

कार्यालय प्रधान मुख्य वन संरक्षक राजस्थान, जयपुर

क्रमांक: एफ16(circular)2005/एफसीए/प्रमुवसं/4798-813 दिनांक: 27.7.2015

मुख्य वन संरक्षक

जयपुर/अजमेर/जोधपुर/भरतपुर/बीकानेर/कोटा/

उदयपुर/(वन्यजीव)जोधपुर/वन्यजीव,भरतपुर/(वन्यजीव)

उदयपुर/(वन्यजीव)जयपुर/वन्यजीव, कोटा/

(वन्यजीव), सरिस्का मु0-अलवर।

अतिरिक्त निदेशक (खान)

सतर्कता, पर्यावरण एवं विकास,

नोडल अधिकारी वन मामलात,

खान एवं भू-विज्ञान विभाग, उदयपुर।

विषय:-Diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- Guidelines regarding extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects.

संदर्भ:-भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई-दिल्ली के पत्रांक 11-51/ 2015-एफसी दिनांक 1.4.15 एवं 1.5.15

महोदय,

उपरोक्त विषयान्तर्गत जैसा कि विदित है कि भारत सरकार के संदर्भित पत्रों द्वारा MMDR, Amendment - ordinance, 2015 की धारा 8 ए की उपधारा (1) के तहत exiting mining leases में वृद्धि होने पर वन संरक्षण अधिनियम, 1980 के तहत वनभूमि प्रत्यावर्तन की अवधि भी खनन लीज अवधि के समस्पर्शी होने बाबत निर्देश जारी किये हैं।

अतः उपरोक्त संदर्भों में शासन सचिव, वन विभाग, राजस्थान सरकार के पत्रांक एफ 1 (5) वन/2010 दि. 17.7.15 से वन संरक्षण अधिनियम, 1980 के तहत वनभूमि प्रत्यावर्तन की अवधि लीज अवधि के समस्पर्शी करने हेतु एक प्रक्रिया, दिशा निर्देश एवं प्रपत्र जारी किये हैं। उक्त परिपत्र दि. 17.7.15 के साथ संलग्न प्रोफार्मा में वांछित जानकारी उपलब्ध कराकर निर्देशालय, खान विभाग, उदयपुर कार्यालय अपनी अभिशंसा कार्यालय प्रधान मुख्य वन संरक्षक, राजस्थान, जयपुर को प्रेषित करेंगे एवं तत्पश्चात इस विभाग द्वारा अग्रिम कार्यवाही अमल में लायी जावेगी।

अतः राज्य सरकार के उक्त परिपत्र की छायाप्रति संलग्न है। यह भी उल्लेखनीय है कि उक्त परिपत्र मय प्रोफार्मा विभागीय वेबसाइट rajforest.nic.in - departmental wings - forest conservation - order & circulars पर भी प्रदर्शित कर दिया गया है।

संलग्न :- उक्तानुसार।

भवदीय,

अति० प्रधान मुख्य वन संरक्षक,
प्रोटेक्शन एवं नोडल अधिकारी एफसीए,
राजस्थान, जयपुर

क्रमांक: एफ16(circular)2005/एफसीए/प्रमुवसं/
प्रतिलिपि:-

दिनांक:

1. शासन सचिव, वन विभाग, राजस्थान, जयपुर।

2. समस्त उप वन संरक्षकगण, राजस्थान को उक्तानुसार पत्रादि की छायाप्रतियां सहित सूचनार्थ प्रेषित है।

संलग्न :- उक्तानुसार।

अति० प्रधान मुख्य वन संरक्षक,
प्रोटेक्शन एवं नोडल अधिकारी एफसीए,
राजस्थान, जयपुर

376

GOVERNMENT OF RAJASTHAN
FOREST DEPARTMENT

No.F.1 (5) Forest/2010

Jaipur, Dated: 17.07.2015

C I R C U L A R

FCA(C)
28/7

To streamline the process of extension of period of validity of approval accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects in continuation of the Mines & Minerals (Development & Regulation) Act, 1957 (MMDR Act, 1957), MMRD Amendment Ordinance, 2015, Ministry of Environment, Forests & Climate Change, Govt. of India letter No.F.No.11-51/2015-FC dated 01.04.2015 & dated 01.05.2015, the State Government hereby decides to take following actions:-

