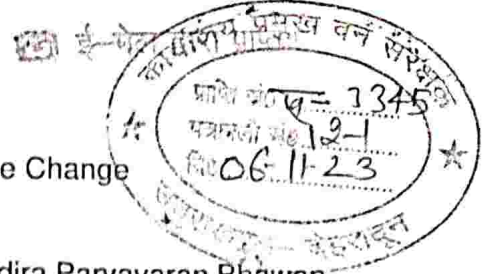


Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)



Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003
Dated: 3rd November, 2023

To
The Addl. Chief Secretary/Principal Secretary (Forests),
All State Governments /Union territory Administrations

Sub: Fixing the appointed date on which the provisions of the Forest (Conservation) Amendment Act, 2023 will come into force ; publication of Notification on 2nd November, 2023 – regarding.

Madam/Sir,

I am directed to refer to the above mentioned subject and to enclose herewith a copy of Notification published on 2.11.2023 under the provisions of the sub-section (2) of the section 1 of the Forest (Conservation) Amendment Act, 2023 wherein appointed date on which the provisions of the Forest (Conservation) Amendment Act, 2023 shall come into force has been fixed as 1st December, 2023. Guidelines and orders to be issued by the Central Government, as envisaged in the Forest (Conservation) Amendment Act, 2023, will also be issued soon after the appointed date.

Encl: As above.

Signed by
Charan Jeet Singh
Date: 03-11-2023 17:32:43

Yours faithfully,

(Charan Jeet
Singh)
Scientist 'D'

Copy for information and necessary action to:

1. The Principal Chief Conservator of Forests, All State/UT Governments
2. The Dy DGF (Central), All Regional Offices/Sub-Offices of the MoEF&CC
3. The Nodal Officer (FCA), O/o the PCCF, All State Govt./UT Administrations
4. DDG, NIC, MoEF&CC with a request to align the provision of PARIVESH 2.0 as per the provisions of the Forest (Conservation) Amendment Act, 2023
5. Monitoring Cell, FC Division, MoEF and CC, New Delhi
6. Guard File

Copy also forwarded for favour of information to:
PSO to Secretary (EF&CC)/ PPS to DGF&SS, MoEF&CC/PPS to Addl. DGF (FC)

S.O

कृ. प्रतिकारित
करे।
अ.प्र.व.सं. (राणा.)
M u/11



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-02112023-249851
CG-DL-E-02112023-249851

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 4577]

नई दिल्ली, बृहस्पतिवार, नवम्बर 2, 2023/कार्तिक 11, 1945

No. 4577]

NEW DELHI, THURSDAY, NOVEMBER 2, 2023/KARTIKA 11, 1945

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 2 नवम्बर, 2023

का. आ. 4765(अ).—केंद्रीय सरकार, वन (संरक्षण) संशोधन अधिनियम, 2023 (2023 का 15) की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 1 दिसंबर, 2023 को उस तारीख के रूप में नियत करती है जिस तारीख को उक्त अधिनियम के उपबंध प्रवृत्त होंगे।

[फा. सं 11/61/2021-एफसी]

रमेश कुमार पाण्डेय, वन महानिरीक्षक

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 2nd November, 2023

S.O. 4765(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Forest (Conservation) Amendment Act, 2023 (15 of 2023), the Central Government hereby appoints the 1st day of December, 2023 as the date on which the provisions of the said Act shall come into the force.

[F. No. 11/61/2021-FC]

RAMESH KUMAR PANDEY, Inspector General of Forests



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-05082023-247866
CG-DL-E-05082023-247866

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 18] नई दिल्ली, शुक्रवार, अगस्त 4, 2023/ श्रावण 13, 1945 (शक)
No. 18] NEW DELHI, FRIDAY, AUGUST 4, 2023/SRAVANA 13, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 4th August, 2023/Sravana 13, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 4th August, 2023 and is hereby published for general information:—

THE FOREST (CONSERVATION) AMENDMENT ACT, 2023 (No. 15 OF 2023)

[4th August, 2023]

An Act further to amend the Forest (Conservation) Act, 1980.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Forest (Conservation) Amendment Act, 2023.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

69 of 1980. 2. In the Forest (Conservation) Act, 1980 (hereinafter referred to as the principal Act), after the long title and before the enacting formula, the following preamble shall be inserted, namely:—

Insertion of preamble.

