GOVERNMENT OF INDIA
MINISTRY OF MINES

RAJYA SABHA
UNSTARRED QUESTION NO.352
TO BE ANSWERED ON 9TH JULY, 2014

MINING ACTIVITIES IN FOREST AREAS IN THE COUNTRY

352. SHRI MOHD. ALI KHAN:

Will the Minister of MINES be pleased to state:

(a) whether Government has taken note of mining activities in the forest areas that affects the life of the animals and birds of the forest;
(b) if so, the details thereof;
(c) the action taken by Government to protect animals' and birds' lives by avoiding mining activities in forest areas in the country including Telangana; and
(d) if so, the details of directions issued by Government to all States/UTs?

ANSWER

THE MINISTER OF STATE FOR MINES, STEEL AND LABOUR &EMPLOYMENT
(SHRI VISHNU DEO SAI)

(a) and (b): Mining activities in forest areas per se affect bio-diversity of plant, animal and birds life. While according prior approval under the Forest (Conservation) Act, 1980 and the Environment (Protection) Act, 1986 for mining projects in forest areas, the Central Government assesses the impact of such projects on plants and animals in each case and stipulates appropriate measures to mitigate/ minimise these impacts. These measures include afforestation to compensate the loss of flora, implementation of wildlife management plan to combat the adverse impacts on the fauna, afforestation of safety zone, phased reclamation of mined out areas etc. to be undertaken at the project cost.

(c) and (d): The Government has taken the following steps to regulate mining activities in the forest areas of the country:

i) Use of forest land for non-forest purposes, including mining purposes requires prior approval of Central Government under the Forest (Conservation) Act, 1980. To facilitate scrutiny of the proposals seeking prior permission of the Central Government under the Forest (Conservation) Act, 1980 in an effective, efficient and transparent manner, an elaborate institutional mechanism, both at the Central as well as State/ Union Territory Governments level has been set up.
ii) The Central Government having due regard to all or any of the following matters accords approval under the Forest (Conservation) Act, 1980 for mining or reject the same:

(a) Whether the forest land proposed to be used for non-forest purpose forms part of a nature reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or of an area lying in severely eroded catchment;
(b) Whether the State Government or the other authority has certified that it has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purpose; and
(c) Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof.

iii) Central Government while according approval under the Forest (Conservation) Act, 1980 stipulates appropriate mitigative measures, such as creation and maintenance of compensatory afforestation, realization of Net Present Value of the diverted forest land, implementation of wildlife conservation plan (wherever required), phased reclamation of mined out area, demarcation of boundary of mining lease etc. A copy of the approval accorded by the Central Government is uploaded on website of the Ministry to place it in public domain.

iv) In case a proposal involves diversion of forest land located within a protected area notified in accordance with the provisions of the Wildlife (Protection) Act, 1972, approval of the Standing Committee of the National Board for Wildlife (NBWL) and Hon’ble Supreme Court is required to be obtained by the concerned user agency before grant of approval under the Forest (Conservation) Act, 1980. Similarly, in case the forest land proposed for diversion is located within the duly notified eco-sensitive zone around boundary of a protected area, EIA of the project needs to be placed before the Standing Committee of NBWL. In case eco-sensitive zone has not been notified, 10 km distance from the boundary of such protected area shall be treated as eco-sensitive zone. The Standing Committee of NBWL stipulates additional safeguard to minimize impacts of such projects on wildlife.

v) Adequate safeguards are already in place to ensure that approvals under the Forest (Conservation) Act, 1980 for diversion of forest land to be diverted is bare minimum and its diversion for non-forest purpose/Mining is unavoidable.

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