

F. No. 8-34/2017-FC
Government of India
Ministry of Environment, Forests & Climate Change
(FC Division)

Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110003
Dated: 25th May, 2019.

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

Sub: **Order of the Hon'ble Supreme Court dated 28.01.2019 on I.A. No.3924/2015 in WP (Civil) 202/1995 regarding changing status of forest land to revenue land in case of voluntary relocation of villages, reg.**

Sir,

I am directed to refer to Hon'ble Supreme Court order dated 28th January, 2019 wherein the Hon'ble Supreme Court, based on recommendation made in the CEC report dated 28.09.2018, in which it has extended the scope of its order dt. 21.11.2008 to all such cases of relocation/rehabilitation of the villages from the core/critical Tiger reserves and core of the Protected Areas (National Park and WL Sanctuaries) to the periphery of Reserved forests/Sanctuaries/National Parks subject to following conditions:

- a) resettlement / relocation within the boundaries of the notified forest land be considered only if suitable non-forest land is not available within the vicinity of the protected area from where the relocation is proposed;
- b) the District Collector concerned shall furnish to the NTCA a certificate of non-availability of land suitable for relocation of the villages located within the Protected Area and Tiger Reserves before any proposal of relocation within the forest is approved;
- c) the land identified for relocation/rehabilitation should not result in fragmentation of the forest/wildlife habitat;
- d) the relocation activity shall be undertaken solely as a process of consolidation of the wildlife habitat;
- e) the relocation shall be undertaken only along the fringes of the forest such that all facilities to the resettled families can be provided without recourse to further diversion of forest land for providing infrastructure;
- f) the land / villages within the forest which have been vacated shall be brought under the protected area network through enabling notification under the Wildlife Protection Act after extinguishing all the existing rights over the vacated land;
- g) the extent of land de-reserved / de-notified for resettlement shall not be more than the extent vacated by the settlers in the core area; and


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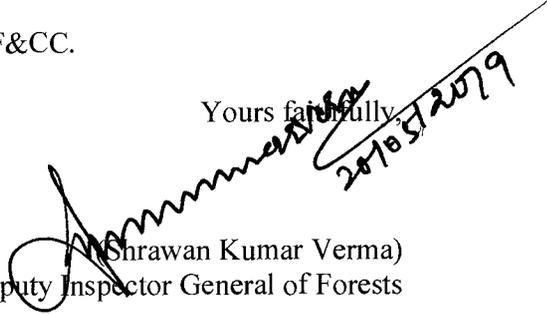
h) the payment of NPV and cost of CA may be exempted in all such cases of voluntary relocation/rehabilitation of families from the protected areas undertaken within the forest land.

2. In this regard, it is informed that in compliance of the above order of the Hon'ble Supreme Court dt. 28.01.2019, the approval of the competent authority of the MoEF&CC is hereby conveyed for change in the legal status of forest land to revenue land in respect of all the 122 villages in 18 states (as mentioned in letter vide 12-12/2015-NTCA dated 20.12.2018 of NTCA to Member Secretary, CEC), which have been relocated to forest areas from the National Parks/Wildlife Sanctuaries/Tiger Reserves. Copies of letter of NTCA to CEC dt. 20.12.2018, Hon'ble Supreme Court orders dt. 21.11.2008 & 28.01.2019, Report of CEC dt. 26.12.2018 are enclosed.

3. It is also to inform that in future, all relocation/rehabilitation cases involving forest land shall be considered for change in legal status of the forest land on case to case basis as per the provisions under Forest (Conservation) Act, 1980, subject to conditions at para-1 above.

This issues with approval of the Hon'ble Minister, EF&CC.

Yours faithfully,


Shrawan Kumar Verma)
Deputy Inspector General of Forests

Copy to:-

1. Principal Chief Conservator of Forests, all States/UTs Governments.
2. Nodal Officer, the Forest (Conservation) Act, 1980, all States/UTs Governments.
3. All Regional Offices, MoEF&CC
4. PPS to Member Secretary, CEC
5. PPS to the Secretary, EF&CC/PPS to the DG of Forests & Spl. Secretary, MoEF&CC
6. PPS to all ADGFs (Incl. NTCA)/IGFs, MoEF&CC
7. Monitoring cell (FC Division)
8. Guard file