

**F. No. 11-267/ 2014-FC**  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi - 110 003  
Dated: 27<sup>th</sup> August, 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- Simplified procedure for grant of approval in certain cases of renewal of mining leases.

Sir,

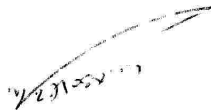
I am directed to refer to this Ministry's letter F. No. 11-285/2011-FC dated 5<sup>th</sup> November 2013 on the above-mentioned subject wherein this Ministry stipulated simplified procedure for grant of approval in certain cases of renewal of mining leases. Later on, this Ministry notified the Forest (Conservation) Amendment Rules, 2014 to incorporate *inter-alia* the said simplified procedure in the Forest (Conservation) Amendment Rules, 2003 as Sub-Rule (3) of Rule 8 of the said Rules.

This Ministry has received representation from various Ministries to further simplify the procedure for grant of approval under the Forest (Conservation) Act, 1980 for renewal of mining leases.

After careful examination of the matter, I am directed to say as below:

- (i) Provisions of Sub-Rule (3) of Rule 8 of the Forest (Conservation) Rules, 2003 as amended vide the Forest (Conservation) Amendment Rules, 2014 are extended to the cases where in-principle approval under the Forest (Conservation) Act, 1980 for diversion of forest land has been accorded on a date more than 5 years prior to date of expiry of mining lease and for valid and cogent reasons it has not been possible for the user agency and the State Government to comply with conditions stipulated in the in-principle approval and obtain final approval under the Forest (Conservation) Act, 1980 for diversion of such forest land before expiry of the mining lease, provided such in-principle approval has not already been summarily revoked by the Central Government. In such cases, apart from the information/ documents stipulated in clause (b) of Sub-Rule (3) of Rule 8 of the Forest (Conservation) Rules, 2003, the State Government may also submit reasons for delay in compliance to conditions stipulated in the in-principle approval.

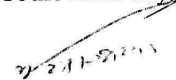
I am also directed to say that in cases, where mining lease expires or has already expired within a period of 10 (ten) years from the date of grant of in-principle approval under the Forest (Conservation) Act, 1980, even if final approval under the afore-mentioned Act for diversion of such forest land has already been accorded prior to expiry of mining lease, the State Government may seek final approval of Central Government under the Forest (Conservation)



Act, 1980 for diversion of such forest land for renewal of mining lease for a period, as specified by the State Government, not exceeding twenty years, giving details of the earlier approval in letter form, rather than initiating a de-novo proposal. Status of compliance to conditions stipulated in the earlier approval and compliance to statutes, circulars or directives, as applicable to such proposals, which came into force after grant of final approval, if any, shall also be submitted to the Central Government.

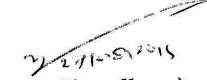
In such cases, the Central Government, shall, after considering advice of the Forest Advisory Committee or the State Advisory Group, as the case may be, and after further enquiry as it may consider necessary, grant final approval to the proposal of the State Government of Union Territory Administration, as the case may be, for renewal of mining lease for a period, as may be specified by the Central Government, not exceeding twenty years, with appropriate conditions or reject the same.

Yours faithfully,

  
(H.C. Chaudhary)  
Director

**Copy to:-**

1. Prime Minister's Office (*Kind attn.:* Shri Santosh D. Vaidya, Director), Government of India.
2. Secretary, Ministry of Mines, Government of India.
3. Secretary, Ministry of Coal, Government of India.
4. Secretary, Ministry of Steel, Government of India.
5. Principal Chief Conservator of Forests, all State/UT Governments.
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
7. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), Government of India.
8. Joint Secretary, In-charge, Impact Assessment Division, MoEFCC, Government of India.
9. Chairman, State Environment Impact Assessment Authority, all State/UT Governments.
10. Member-Secretary, State Environment Impact Assessment Authority, all State/UT Governments.
11. All Assistant Inspector General of Forests in Forest Conservation Division, MoEFCC.
12. All Advisors/ Directors/ Dy. Directors in the Impact Assessment Division, MoEFCC.
13. Director, Regional Office (Headquarters), MoEFCC.
14. Monitoring Cell, Forest Conservation Division, MoEFCC for placing a copy of the extant guidelines on website of the Ministry.
15. PS to Secretary/ DGF&SS/ ADG (FC)/ IGF (FC), MoEFCC, Government of India.
16. Guard File.

  
(H.C. Chaudhary)  
Director