

Centre green-lights homes up to 250sqm in pvt forests

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PANAJI: The construction of residential homes or homesteads up to a limit of 250sqm can be permitted in private and deemed forest areas of Goa and Uttarakhand, the Centre has clarified. The cut-off date of February 11, 2011, is however applicable to the homes. The clarification circular was issued after the advisory committee of the Union environment ministry deliberated over the concern that sales of small holdings in private forests are leading to fragmentation.

"Construction activity for residential purpose in a private forest shall be allowed only for domestic purpose and shall not be extended to any institutional buildings or commercial development," said the circular issued on December 29.

It added, "Construction activities shall be restricted to a maximum of 250sqm of built-up area in each case." It went on to say, "The construction of residential building in private forests is permitted in Mussoorie Dehradun Development Authority (MDDA) areas and other parts of Uttarakhand and Goa only in order to alleviate the hardship of homestead owners in constructing/completing their bona fide residential buildings."

In November 2021, the Union environment ministry's forest advisory committee approved the extension of relaxation for Goa on a par with Uttarakhand under the Forest (Conservation) Act, 1980, allowing up to 250sqm of residential units in private forests.

Chief minister Pramod Sawant had written to the central ministry stating the concerns raised by citizens over

additional areas being identified in Goa as private forests. Sawant had also said that the state is facing a shortage of non-forest land.

The circular said that guidelines had been issued to the states on February 11, 2011, and September 27, 2018, to demarcate notified forest areas in a time-bound manner, as directed by the Supreme Court

. The ministry has said that retaining the word 'homestead' in the guidelines is very important, as otherwise there will be fragmentation of private forest estates as has happened in Mussoorie, due to sale of small plots and holdings.

The ministry has therefore clarified the definition of 'homestead' and has reiterated that permissions are granted for homesteads of up to 250sqm, provided they were constructed up to February 11, 2011

. "In case of any sub-division of ownership of the forest land after February 11, 2011, construction activities shall be restricted in such a way that the total of all construction activities in such sub-divided portions post February 11, 2011, do not exceed the maximum of 250sqm of built-up area," the circular said

. The permission is subject to tree-felling being kept to the minimum, sufficient soil conservation measures being taken, and permissions of other regulatory bodies for construction in hill areas being obtained.

All other standard conditions required for such projects, including the planting of trees, are applicable. The circular said that the permission is strictly restricted to the construction of residential or dwelling houses in private forest land in Goa and MDDA areas of Uttarakhand, where non-forest land is not available.