

Very Urgent

Pro.10-31147/2014

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CIRCULAR No. 07/2015 Dated: 13-05-2015

Sub:- Issuing Non Objection Certificate for mining near forest areas -
reg.

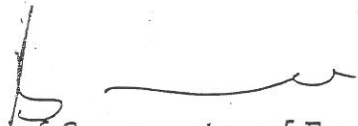
Ref:- Government letter No. 10962/C2/2014/Forest and Wildlife
Department dated 24-03-2015 and minutes of the meeting
held by Additional Chief Secretary (Forest) on 13-03-2015,

All non forest activities inside forest including mining is regulated by Forest Conversation Act 1980. As per Environmental Protection Rules 1961 Section 5(1) Central Government is empowered to regulate mining and other activities near protected areas. All issues of mining within the Eco Sensitive Zone, around protected areas already given and those which are pending decision will be placed before National Board for wildlife.

For other forest areas no such guidelines or Court orders exist. Lot of Non Objection Certificate applications from District Collectors are received in various divisions before starting quarries near forest and protected areas. Therefore it was considered proper to issue guidelines to field officers on dealing with such Non Objection Certificate applications. Based on a proposal by the Head of Forest Force on 26-08-2014 the above issue was discussed in Government on 13-03-2015. Based on decisions taken the following guidelines are issued.

1. Mining inside the forest area should be processed as per the Forest Conservation Act 1980.
2. Mining areas falling within 10km of protected area which requires clearance by Expert appraisal committee of MOEF will have to be cleared by National Board for Wildlife after obtaining the recommendation of Central Environmental Impact Assessment Authority. If the concerned authority seeks the opinion of Forest Department, the Divisional Forest Officer should personally inspect the site and give necessary opinion covering among others the ecosystem characteristics, the richness of the flora and fauna and the ecosystem services rendered by the forest area concerned.
3. In case of other non forest areas adjoining the forests, the final authority for issuing environmental clearance is the State Environmental Impact Assessment Authority. However, the opinion of Divisional Forest Officer's if called for, should be on the same criteria as given in (2) above.

This instruction may be strictly complied.


Principal Chief Conservator of Forests &
Head of Forest Force, Kerala.

To,

All Chief Conservator of Forests
All Divisional Forest Officers

