

F. No. 11-51/2015-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: 1st May, 2015

To
The Principal Secretary (Forests),
All State / Union Territory Governments

Sub: Diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- Guidelines regarding extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects.

Sir,

I am directed to refer to this Ministry' letter of even number dated 1st April 2015 on the above-mentioned subject wherein it was informed that in case of existing mining leases in respect of minerals specified in sub-section (1) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR, Act, 1957) inserted by the Mines and Mineral (Development and Regulation) Amendment Ordinance, 2015, period of validity of approvals accorded under section 2 of the Forest (Conservation) Act, 1980 (FC Act) shall be extended, and shall be deemed to have been extended upto a period co-terminus with the period of mining lease in accordance with the provisions of the MMDR Act, 1957, as amended, subject to the conditions stipulated in the afore-mentioned letter.

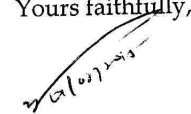
2. It has been observed that several proposals seeking prior approval of Central Government under the FC Act for renewal, in accordance with the provisions of the MMDR, Act, 1957 prior to its amendment by promulgation of the afore-mentioned Ordinance, of mining leases, to which provisions of the afore-mentioned guidelines extends, are presently under various stages of examination in the Central and State Governments. Such proposals are now not required to be further processed, in case prior approval of Central Government under the FC Act for the entire forest land indicated in such proposals has already been obtained during the original lease period or previous renewal(s) of the mining lease. In case prior approval of Central Government under the FC Act for a part of the forest land indicated in such proposal has only been obtained during the validity of the original lease or previous renewal(s), such proposals are required to be processed only for such reduced area of forest land for which approval under the FC Act during the validity of the original lease or previous renewal(s) has not been obtained.


2015/05/01

3. Accordingly, after careful examination of the matter, I am directed to say as below:

- (i) Proposals seeking prior approval of Central Government under the FC Act for renewal, in accordance with the provisions of the MMDR, Act, 1957 prior to its amendment by promulgation of the afore-mentioned Ordinance, of mining leases to which provisions of the afore-mentioned guidelines dated 1st April 2015 extends, shall be closed, in case prior approval of Central Government under the FC Act for the entire forest land indicated in such proposal has already been obtained during the original lease period or previous renewal(s) of the mining lease.
- (ii) However, in case during the validity of the original lease or previous renewal prior approval of Central Government under the FC Act for a part of the forest land indicated in such proposal has only been obtained, such proposals shall be processed for such reduced area of forest land for which approval under the FC Act during the original lease period or previous renewal(s) has not been obtained.

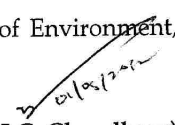
Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (*Kind attn.:* Shri Santosh D. Vaidya, Director).
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 (MoEFCC) for information and necessary action.
8. Joint Secretary, In-charge, Impact Assessment Division, MoEF.
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 for information and necessary action.
13. All Advisors/ Directors/ Dy. Directors in the Impact Assessment Division, MoEFCC.
14. Director, Regional Office (Headquarters), MoEFCC.

15. Sr. Director (Technical), NIC, MoEFCC 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. Sr. PPS to Inspector General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change.
20. Guard File.


(H.C. Chaudhary)
Director