

F. No. 8-78/1996-FC (Pt.)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, JorBagh Road,
New Delhi-110 003,
Dated: 30th September, 2016,

To

The Principal Secretary (Forest),
All State /Union Territory Governments

Sub: Guidelines regarding prior approval of Central Government under the Forest (Conservation) Act, 1980 (FC Act) for areas falling in the mining leases which were or are recorded as 'forest' in the Government record on or after the day the FC Act came into force, but while processing and/or approving the proposals under the FC Act for use of forest land falling in such mining leases for mining purposes, such areas were treated as 'non-forest' – reg

Sir,


I am directed to refer to this Ministry letter of even number dated 10th March, 2015 on the above-mentioned subject wherein it was *inter-alia* stated that State Governments may allow the concerned user agencies to continue, for a period not-exceeding One year, mining in such already broken forest area which were or are recorded as 'forest' in the Government record on or after 25th October 1980, but while processing and or approving the proposals under the Forest (Conservation) Act, 1980 for use of forest land located in such mining leases for non-forest purpose, were treated as 'non-forest', provided the other statutory requirements and Rules are otherwise being complied with and NPV of such broken up areas has already been realised from the user agency

This Ministry received representations, including the one from the Chief Secretary, Government of Odisha to extend the said period of one year.

After careful examination of the matter in this Ministry, the period of one year stipulated in the said letter was extended till 30th September, 2016, vide letter dated 09th March, 2016 provided the State Government submits complete proposal to seek prior approval of Central Government under the FC Act for use of such already broken up forest land for mining and allied activities, failing which mining in such broken up forest areas will be discontinued.

Now this Ministry has again received representations, including the one from the Chief Secretary, Government of Odisha, Secretary, Ministry of Steel and Chairman, Steel Authority of India with request to extend the said period at least by one year.


After careful examination of the matter in this Ministry, I am directed to convey that the period stipulated in letter dated 9th March 2016, to seek prior approval of Central Government under the FC Act for use of such already broken up forest land for mining and allied activities, is


30.9.16.

further extended up to **31st December 2016**, to complete the entire process of diversion of forest land under forest (Conservation) Act, 1980 and no further extension will be provided. It is further clarified that in absence of forest clearance mining in such broken up forest areas will be discontinued.

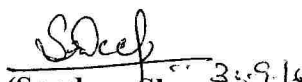
This issues with the approval of competent authority.

Yours faithfully,


(Sandeep Sharma) 30.9.16
Assistant Inspector General of Forest (FC)

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Steel, Government of India
4. Principal Chief Conservator of Forests, all State/UT Governments
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
6. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
7. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
8. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI
9. Director, ROHQ, MoEF&CC, GoI
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI
14. PS to the Inspector General of Forest (Forest Conservation) MoEF&CC, GoI
15. Guard File


(Sandeep Sharma) 30.9.16
Assistant Inspector General of Forest (FC)