

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.
Dated: 19th August 2010.

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, Bhubaneshwar, Lucknow and Chandigarh.
7. The Chief Controller of Mines, 2nd floor, block 'B', Indira Bhawan, Civil Lines, Nagpur-440102 for information and necessary action. (Fax - 712-2565488).
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.
12. Guard File.


(C.D. Singh)

Sr. Assistant Inspector General of Forests