

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

Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi-110 003

Dated: 26th December, 2024

To

Addl. Chief Secretaries (Forests)/Principal Secretary (Forests),
All State Government/UT Administrations

Sub: Clarification on the mining proposals involving change in the land use of forest land as per approved Mining Plan – reg.

Sir,

This is in the context of a reference received from the Ministry of Mines, Government of India, followed up by an electronic communication sent on dated 19.12.2024 to the Ministry with a request to streamline the process pertaining to change of land use in the already approved Mining Plan of a mining lease for which final approval for the forest land diversion has already been accorded by the Ministry as per the provisions of the erstwhile Forest Conservation Act, 1980 or Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980, as amended from time to time. In this connection, it is informed that the matter related to change in the land use of the forest land forming part of the already approved Mining Plan has been examined in the Ministry in the light of the above referred communication from the Ministry of Mines. After examination of the matter, the following is clarified:

- i. Mining activities including ancillary works are normally carried out in accordance with the Mining Plan which has been approved by the Competent Authority. However, there may be situations where the various components forming part of the approved Mining Plan may require modifications from time to time.
- ii. Such modifications in the originally approved Mining Plan can be carried out by the Competent Authority at their own level provided there is no change in the total forest area earmarked for carrying out mining within the diverted forest land forming part of the already approved original Mining Plan. All environmental and ecological safeguards, as specified in the Stage I and Stage II approvals including any additional environmental and ecological safeguards as may be applicable for restoring the already used forest land as indicated in the already approved Mining Plan shall be adhered to strictly. In addition, any other environmental and ecological safeguards as may be specified by the Competent Authority while proposing changes in land use of forest land forming part of as per approved Mining Plan also needs to be adhered to strictly by the User Agency while implementing the aforesaid modified Mining Plan.
- iii. The User Agency shall be allowed to carry out mining operations including

ancillary activities in accordance with the aforesaid modified Mining Plan subject to the conditions laid down in para(ii) above without seeking any further approval from the Ministry .

- iv. The User Agency shall provide a copy of aforesaid modified Mining Plan approved by the Competent Authority referred to in para (ii) to the concerned Regional Office for information and record in all such cases.

In view of the above, I am directed to request the State Government/UT Administrations to take into consideration the aforesaid clarifications, in respect of mining proposals involving change in the land use of the originally approved Mining Plan on the basis of which permission for diversion of the forest land was originally granted.

This issues with the approval of Competent Authority.

Yours faithfully

(Charan Jeet Singh)
Scientist 'E'

Copy to:

1. PCCF & HoFF, all States/ Union territories Administrations
2. The Dy. DGF (Central), all Regional Offices of MoEF&CC
3. The Nodal Officer (Van Sanrakshan Evam Samvardhan), all States/ Union territories Administration
4. Monitoring Cell of FC Division, MoEF&CC, New Delhi.
5. Guard File.