments on forest lands on a continuous basis.
- (iii) Forest officers should be delegated powers under relevant Acts for trials of encroachers and adequate steps should be taken for the completion of the eviction process through summary trials in a time bound manner.

- (iv) At the State level, a monitoring committee may be constituted under the Chairmanship of the Chief Secretary, which may meet biannually to take stock of the situation. The Committee while monitoring forest encroachments should also fix responsibility of the field formulation including the revenue officials for their failures to prevent/evict encroachments on the forest lands.
- (v) At the forest Circle level, a Committee should be constituted under the Chairmanship of Conservator of Forests with District Collector and Superintendent of Police as members which may meet every quarter and take effective steps to assist the Divisional Forest Officers or the Territorial Division/Wildlife Warden/National Park and Sanctuary Director for the eviction of the encroachers.
- (vi) A comprehensive list of encroachments in your State with current status of eviction process etc. may please be prepared as the base line information and a copy of the same be also sent to this Ministry preferably by June 30th, 2002. Principal Chief Conservator of Forests may be bound to give detail progress report of the action taken, area evicted and area reclaimed/planted etc. every quarter commencing from July 2002.
- (vii) It may please be noted that the Ministry may be constrained to link processing of requests for clearance under Forest (Conservation) Act 1980, approval of relevant Working Plan and, funding under Centrally Sponsored Schemes as well, to the progress shown in eviction of the encroachers as per the instant guidelines.

Yours faithfully,

Sd/-
(Dr. V.K. BAHUGUNA)
Inspector General of Forests

Copy for information and necessary action to :

1. All Chief Conservator of Forests/Conservator of Forests (Central), Ministry of Environment and Forests, Government of India. They are requested to fix a meeting with the concerned senior functionary of the State Government to sensitise them about the urgency of the implementing these guidelines and monitor action taken by the States regularly. While giving approval of the working plans they may also insist for a detailed status report on encroachment and vacation thereof in that particular division.

Sd/-
(Dr. V.K. BAHUGUNA)
Inspector General of Forests