

F. No. 11-85/ 2016-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003

Dated: 30th November, 2016

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- Submission of proposals to obtain approval for diversion of entire forest land located within a mining lease.

Sir,

I am directed to refer to this Ministry's letter No. 11-599/2014-FC dated 1st April, 2015 on the above-mentioned subject wherein this Ministry *inter-alia* informed that in case of existing mining leases having forest land in part or in full, where approval under Section 2 of the FC Act for a part of the forest land has only been obtained, Central Government hereby accords general approval under Section 2 (iii) of the FC Act for the remaining area of the forest land falling within such mining leases, subject to conditions prescribed in para 3(v) of the said guidelines dated 01.04.2015.


2. In this regard, it is clarified that the prior approval of the Central Government under section 2(iii) of FC Act 1980 for signing of mining lease is subject to following additional conditions:

- (i) The provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 must be complied.
- (ii) Confirmation of deposit of NPV by ad hoc CAMPA.

3. The other conditions stipulated in para (v) of the guidelines as issued vide letter no. 11-599/2014-FC dated 01.04.2015 will remain the same.

4. The period of one year stipulated in the guidelines as issued vide letters No. 11-599/2014-FC dated 1st April, 2015 & No. 11-599/2014-FC dated 10th November, 2015 was extended by this Ministry for a further period of six months from 01.04.2016 to 30.09.2016 (i.e. till 30th September, 2016) vide letter no. 11-85/2016 FC dated 31.03.2016

5. Ministry has again received representation to extend the said period stipulated in the guidelines dated 31.03.2016. After careful examination of the issue in the



30.11.16

Ministry, I am directed to say that the said period stipulated in guidelines 11-85/2016 dated 31.03.2016 is further extended upto 31.03.2017.

6. It is further informed that the State Government shall submit the report every quarter (as on 1st January, 1st April, 1st July and 1st October every year) for all such cases for which permission has been granted by the State Government for signing mining lease agreement under general approval under section 2(iii) of FC Act to the Central Government (MoEF&CC) on the following proforma:

Report for the quarter:										
S.N.	Detail of FC Clearance under section 2(ii) of FC Act						Permission for mining lease (ML) by State Government under			
	Case/ File no	Date of FC	Total Forest Area (FL)	Total Non- forest area (NFL)	Total Lease area (FL+NFL)	FC granted for FL area	Date	Forest area for which lease granted	NPV Deposited (In Rs)	FRA 2006 comple d or not (Y/N)

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment, Forest and Climate Change.

Yours faithfully,


(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:-

1. Prime Minister's Office .
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 States/ UTs.
6. Nodal Officer, the Forest (Conservation) Act, 1980, all States/ UTs.
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC).
8. Joint Secretary, In-charge, Impact Assessment Division, MoEF&CC.
9. PS to the Hon'ble Minister of State (Independent Charge) for Environment, Forest and Climate Change.
10. Chairman, State Environment Impact Assessment Authority, all States/ UTs.

11. Member-Secretary, State Environment Impact Assessment Authority, all States/UTs.
12. All Directors/ Assistant Inspector General of Forests in Forest Conservation Division, MoEFCC.
13. All Advisors/ Directors/ Dy. Directors in the Impact Assessment Division, MoEF&CC.
14. Director, Regional Office (Headquarters), MoEF&CC.
15. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of this letter on website of this Ministry.
16. Sr. PPS to the Secretary, Ministry of Environment, Forest and Climate Change.
17. Sr. PPS to Director General of Forests and Special Secretary, Ministry of Environment, Forest and Climate Change.
18. Sr. PPS to Addl. Director General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change.
19. PS to Inspector General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change.
20. Guard File.



(Sandeep Sharma)

Assistant Inspector General of Forests (FC)