

**Van (Sanrakhan Evam Samvardhan) Adhiniyam, 1980
and
Van (Sanrakhan Evam Samvardhan) Rules, 2023**

Date: 10th September, 2024

Presentation Structure

- Forests
- Van (Sanrakhan Evam Samvardhan) Adhiniyam, 1980
and
Van (Sanrakhan Evam Samvardhan) Rules, 2023

Forest cover

- **National Forest Policy:**

At least **33% area in plain** and **67% in hill** should be under forest to **maintain ecological stability**

- **Forest cover in India:**

21.71% of the country's total geographical area.

- **Forest cover in West Bengal:**

13.38% of the state's total geographical area

Trees per person :



Top 10 Global Risks by Severity

Extreme weather events

Critical change to Earth systems

Biodiversity loss and ecosystem collapse

Natural resource shortages

Misinformation and disinformation

Adverse outcomes of AI technologies

Involuntary migration

Cyber insecurity

Societal polarization

Pollution



Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 with amendments made in 1988 and 2023

➤ The Act shall come into force on the **1st December, 2023**.

Applicability:

- **1A. (a): Land declared or notified as Forest** in accordance with IFA 1927.
- **1A. (b):** Not covered in clause (a) but **recorded in Govt record as Forest.**

Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 with amendments made in 1988 and 2023

- **Restriction on the de-reservation of forests or use of forest land for non-forestry purpose, without prior approval** of Central Government (Page 2).
- **Penalty for Contravention:-** simple imprisonment may extend to 15 days
- **Offences by the Authorities and Government Departments:-** **by any department (HOD)**, by any authority, every person who, at the time of offence was committed (3 B, Page 3)

Online Processing of Proposals

- Proposals are processed online through **Parivesh 1.0** and **Parivesh 2.0** portals

Approvals:

- **Stage-I** approval or ‘In-Principle Approval’
- **Stage-II** approval or ‘Final Approval’

Final diversion:

- Order by the State

Definitions (Page 6)

Linear Project:

Means project **involving linear diversion of forest land** for the purpose such as roads, pipelines, railways, transmission lines, slurry pipeline, conveyor belt etc.

Working Permission:

Means permission granted to the linear projects **before Final approval to mobilise the resources to commence the preliminary project work** other than black topping, concretisation, laying of railway tracks, charging of transmission lines etc. or as specified in the in- principle approval;

In-principal approval of the Proposal accorded by Regional Office (Rule 10, Page 12)

