F. No. 5-3/2007-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 510.

To

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

Sub: Guidelines for diversion of forest land for non-forestry purposes under
Forest (Conservation) Act, 1980 - for stipulating the norms for Survey
and Investigation (Prospecting of ores) on forest land.

Sir,

The Ministry of Environment and Forests, Government of India has been
receiving number of representations from various Ministries and the State / UT
Governments seeking clarification in respect of norms for Survey and
Investigation (Prospecting of ores) on forest land. The Ministry of Mines
requested for special dispensation in the form of exemption under the provisions
of guidelines 1.3 (v) of the handbook of Forest (Conservation) Act, 1980 to the
Geological Survey of India (GSI) on the plea that GSI’s activities are of general
survey nature, to be done systematically all over the Country, for locating
mineralization for better land use planning.

The matter was referred to the Forest Advisory Committee, which listened
to the presentations made by the representatives of Ministry of Mines, Ministry of
Coal, GSI, Indian Bureau of Mines (IBM), & Mineral Exploration Corporation
Limited (MECL) highlighting their role in prospecting of mineral resources and
their requirement and noted the different requirements of different organizations.
The suggested modification in the guidelines by the Ministry of Mines for
allowing Geo-scientific investigation by GSI and other Government agencies for
prospecting exploration (G3) under prospecting license, which may involve
shallow pitting, trenching and sampling, including collection of samples of rock,
soil, fossils, water, stream sediment, etc., without attracting the provisions of the
Forest (Conservation) Act, 1980 provided there is no felling of trees.

After careful examination of the proposal and on the basis of the
recommendations of the Experts and on the basis of the recommendations of the
Forest Advisory Committee, the Central Government hereby conveys its approval
for replacing the existing provision given under 1.3 (v) under Investigation and
Survey of the Handbook of Forest (Conservation) Act, 1980 - Guidelines and
Clarifications (up to June 2004) guidelines (circulated vide this ministry’s letter of even number dated 16th December 2008) with the provision as given below:

“Prospecting of any Mineral, done under prospecting license granted under MMRD Act, which requires collection/ removal of samples from the forest land, would be a stage between survey & investigation and grant of mining lease and as such permission under Forest (Conservation) Act, 1980 would be required. However, in case of coal, lignite and metallic ores - test drilling up to 20 boreholes of maximum 8” dia per 10 sq km and in case of non-metallic Ores excluding coal & lignite –test drilling up to 16 boreholes of maximum 6.6” dia per 10 sq km for prospecting exploration or reconnaissance operations, without felling of trees, shall not attract the provisions of the Act. In all other cases involving more number of drilling of bore holes, prior permission of Central Government under the Act would be required”.

Yours faithfully,

(C.D. Singh)
Sr. Assistant Inspector General of Forests

Copy to:-

1. The PMO (kind attention: Director, PMO)
2. The Secretary, Ministry of Mines, Shastri Bhawan, New Delhi for information.
3. The Secretary, Ministry of Coal, Shastri Bhawan, New Delhi for information.
4. The Principal Chief Conservator of Forests, All States / UTs.
5. The Nodal Officer (FCA), o/o the PCCFs, All States / UTs.
6. All Regional Offices of MoEF located at Bhopal, Shillong, Bangalore, Bhubaneswar, Lucknow and Chandigarh.
8. The HOD (Exploration), Mineral Exploration Corporation Ltd. (MECL), Dr. Babasaheb Ambedkar Bhavan, Highland drive Road, Seminary Hills, Nagpur-440006 for information and necessary action. (Fax-0712-2510133).
9. The Director General, Geological Survey of India (GSI), 27, J.L.Nehru Road Kolkata-700016, West Bengal for information and necessary action. (Fax-033-22861656).
10. All DIGFs / Sr. AIGFs / AIGFs / RO (HQ), MoEF, New Delhi.
11. Monitoring Cell, FC Division, MoEF, New Delhi.

(C.D. Singh)
Sr. Assistant Inspector General of Forests