

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 110003
Dated: March, 2025

To

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

Sub: Guidelines/explanatory notes to the letters of even number dated 17.12.2024 and 17.01.2025 regarding various issues raised by the Ministry of Mines regarding the approval process with regards to use of forest land for mining and its ancillary activities – reg.

Madam/Sir,

I am directed to refer to this Ministry's letters of even number of dated 17.12.2024 and 17.01.2025 wherein clarifications/guidelines related to survey and exploration, safety zone management, compensatory afforestation, and laying of slurry pipelines and linear projects linked to mining, were issued by the Ministry. The Ministry of Mines has raised certain issues seeking further clarifications in respect of the aforesaid guidelines/clarifications. Based on the issues raised, these guidelines/clarifications were further examined with a view to enable uniform interpretations and also for eliminating any further ambiguities. Accordingly, the following clarification explaining the provisions of the aforesaid guidelines of the MoEF&CC regarding section 3C and section 2(2) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 are hereby issued by the Central Government:

1. Interpretation regarding permissible number of bore holes: The guidelines issued by the MoEF&CC on 17.01.2025 clarified that the number of bore holes permitted for survey and exploration should not be considered on a *pro rata* basis but may be allowed as per the needs of the exploratory survey provided that the total number of boreholes shall not exceed 25 boreholes in ten square km. It is further clarified that a maximum number of 25 bore holes may be dug in the area applied for by the user agency even if the area is smaller than 10 sq km.

2. Extension of time lines of Safety Zone : The Ministry on 1.04.2015 had granted the general approval to States for according permissions under section 2(1)(iii) of the Adhiniyam in case diversion of entire forest land forming part of the safety zone and included in the lease, was not obtained by the User Agency. In pursuance to the said general approval, majority of such cases have deposited the NPV. Further, cost of CA in the form of raising of afforestation over 1.5 times the area of safety zone over degraded forest land has already been realized by the States at the time of obtaining approval of the Central Government under section 2(1) (ii) of the Adhiniyam. In such cases, approval under section 2(1)(ii) is required only if the safety zone, at any stage, is proposed to be used for mining. Further, in all such cases where such approval has not been obtained, an

additional time period of two years, effective from 30.09.2024, is being granted as a last opportunity for making necessary deposits in respect of CA and NPV and seeking necessary approval.

3. Clarification on slurry pipelines and linear projects: As per the provisions of existing guidelines, the validity of consolidated approval of a mine having road can be extended and the same can be transferred by the State Government to the new allottee. However, in those cases where FC has been granted separately for diversion of Forest land for roads which were not part of the diversion of the forest land included in the mining lease, the transfer of FC approval in such cases will be granted separately by the State Government and Central Government respectively for the forest land forming part of the mining lease and for the diversion of the forest land included in the road which is not part of the mining lease and for which separate FC had been granted by the Competent Authority. However, in cases where a NoC has been given by the erstwhile user agency in whose favour the road linked to mining lease (allotted to new lessee) was diverted, the State Government may transfer the approval granted under Adhiniyam for use of such roads to the new lessee.

4. Exempting critical mineral mining from Forest (Conservation) Act: As per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, mining in forest land is a non-forestry activity and accordingly requires prior approval of the Central Government. However, separate 'category' has been created in PARIVESH 2.0 for processing of FC for mining proposals for critical minerals, so that such proposals can be taken up on priority.

5. Enumeration of Trees through drone before diversion: Enabling guidelines for enumeration of trees on sampling basis already exists in the Consolidated guidelines issued under the Adhiniyam on 29.12.2023 by the Ministry.

(Charan Jeet Singh)
Scientist 'E'

Copy to:

1. Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi
2. Secretary, Ministry of Coal, Government of India, Shastri Bhawan, New Delhi
3. PCCF & HoFF, all States Governments /Union territory Administrations
4. Dy Director (Central), Regional Offices, MoEF&CC
5. Nodal Officers (Van Sanrakshan Evam Samvardhan), O/o PCCF & HoFF, all States Governments /Union territory Administrations

Copy for internal circulation to:

- i. PSO to Secy, EF&CC/ Sr. PPS to DGF&SS/PPS to Addl. DGF(FC)