

**GOVERNMENT OF INDIA  
ENVIRONMENT, FORESTS AND CLIMATE CHANGE  
LOK SABHA**

UNSTARRED QUESTION NO:2902

ANSWERED ON:30.07.2014

MINING IN FORESTS

Nishank Dr. Ramesh Pokhriyal

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

- (a) the details of norms and guidelines on mining in forests and eco-fragile areas in the country;
- (b) whether the Supreme Court has issued any directions in this regard and if so, the details thereof;
- (c) whether the existing regulations as well as the directions of the Supreme Court are being violated in the various States including in Uttarakhand;
- (d) if so, the details thereof; and
- (e) the action taken by the Government to check illegal mining in forests in the country?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) & (b) Section -2 of the Forest (Conservation) Act, 1980 inter-alia provides that notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing that any forest land or any portion thereof may be used for any non-forest purpose. Use of forest land for mining therefore, requires prior approval of Central Government under the Forest (Conservation) Act, 1980.

Supreme Court has prohibited non-forest activities, including mining, in National Parks and Wildlife Sanctuaries. Supreme Court has also prohibited mining within one kilometer from boundary of National Parks and Wildlife Sanctuaries.

(c) to (e) In some of the proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for grant or renewal of mining lease, execution of mining activities in forest land without obtaining requisite prior approval under the Forest (Conservation) Act, 1980 or in violation of conditions stipulated in approvals accorded under the Forest (Conservation) Act, 1980 for diversion of such forest land are reported by the State Governments. Central Government while according prior approval under the Forest (Conservation) Act, 1980 to such proposals stipulate appropriate penal measures. These penal measures include – realisation from the user agency penal Net Present Value (NPV) and funds for creation of penal compensatory afforestation, initiation of proceedings in accordance with the provisions of the section 3 A and 3 B of the Forest (Conservation) Act, 1980 and/or relevant sections of the Indian Forest Act, 1927 and/or the relevant sections of the Local Forest Act, as the facts of each case may demand.