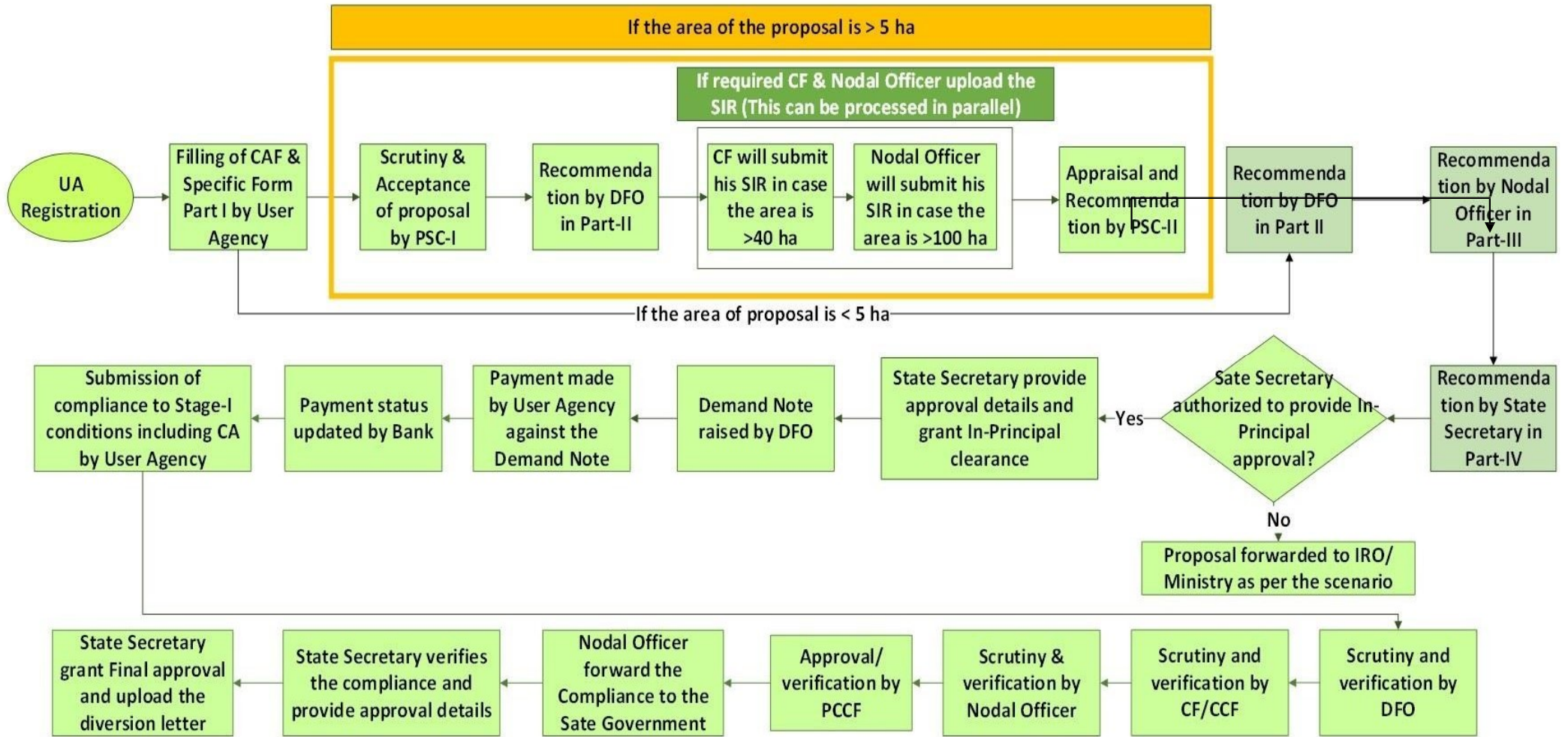
- All proposal involving **forest land up to 40 ha**.
- Hydro electric power projects of **up to 25 MW**.
- Use of forest land having **canopy density up to 0.7** irrespective of their extent for the **purpose of survey**, which are not covered under exemption
- **Proposals >5- 40 ha:** With recommendation of Regional Empowered Committee **(REC)**
- **All proposals > 5 ha:** to be placed before **Project Screening Committee (PSC)**.

In-principal approval of the Proposal accorded by Central Govt. (Rule 10, Page 12/13).

- All proposals, other than proposals mentioned under purview of Regional Office.
- **De-reservation**
- **Mining**
- Regularisation of **encroachment**
- *Ex- post facto* approval of violation of the provision of Adhinyam

Processing of Proposal: State Level Clearance/Workflow

State Level Clearance/Workflow



Aspects Considered During Submitting Proposals

But not limited to:

- Proposal is not for **non- site specific purposes** such as agricultural, office or residential purpose, industry, institutes, rehabilitation of displaced person etc. (Page 38).
- **No other alternatives** available
- Its **unavoidable**
- Required area is **minimum**
- **Direct & Indirect impact on “Forest, Wildlife & Environment”.**
- Mitigation measures for above, if any

Area Required

- Detailed **Layout** with different components
- **Dimensions** of different components/ structures, (length & width)
- **Basis/ guidelines** of proposed dimension/ area
- **Three alternate sites** should be considered

Example:

1. Water Pipeline with Tanks
2. BOP- Outpost

Compensatory Afforestation (CA) on Non Forest Land (NFL)

- CA is to compensate the loss of **“Land by Land”** and loss of **“Trees by Trees”** (Chapter 2.1, Page 48)
- CA Land should be **compact, free from encumbrances**
- **CA Land Should not be isolated**: difficult to manage
- Preferably **contiguous** to the forest
- Preferably **in close proximity** of forest land being diverted.
- **Land contiguous to RF/PF and NP/WLS can be accepted irrespective of any size** (Chapter 2.2 (xi), Page 49).

Compensatory Afforestation (CA) on Non Forest Land (NFL)

- CA land proposed should be of **good quality**, able to generate and compensate the Ecosystem Goods and Services (EG&S) lost from non-forestry use. (Chapter 2.2, (xiii), Page 50).
- **Minimum Size:**
Non-Forest Land (NFL) for CA of less than 10 ha shall not be accepted. For less than 10 ha, 20 years maintenance is to be charged (Schedule-II (4), Page no. 26).

