

F. No. 11-552/2013-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510
Dated: 24th February, 2014

To

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

Sub: Guidelines for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980- General approval under Section-2 of Forest (Conservation) Act, 1980.

Sir,

I am directed to draw attention to Paragraph 2.2 (vii).1 of Guidelines issued under the Forest (Conservation) Act, 1980 which reads as below:

"Mining plan for underground mining coal and other major minerals in stratified deposits in forest areas should include the predicated subsidence, slope and strain values and their impact on forests and surface and their mitigation. The maximum tensile strain of 20 mm per meter and thereby the surface cracks of width of about 200-300 mm is to be permitted in forest areas. Accordingly, the mine plans should be made to restrict the subsidence movement within these limits with the provision of mitigation measures. All mining plans in respect of coal and other major minerals should be accompanied with numerical modelling in 3-Dimension for subsidence prediction through an expert mining engineer/organization to assess long term damage on surface vegetation due to underground mining preferably from Banaras Hindu University; ISM, Dhanbad; any of the IITs located at Delhi, Kanpur, Mumbai, Kharagpur, Madras, Roorkee & Guwahati, or M/s. CMRI along with the mitigation measures suggested by them should be submitted along with the proposal. The surface layout of mining area should be designed so as to use minimum possible land, and wherever feasible, the surface facilities should be planned over non-forest areas"

It has however, been observed that this Ministry is receiving proposals to obtain prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for underground mining projects where numerical modelling in 3-Dimension predicts maximum tensile strain of more than 20 mm per meter.

After examination of the matter it has been observed that in case surface strain for an underground mining project is within the stipulated limited of 20 mm per meter, underground mining does not cause significant impact on surface vegetation. Such underground mining projects in forest areas are therefore, exempted from the requirement

24/02/14

of compensatory afforestation. NPV of the forest land diverted for underground mining is also levied at fifty percent of the normal rates. However, in case maximum tensile strain predicted by numerical modelling in 3-Dimension for a underground mining project is more than the stipulated limit of 20 mm per meter, even if the project may not pose any safety hazard, it may cause long term irreversible damage on surface vegetation. To compensate damage to the surface vegetation, for the purpose of compensatory afforestation and NPV it is appropriate to treat such underground projects open cast.

Accordingly, I am directed to say that to deal with such cases, the following is added to para 2.2 (vii).1 of guidelines issued under the Forest (Conservation) Act, 1980:

"In case numerical modelling in 3-Dimension predicts maximum tensile strain more than 20 mm per meter, to compensate damage to the surface vegetation, for the purpose of compensatory afforestation and NPV, such underground mining projects shall be treated as open case mining project."

This issues with approval of the Hon'ble Minister for Environment and Forests.

Yours faithfully,


(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Principal Chief Conservator of Forests, all State/UT Governments.
2. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
3. All Regional Offices, Ministry of Environment & Forests.
4. Joint Secretary in-charge, Impact Assessment Division, MoEF.
5. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF.
6. Director R.O. (HQ), Ministry of Environment and Forests, Government of India, New Delhi.
7. Sr. Director (Technical), NIC, MoEF with a request to place a copy of the letter on website of this Ministry.
8. Sr. PPS to the Secretary, Environment and Forests.
9. Sr. PPS to the Director General of Forests & Special Secretary, MoEF.
10. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF.
11. PS to the Inspector General of Forests (Forest Conservation), MoEF.
12. Guard File.


(H.C. Chaudhary)

Assistant Inspector General of Forests