



Office of Principal Chief Conservator of Forests (Head of Forests Force)

Maharashtra State

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No:-Desk-17/NC/17-4/CR 73/18-19/ 1155

Date:- 10 /10/2019

CIRCULAR

Subject:- Expeditious recovery of compensatory levies in respect of proposal approved under the Forest (Conservation) Act, 1980

Reference:- This office Circular no. Desk-17/3/Nodal/2120/18-19 dtd. 8/2/2019

The approval of the Competent Authority is accorded in two stages under the Forest (Conservation) Act, 1980. The final approval is accorded only after the compliance of the conditions stipulated in the in-principle approval. In this context, Rule 8 of the Forest (Conservation) Amendment Rules, 2014 may be referred, which reads as under.

Rule-8 (1) (b) :- On receipt of a copy of the in-principle approval, the Divisional Forest Officer shall prepare a demand note containing item-wise amount of compensatory levies such as cost of creation and maintenance of compensatory afforestation, Net Present Value (NPV), cost of the implementation of catchment area treatment plan or wildlife conservation plan etc. to be paid by the User Agency and communicate the same, along with a list of documents, certificates and undertakings required to be submitted by the User Agency in compliance with the conditions stipulated in the in-principle approval to the User Agency within ten days of the receipt of a copy of the in-principle approval.

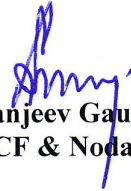
2. In order to ensure Expeditious recovery of compensatory levies, a proforma for the Demand Note was prescribed vide the Circular referred above. However, under the present system, the DCF communicates the Demand Note to the User Agency, which in turn uploads the same online to get it verified from the Nodal Office. After receiving the said Demand Note from the User Agency via online, the Nodal Office verifies the Demand Note and the User Agency can deposit the compensatory levies only after getting the confirmation from the Nodal Office through the online system.

3. The above practice not only causes undue delay but also appears to be troublesome for User Agency which remains uncertain about the exact amount towards the compensatory levies.

4. In order to address this problem and to enable the User Agency to know the appropriate and exact Amount in one-go, it is hereby directed that the coordinating DCF shall prepare the Demand Note in the proforma appended with this Circular and get it ratified by this Office through E-mail within five days. After the Demand Note so proposed by the DCF is ratified by this Office, he shall communicate the same to the User Agency.

5. For removal of doubts, it is clarified that the proposals involving more than one Divisions or Circles, the Demand Note should only be prepared by the coordinating Division or Circle, as the case may be. In no case, the user Agency be given more than one Demand Note for the same project.
6. The DCF must ensure that the compensatory levies under different Heads are accurately worked out in accordance with prevailing rates and are in conformity with the specifications mentioned in the proposal
7. The Proforma prescribed vide the Circular under reference stands modified accordingly.
8. This Circular is available on web link http://mahaforest.gov.in/act_rule_file/15707736871570703284Nodal_10_9_2019.pdf

Enclosure:- Proforma for the Demand Note


(Sanjeev Gaur)
Addl. PCCF & Nodal Officer

To,
The Principal Secretary (Forests), Revenue and Forests Department, Mantralaya, Mumbai
The Addl. Principal Chief Conservator of Forests (CAMPA), Maharashtra State
The Addl. Principal Chief Conservator of Forests (Wildlife) East and West
The Chief Conservator of Forests (T) (All)
The Field Director, Tiger Reserves (All)
The Dy. Chief Conservator of Forests/Divisional Forest Officer (T) (All)

Office of the Deputy Conservator of Forests-----

Proforma for the Demand Note

[see rule 8 (1) (b) of the Forest (Conservation) Amendment Rules, 2014]

Outward No.----- date-----

To,
The-----[The DCF/DFO must write the name of the User Agency]

Subject:- Diversion of -----Ha. forest land under the Forest (Conservation) Act, 1980
for-----[Name of the proposal]-----

Reference:- -----[exact reference of the in-principle approval of the Competent Authority]-----

1. As per the reference cited above, -----[Name of the User Agency]----- is requested to pay the item-wise amount of compensatory levies as per the following details.

Compensatory Levies

Sr. No.	Item	Condition No. as mentioned in-principle approval	Prevailing Rate (Rs) (If applicable)	Forest Land (ha) (wherever applicable)	Amount payable by the User Agency
(1)	(2)	(3)	(4)	(5)	(6)
1	Cost towards Compensatory Afforestation (As per Model-----)				
2	Cost towards Addl. Compensatory Afforestation (As per Model-----)				
3	Cost towards Penal Afforestation (As per Model-----)				
4	Cost towards the NPV (Specify the Eco-Value Class of Forest to be diverted)				
5	Cost towards Catchment Area Treatment Plan		As per estimate		
6	Cost towards Wildlife Mitigation measure		As per estimate		
7	Cost towards felling of trees				
8					
9					
				Total Amount	

(Strike off whichever is not applicable)

Office Seal

(Name)
Deputy Conservator of Forests
----- Division

Copy to

The APCCF/CCF/CF----- for information