

**GOVERNMENT OF INDIA
MINES
LOK SABHA**

UNSTARRED QUESTION NO:5996
ANSWERED ON:03.05.2013
VIOLATION OF FOREST RIGHTS ACT
Abdulrahman Shri

Will the Minister of MINES be pleased to state:

- (a) whether the Government has urged various States for cancellation of mineral concessions which were granted in violation of the Forest Rights Act, 2006;
- (b) if so, the details thereof;
- (c) the details of mineral concessions that have been granted in violation of the said Act, State/UT-wise; and
- (d) the steps taken or proposed to be taken by the Government to protect the rights of tribals in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF MINES (SHRI DINSHA PATEL)

(a) & (b) No Madam. However, the Ministry of Environment and Forests (MoEF) have informed that they have issued guidelines on 3rd August,2009 and 5th February,2013 on submission of documentary evidences in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 along with the proposals seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for non-forest purpose, including for mining projects.

(c) The Ministry of Mines conveys its prior approval for grant of mineral concessions subject to statutory approvals including forest clearances under the Forest (Conservation) Act. Only after these approvals are given, mineral concessions are granted by the State Governments.

(d) The Government has introduced the Mines and Minerals (Development and Regulation) Bill (MMDR Bill), 2011 in Lok Sabha on 12.12.2011 in which there is a provision for sharing of benefits with the local population which would enable monetary benefit to families affected by mining related activities and creation, management and maintenance of local infrastructure in areas affected by mining related operations.