

44211/17 / FHC

44709/2017

F. No. 8-67/1996-FC (Pt)
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 1100 03.

Dated: 2nd August, 2017

To

The Principal Secretary (Forests)
All States/Union Territories.

Subject : Clarification about the applicability of the Guidelines issued on 27th May, 2015 for diversion of forest land for Non-forest purpose under the Forest Conservation Act 1980 regarding area of forest land falling in the Safety Zone – regarding.

Sir,

I am directed to invite your attention on the above mentioned subject and to say that the attention of the Ministry has been drawn by several user agencies as well as Federation of Indian Mining Industries that as per Para 4.7 of Guideline issued under Forest Conservation Act 1980 inter-alia provides that 7.5 Meters strip all along the outer boundary of the mining lease area shall be maintained as safety zone area, and the clarification issued vide this Ministry's letter No. 11-125/2015-FC, dated 27th May, 2015 that the safety zone would be kept within the mining lease boundary. Area of safety zone of mining shall be a part of the total area of the mining lease.

2. It has been seen that guidelines requiring shifting of safety zone inside the mining lease is not feasible for those mining plan which has been approved by the IBM in which safety zone is outside the mining lease area and mining is continuing as per the approved mining plan. Such Mining leases for specified area were executed by the State Government when safety zone was not the part of the mining lease i.e. prior to 27th May 2015 and the forest clearances were granted for mining lease area plus the safety zone area prior to 27th May 2015.

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3. In view to bring out clarity on the guidelines and to dispel complexity involved about safety zone in the proposals cleared before 27th May 2015, it is clarified that guidelines issued vide letter No. 11-125/2014-FC dated 27th May 2017 shall be made applicable prospectively to all fresh diversion proposal approved after 27th May 2015 whereby safety zone of 7.5 meters shall be made inside the mining lease boundary. However, the user agency may seek approval of the forest land in safety zone area maintaining outside the mining zone area as per the guidelines dated 13.5.2014 and 4.7.2014 read with guideline dated 1st May 2015, if not obtained within the year upto 31.3.2018.

Yours faithfully,

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forest (FC)
Tel. No. 24695415

Copy to :

- (1) Principal Chief Conservator of Forests, All State/UT Governments except Jammu and Kashmir.
- (2) Nodal Officer, the Forest (Conservation) Act, 1980, All States/ UT Governments except Jammu and Kashmir.
- (3) All Regional Offices, Ministry of Environment & Forests, Shillong, Lucknow, Bangalore and Chandigarh.
- (4) All Sr. AIGF/ AIGF in Forest Conservation Division, MoEF, New Delhi
- (5) RO(HQ), MoEF, New Delhi
- (6) Monitoring Cell, FC Division, MoEF, New Delhi, for placing a copy of the letter on website of the Ministry
- (7) Guard File.

(Nisheeth Saxena)

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(Nisheeth Saxena)
Sr. Assistant Inspector General of Forest (FC)
Tel. No. 24695415

Encl No: FC2-44709/2017 dt 11/11/2017

Forwarded to all pccf's/ Addl pccf's/CCF's/CF's
for information.

For pccf (FLR) and Nodal Officer Fe Act.

8/11/17

15/11/17

mailed
16/11/17