No Compensatory Afforestation (CA)

- **No CA** for re-diversion of forest land **within RoW of roads**, outside the PA
- **No CA** in lieu of repair and maintenance or blacktopping of the forest roads prior to 1980, outside the PA.
- For **PA area**, permission from Standing Committee of the State Board for Wildlife will be required.

(Chapter 2.2 (v), Page 49).

Compensatory Afforestation of DFL (Rule 13 (5), Page 19)

S. N.	Items	Provision
1.	Clearing of natural grown tress in forest land for reforestation	Cost of plantation of 10 times the number of trees likely to be felled subject to minimum 100 tress planted
2.	Diversion of Forest land up to 1 ha.	
3.	Underground mining without surface rights.	
4.	Renewal of mining lease.	No CA

Working Permission (Rule 10, Page 15)

- The State Govt. or UT Admn, if so desires, **after obtaining “In-Principle” approval of linear proposals** and deposition of compensatory levies (CA cost & NPV), cost of Wildlife Management Plan and Soil & Moisture Conservation Plan, as applicable, notification of CA land as PF, **FRA Certificate**, may grant “working permission’ for commencement of project work before grant of “Final” approval.

General Clarification

- **Diversification is only “Right to use”** granted to UA without any changes in ownership and legal status (Chapter 1.2 (ix), Page 30).
- **Temporary Use of Forest Land: Emergent nature, public purpose, unavoidable.** Should not exceed for a period of 2 weeks in a single approval (Chapter 1.7, Page 37).
- **Project involving both forest and non-forest land. No work should be started on non-forest land till approval of the Central Government** (Chapter 1.9, Page 38).

Proposals in Protected Area

- **Prior recommendation** of Standing Committee of National Board for Wildlife (NBWL) under the provisions of Wildlife (Protection) Act, 1972 is required.

(Chapter 12, Page 107)

General Approval for use of Forest Land within RoW

General approval is accorded, **in the already diverted forest land in RoW of roads** for non- forestry use for laying of UG drinking water pipelines, OFC cable (both UG & OG), telephone lines, electricity cable, CNG/PNG, slurry pipelines and petroleum and crude oil pipelines.

State Govt/ authorized NO will accord approval. (4.2, Page 65)

Repair and maintenance as well as upgradation/ widening of roads constructed in forest lands

The up-gradation of roads, without widening, constructed in forest areas **prior to 25th October 1980**, from 'Kutchha to Pucca' is permissible without attracting the provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and **black topping and bituminous work of forest roads** (management works) which have been brought under Pradhan Mantri Gramin Sadak Yojana (PMGSY) is permitted **subject to fulfillment of the applicable Terms & Conditions.**

(Chapter 11.5, Page 103)

Guidelines on Specific Projects

S. N.	Chapter	Subject
1.	Chapter 5	Transfer/ Re-diversion
2.	Chapter 6	Survey and Investigation
3.	Chapter 7	Mining Projects
4.	Chapter 8	Wind Energy
5.	Chapter 9	Irrigation and Hydro- Electric projects
6.	Chapter 10	Transmission lines
7.	Chapter 11	Infra Projects- road, railway lines etc
8.	Chapter 12	Diversion proposals in and around PAs

Mining Projects (Chapter 7)

- Approved Mining Plan
- Pre and Post Mining Plan
- **Justification** of new mining
- **Mine Closure Plan**: reclamation of forest land, including afforestation
- **Monitoring of Compliance**: at least once in a year. Upload report on Parivesh Portal (7.2 (17), Page 82)

Transmission Line (Chapter 10)

- Transmission line through the forest area, **if unavoidable**, these should be aligned in such a way that it involves **the least number of trees cutting**, and as far as possible, the route the width of Right of Way (RoW),
- **Aerial Bunched Cable (ABC)** or **Underground Cable** are used in place of Overhead Line.

Transmission Voltage	Width of Right of Way (meter)	Width clearance below/between each conductor or conductor bundle for stringing purpose (meter)	Minimum clearance between conductor and Trees (meters)
11KV	7	3	2.6
33 KV	15	3	2.8
66 KV	18	3	3.4
110 KV	22	3	3.7
132 KV	27	3	4.0
220 KV	35	3	4.6

Transmission Line through insulated cable

Laying of underground insulated cable be as below:

Lines Voltage	Trench Width	Trench depth
11 KV	300 mm	900 mm
33 KV	600 mm	1200 mm

- Laying double circuit (D/C) underground cable, **trench width shall be twice** the aforementioned width for the single circuit cable.

Thank You !