

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION No. 3646
TO BE ANSWERED ON 20.12.2021

Forest Advisory Committee

3646. SHRI NAMA NAGESWARA RAO:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether the Government is aware that Forest Advisory Committee (FAC) of the Central Government has decided to approve mining in non-forest land even before forest clearance to contiguous forest land has been granted, in mining blocks which consist of both types of land and if so, the details of cases in which such permission has been granted;
- (b) whether grant of such approvals sets a wrong precedent and put undue pressure on regulators to approve mining in forest land, if so, the details thereof; and
- (c) if not, the details of action taken/proposed under Forest Conservation Act, 1980 for contravention of the Act?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

- (a) to (c) Yes sir, on the recommendation of the Forest Advisory Committee, the Ministry has issued detailed guidelines on 10.12.2021 which are available in public domain on the website www.parivesh.nic.in

The above mentioned guidelines, inter alia, have adequate provisions and conditions including applicability of orders of the Hon'ble Courts and Tribunal, for time being in force, to take care of conservation of forest land in case of coal mining leases involving forest and non-forest land, which are enlisted below:

- i. The mining plan for working in the non-forest area within a coal block/lease (which also has forest area within it), shall not involve any forest area in the coal block/lease concerned.
- ii. No component/activity of the mining in the non-forest of such block/lease

shall have any dependency in the forest area of the same block/lease.

- iii. Such permission in the non-forest area shall not create any obligation or *fait accompli* with regard to approval (Stage-I or Stage-II) under the Forest(Conservation) Act, 1980 by the Central Government.
- iv. Stand-alone proposal shall be made, if mining is intended in the forest area of the coal block/lease, under the provisions in the FC Act, 1980. No reference of mining already taken up in non-forest area shall be made in such proposal.
- v. In case of any violation over forest area is reported, matter shall be dealt as per the provisions in the FC Act, 1980 and Rules made thereunder.
- vi. Provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s), pertaining to mining, for the time being in force, as applicable shall be complied with.
