

8-101/2011-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 19th September, 2022


OFFICE MEMORANDUM

Sub: Amendment in condition of the transferred approval of explanatory drilling in 402.91 ha Forest Area from prior allottee i.e. M/s Rohne Coal Company Private Limited (RCCPL) to M/s national Mineral Development Corporation Limited (NMDC).

The undersigned is directed to refer to the Nominated Authority, Ministry of Coal's OM No. NA-103/7/2019-NA dated 24.06.2022, on the above subject and to inform that the Ministry has already examined the matter and the decision thereon has been conveyed to the State on 13.04.2022.

In reference to the submissions made by the Ministry of Coal that approval under Forest (Conservation) Act, 1980 is not required for prospecting in forest areas, the legal position is as follows: the Forest (Conservation) Act, 1980 is a special Act with a non-obstante clause and hence despite the fact that section 4 (1) of the MMDR Act, 1957 enables M/s NMDC to undertake prospecting without PL but in respect of forest areas prior approval of the Central Government under the FC Act, 1980 is mandatory for the user agency before undertaking any prospecting activities.

In view of the above, I am directed to request the M/o Coal to advise the user agency to submit the compliance of Stage-I approval dated 11.04.2013 and to obtain Stage-II approval of the Central Government under the Forest (Conservation) Act, 1980 before for undertaking exploration in 402.61 ha of forest land.


(Charan Jeet Singh)
Scientist 'D'

To

Under Secretary to Government of India
O/o Nominated Authority, Ministry of Coal
120, F-Wing, 1st Floor, Shastri Bhawan
New Delhi- 110001.

Copy to:

1. Principal Chief Conservation of Forests, Government of Jharkhand, Ranchi.
2. Regional Officer (Central), Integrated Regional Office, Ranchi.
3. Nodal Officer, O/o the PCCF, Government of Government of Jharkhand, Ranchi.
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi
6. Guard File.