1. Mining lease holders will submit their applications to Mines Department in the enclosed format at Annexure-1 for extension of period of validity under the Forest (Conservation) Act, 1980.
 2. The Nodal Department for the MMRD Act, 1957 and MMRD Amendment Ordinance, 2015 is the Mines Department. Hence, the various mining leases involving forest land in which period of extension has to be determined will be received by Mines Department from the mining lease holders and got examined by ADMG(Mines), Nodal Officer, so as to ensure that there is no violation of any Hon'ble Supreme Court/High Court/National Green Tribunal/ Other Court orders before forwarding it in the prescribed format to the Addl. Principal Chief Conservator of Forests, Protection & Nodal Officer, FCA, Rajasthan, Jaipur in four copies.
 3. Cases thus recommended by ADMG (Mines) to Addl. Principal Chief Conservator of Forests, Protection & Nodal Officer, FCA will be sent to the concerned Divisional Chief Conservators of Forests and Dy. Conservators of Forests for the required verification/recommendation and/or any violation in respect of approval accorded under Forest (Conservation) Act, 1980 for the mining lease and/or any court order.
 4. On receipt of the case from Divisional Chief Conservators of Forests, the Addl. Principal Chief Conservator of Forests, Protection & Nodal Officer, FCA will issue the required sanction with the conditions to be fulfilled regarding extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects in accordance to the instructions by Ministry of Environment, Forests & Climate
- Rm

377
Change, Govt. of India vide letter dated 01.04.2015 and 01.05.2015 and any other instructions issued from time to time in this regard by Govt. of India or Govt. of Rajasthan.

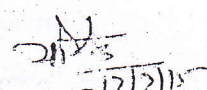
5. Maximum time limit for processing the application at each stage/level in Forest as well as Mines Department will be 15 days. The complete process including issuance of required sanction by Addl.PCCF, Protection & Nodal Officer, FCA should not exceed 3 months.

This circular is being issued with the concurrence of Mines Department ID No.831/PSM/15 dated 15.07.2015.

(Yogendra Kumar Dak)
Secretary to Government

Copy to following for information and necessary action. :-

1. Secretary to Hon'ble Chief Minister, Rajasthan, Jaipur.
2. Private Secretary to Hon'ble Minister of State (Independent Charge), Mines, Environment & Forests, Rajasthan, Jaipur.
3. Dy. Secretary to Chief Secretary, Govt. of Rajasthan, Jaipur.
4. Addl. Chief Secretary, Forest Department, Rajasthan, Jaipur.
5. Principal Secretary to Govt., Mines Department, Rajasthan, Jaipur.
6. Principal Chief Conservator of Forests (HoFF), Rajasthan, Jaipur.
7. All Addl. Principal Chief Conservators of Forests, Rajasthan.
8. Director, Mines Department, Rajasthan, Udaipur.
9. All Divisional Chief Conservators of Forests, Rajasthan, Jaipur.
10. All District Collectors, Rajasthan
11. Addl. Director, Mines & Geology Department, Rajasthan, Udaipur.


Secretary to Government

378

ANNEXURE-1

APPLICATION FOR EXTENSION OF PERIOD OF VALIDITY UNDER FOREST (CONSERVATION) ACT, 1980 FOR DIVERSION OF FOREST LAND FOR MINING PURPOSES

To

Mining Engineer/ Assistant Mining Engineer
.....

1. Name of Lease Holder/ Cluster :
2. Mining Lease No. (s) :
3. Mining Lease (map with GPS coordinates to be enclosed)
 - A- Total area (in ha.) :
 - B- Forest land diverted area (in/ha.) :
4. Ministry of Environment, Forests & Climate Change, Govt. of India
Sanction No. & date (copy to be enclosed) :
5. Amount deposited for the following
In regard to forest area (in Rupees)
 - A. Net Present Value (NPV) :
 - B. Compensatory Afforestation (C.A.) :
 - C. Penal C.A. :
 - D. Any other (to be specified) :

Signature of Mining Lease Holder(s)

TO BE FILLED BY MINES DEPARTMENT

6. Certified that information at point No.1 to 5 is correct and there is no violation of any Hon'ble Supreme Court, High Court, National Green Tribunal or Other Court orders in respect to the said mining lease(s).
7. The validity period (as per MMRD Act and MMRD Amendment Ordinance) for the above Mining Lease No.(s) is approved : From date _____ to date _____
3. Recommendation/ Comments* :

Signature ADMG (Mines)

379

TO BE REPORTED BY FOREST DEPARTMENT

9. Any violation under Forest (Conservation) Act, 1980 in reference to Ministry of Environment, Forests & Climate Change, Govt. of India's sanction/guidelines :

10. Any violation of any court order :

11. Amount realized/to be realized (in Rupees):

Purpose	Deposited	To be deposited
NPV		
C.A.		
P.C.A.		
Any other		

12. Recommendation/ Comments :

Signature of Dy. Conservator of Forests

13. Recommendation/Comments :

Signature of Chief Conservator of Forests

On