

Copy of letter No. F.No.8-82/93 –FC dated 02.04.2003 from Shri R.K. Gupta, Asstt. Inspector General of Forests, Government of India, Ministry of Environment and Forests, F.C. Division, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003 to the Secretary (Forests) All States and copy to all PCCF/ Nodal Officers (All States/UTs) etc. Office of the Principal Chief Conservator of Forests, Rajasthan, Jaipur endorsement No. F.16(Circular)2000/FP/PCCF/4762-4901 Dated 28.4.2003

Sub.: Guidelines for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980.

Sir,

Detailed guidelines for submission of proposals for Diversion of forest land for non-forestry purposes under the Forest (Conservation) Act, 1980 were finalised and circulated to all the State Government/ Union Territories on 25.10.1992. A constant review of these guidelines has been done from time to time.

Sometimes the proposals for renewal of mining leases are accorded in-principle approval subject to compliance of certain conditions. To enable the user agency to comply with the conditions, temporary working permission is also accorded on already broken up area. It is to save the user agency from undue hardship on account of closure of mines pending final approval and also on a bonafide trust that the user agency will comply with the conditions in the interim.

After a recent review, it has come to the notice of the Ministry that many a times the user agency approaches the legal for a against the very conditions on which the proposals are accorded in-principle approval. Ideally the user agency should sort out any grievance in respect of any stipulated condition with the Central Government / State Government. Therefore, it has been decided that in cases where the user agency decided to approach the courts for redressal, the in-principle approval and temporary working permission shall stand revoked/in abeyance unless the court cases are withdrawn and conditions complied with or till the cases are decided by the Hon'ble courts.