

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

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

Dated: 10th December, 2021

To

The Principal Secretary/Secretary (Forests),
All State/ UT Governments.

Sub: Coal Mining leases involving forest and non-forest land; Commencement of mining operations in non-forest land before obtaining prior approval under the Forest (Conservation) Act, 1980 for the forest area within the lease – reg.

Sir,

I am directed to refer to the Coal India Limited's letter dated 14.07.2020 and M/ o Coal's letter dated 14.08.2020 requesting the MoEF&CC to allow commencement of mining operations where Stage-I approval under the FC Act and environment clearance under the EP Act has been obtained, and to say that the matter was considered and recommended by Forest Advisory Committee (FAC) subject to certain conditions in its meeting held on 28.10.2021.

Based on the recommendation of the FAC and acceptance of the same by the competent authority of the MoEF&CC, New Delhi, Central Government hereby clarifies that mining operations in non-forest land of mining leases involving forest as well as non-forest land can be commenced by the User agency subject to following conditions:

- i. The mining plan for working in the non-forest area within a coal block/lease (which also has forest area within it), shall not involve any forest area in the coal block/lease concerned.
- ii. No component/activity of the mining in the non-forest forest of such block/lease shall have any dependency in the forest area of the same block/lease.
- iii. Such permission in the non-forest area shall not create any obligation or *fait accompli* with regard to approval (Stage-I or Stage-II) under the Forest (Conservation) Act, 1980 by the Central Government.
- iv. Stand-alone proposal shall be made, if mining is intended in the forest area of the coal block/lease, under the provisions in the FC Act, 1980. No reference of mining already taken up in non-forest area shall be made in such proposal.
- v. In case of any violation over forest area is reported, matter shall be dealt as per the provisions in the FC Act, 1980 and Rules made thereunder.
- vi. Provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s), pertaining to mining, for the time being in force, as applicable shall be complied with.

This issue with the approval of competent authority.

Yours faithfully,
Sd/-

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. Secretary, Ministry of Coal, Government of India, New Delhi.
2. Principal Chief Conservator of Forests, all State/UT Governments
3. Regional Officer (Central), All IROs, MoEF&CC
4. Nodal Officer (FCA), all State/ UT Governments
5. Impact Assessment Division, MoEF&CC, GoI, New Delhi
6. All IGF/ DIGF/AIGF in MoEF&CC, GoI, New Delhi
7. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the

letter on website of this Ministry

8. PPS to Secretary (EF&CC)/DGF&SS/ADGF(FC)/ADGF(Wildlife)

9. Guard File.