

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

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

Dated: 31st May, 2023

To

The Addl. Chief Secretaries/Principal Secretaries (Forests),
All States/ Union Territory Administrations.

Sub: Clarification on the guidelines given under para 7.3(iv) of the Handbook of Forest (Conservation) Act, 1980 – reg.

Sir,

I am directed to refer to above mentioned subject and to inform that as per the provisions of said guidelines given under para 7.3(iv) of the Handbook of Forest (Conservation) Act, 1980, General Approval, subject to certain conditions prescribed therein, has been granted to the States under section 2 (iii) of the Forest (Conservation) Act, 1980 in respect of existing mining leases having forest land in part of full and where approval under the Forest (Conservation) Act, 1980 has been obtained only for part of the forest land involved in the mining lease.

Said GA was granted to ensure uninterrupted mining operations in the already approved lease area of the user agency and to enable the State/UT Governments to assign the forest land on lease under section 2 (iii) of the FC Act, 1980 for which approval under section 2 (ii) of the FC Act, 1980 has not been obtained by the user agency. Mining in area approved under section 2(ii) can only be undertaken after obtaining the approval of the Central Government under section 2 (ii) of the Forest (Conservation) Act, 1980.

In view of the above, it is to clarify that in respect of existing mining leases having forest land in part or full and where the State Governments have considered the grant of GA as per the provisions of the para 7.3(iv) of the Handbook of Forest (Conservation) Act, 1980, the existing mining operations will be restricted to the forest land already approved under section 2(ii) of the FC Act, 1980. In existing leases where approval under the FC Act, 1980 is available only for part of forest land, the non-availability of approval under the section 2 (ii) of the Act in respect of remaining forest land will not be a deterrent to undertake mining in the already approved area provided the user agency has complied all conditions, as stipulated under para 7.3(iv) of the Handbook of Forest (Conservation) Act, 1980.

This issue with the approval of Competent Authority.

Yours faithfully


(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The PCCF, All States/ Union Territories Administration.
2. The Regional Officer, All Integrated Regional Office of MoEF&CC
3. The Nodal Officer, O/o the PCCF, All States/ Union territories Administration.
4. Monitoring Cell of FC Division, MoEF&CC, New Delhi
5. Guard file