

F. No. 11-96/ 2009-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi - 110 003
Dated: 4th July, 2014

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- Special provisions for prospecting of minerals in forest areas- *reg.*

Sir,

I am directed to say that this Ministry received representations from the Ministries of Mines, Coal and Petroleum and Natural Gas to relax the existing guidelines to exempt drilling of 15-20 bore-holes per sq. km. in forest area for prospecting of minerals from the requirement of obtaining prior approval of the Central Government under the Forest (Conservation) Act, 1980.

This Ministry after careful examination of the matter observed that exempting large scale non-forest activities, such as drilling of 15-20 bore-holes/sq. km. for prospecting of minerals in forest areas, from the requirement of obtaining prior approval under the Forest (Conservation) Act, 1980. However, to facilitate expeditious decision on applications seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for prospecting of minerals in forest areas this Ministry, in consultation with the Ministries of Mines, Coal and Petroleum and Natural Gas formulated a simplified format of the application for obtaining prior approval of Central Government under the Forest (Conservation) Act, 1980 for propsecting in forest areas. This Ministry has already published in the official Gazette the Forest (Conservation) Amendment Rules, 2014 to insert *inter-alia* the said format as 'Form- C', in Appendix to the Forest (Conservation) Rules, 2003.

To further simplify the process for grant of approval under the Forest (Conservation) Act, 1980 for prospecting of minerals in forest areas, I am directed to say as below:

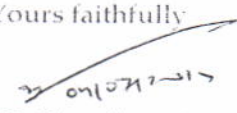
- (i) Keeping in view that only a small fraction of area located within a prospecting block is utilized for exploration activities, site inspection by concerned Regional Office of this Ministry will be insisted only if the actual area of the forest land proposed to be utilized for construction of new roads/paths and for drilling of bore holes/sample collection pits *etc.* is more than 100 hectares;
- (ii) As the prospecting operations involve use of forest land for a very short period, area of forest land which is likely to experience temporary change in land use is exempted

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from the requirement of compensatory afforestation and payment of the NPV. Forest land which experience permanent change in the land use due to prospecting activity shall only be considered for the purpose of the compensatory afforestation and the NPV; and

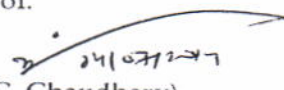
- (iii) Proposals seeking prior approval under the Forest (Conservation) Act, 1980 for prospecting in forest land are exempted from the requirement of the submission of documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 stipulated in this Ministry's letter No. 11-9/98-FC dated 3rd August 2009.

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, Shastri Bhawan, New Delhi
3. Secretary, Ministry of Coal, Government of India, Shastri Bhawan, New Delhi.
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India, Shastri Bhawan, New Delhi.
5. Principal Chief Conservator of Forests, all State/UT Governments.
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
7. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), Government of India (GoI).
8. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
10. Director, Regional Offices, Headquarters Division, MoEFCC, GoI.
11. Sr. Director (Technical), NIC, MoEF with a request to place a copy of the letter on website of this Ministry.
12. Sr. PPS to the Secretary, Ministry of Environment, Forests and Climate Change.
13. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
14. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
15. PS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
16. Guard File.


(H.C. Chaudhary)
Director