"WHEREAS, the importance of forests is to be realised to enable achievement of national targets of Net Zero Emission by 2070 and maintain or enhance the forest carbon stocks through ecologically balanced sustainable development;

AND WHEREAS, Nationality Determined Contribution targets of the country envisage creating carbon sink of additional 2.5 to 3.0 billion tons of CO₂ equivalent by 2030;

AND WHEREAS, the country envisages an increase in the forest and tree cover to one-third of its land area, which is to be given impetus with an enhanced growth trajectory;

AND WHEREAS, India has a rich tradition of preserving forests and their bio-diversity, and, therefore, enhancing forest based economic, social and environmental benefits, including improvement of livelihoods for forest dependent communities is envisaged;

AND WHEREAS, it is necessary to provide for provisions relating to conservation management and restoration of forests, maintaining ecological security, sustaining cultural and traditional values of forests and facilitating economic needs and carbon neutrality."

Amendment of section 1.

3. In section 1 of the principal Act, in sub-section (1), for the words and brackets "Forest (Conservation) Act", the words and brackets "*Van (Sanrakshan Evam Samvardhan) Adhiniyam*" shall be substituted.

Insertion of new section 1A.

4. After section 1 of the principal Act, the following section shall be inserted, namely:—

Act to cover certain land.

'1A. (1) The following land shall be covered under the provisions of this Act, namely:—

(a) the land that has been declared or notified as a forest in accordance with the provisions of the Indian Forest Act, 1927 or under any other law for the time being in force;

(b) the land that is not covered under clause (a), but has been recorded in Government record as forest, as on or after the 25th October, 1980:

Provided that the provisions of this clause shall not apply to such land, which has been changed from forest use to use for non-forest purpose on or before the 12th December, 1996 in pursuance of an order, issued by any authority authorised by a State Government or an Union territory Administration in that behalf.

Explanation.—For the purposes of this sub-section, the expression "Government record" means record held by Revenue Department or Forest Department of the State Government or Union territory Administration, or any authority, local body, community or council recognised by the State Government or Union territory Administration.

(2) The following categories of land shall not be covered under the provisions of this Act, namely:—

(a) such forest land situated alongside a rail line or a public road maintained by the Government, which provides access to a habitation, or to a rail, and roadside amenity up to a maximum size of 0.10 hectare in each case;

(b) such tree, tree plantation or reforestation raised on lands that are not specified in clause (a) or clause (b) of sub-section (1); and

(c) such forest land,—

(i) as is situated within a distance of one hundred kilometres along international borders or Line of Control or Line of Actual Control, as the

case may be, proposed to be used for construction of strategic linear project of national importance and concerning national security; or

(ii) up to ten hectares, proposed to be used for construction of security related infrastructure; or

(iii) as is proposed to be used for construction of defence related project or a camp for paramilitary forces or public utility projects, as may be specified by the Central Government, the extent of which does not exceed five hectares in a Left Wing Extremism affected area as may be notified by the Central Government.

(3) The exemption provided under sub-section (2) shall be subject to such terms and conditions, including the conditions of planting trees to compensate felling of trees undertaken on the lands, as the Central Government may, by guidelines, specify.

5. In the principal Act, section 2 shall be renumbered as sub-section (1) thereof and— Amendment
of section 2.

(a) in sub-section (1) as so renumbered,—

(I) in clause (iii), for the words "not owned, managed or controlled by Government", the words ", subject to such terms and conditions, as the Central Government may, by order, specify" shall be substituted;

(II) in the *Explanation*, for the long line occurring after clause (b), the following shall be substituted, namely:—

"but does not include any work relating to or ancillary to conservation, development and management of forests and wildlife, such as—

(i) silvicultural operations including regeneration operations;

(ii) establishment of check-posts and infrastructure for the front line forest staff;

(iii) establishment and maintenance of fire lines;

(iv) wireless communications;

(v) construction of fencing, boundary marks or pillars, bridges and culverts, check dams, waterholes, trenches and pipelines;

(vi) establishment of zoo and safaris referred to in the Wild Life (Protection) Act, 1972, owned by the Government or any authority, in forest areas other than protected areas;

(vii) eco-tourism facilities included in the Forest Working Plan or Wildlife Management Plan or Tiger Conservation Plan or Working Scheme of that area; and

(viii) any other like purposes, which the Central Government may, by order, specify.";

(b) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The Central Government may, by order, specify the terms and conditions subject to which any survey, such as, reconnaissance, prospecting, investigation or exploration including seismic survey, shall not be treated as non-forest purpose."

Invention of
new section 3C.

6. In the principal Act, after section 3B, the following section shall be inserted,
namely:—

Power of
Central
Government
to issue
directions.

"3C. The Central Government may, from time to time, issue such directions, to any authority under the Central Government, State Government or Union territory Administration, or to any organisation, entity or body recognised by the Central Government, State Government or Union territory Administration, as may be necessary for the implementation of this Act."

DR. REETA VASISHTA,
Secretary to the Govt. of India.