I would like to draw your kind attention to my DO letter dated 12th Aug 2016, regarding urgency for expediting the Mining Lease (ML) applications which have been saved under Section 10A(2)(c) of the Mines & Minerals (Development & Regulation) (MMDR) Act 2015. You are aware that these ML applications, if not executed before 11.01.2017, would suo-motu lapse. That's why, their expeditious processing is important as not only would it affect the mining sector, also has its impact on the downstream and allied sectors. Moreover, lapsing of these applications, which are under process of acquiring clearances, may likely to result in litigations, if not expedited.

2. A total of 317 cases in across 12 major mineral rich states in the country have found. Out of these, there are 69 cases involving Environment Clearances with State or MoEFCC and 69 cases involving Forest Clearances with State or MoEFCC. Apart from these, there are about 95 cases pending for action / decision with the State Government mostly with Mining Dept and some with Revenue Dept. These cases pending with the Directorate of Mining and Geology or Forest Department or State Pollution Control Board, and other departments of your State also need to be cleared well before the prescribed time limit, else they would suo motu lapse. There are also 97 such cases, where the project proponents have not taken action to process their clearances, in which notice may be issued.

3. Further, a meeting with Secretary, MoEFCC and DG, Forest, MoEFCC along with their officials was held on 17.10.2016 in regard to the forest clearances, where it was deliberated about the grant of general forest clearance under Section 2(iii) of FCA, 1980 in these cases imposing certain conditions. The MoEFCC agreed that the general forest clearance can be considered and for that individual applicants are required to apply for the forest clearance under Section 2(iii) along with a copy of the mining plan. It is urged that all the concerned applicants should be asked to apply for forest clearance under Section 2(iii) of the FCA, 1980 within within 15 days as per the check list provided by MoEFCC. The concerned departments of the State Government, namely- Mining Department, Directorate of Mining and Geology, Forest Department, etc. may be asked to take immediate action for forwarding these FC applications under Section 2(iii) to MoEFCC.
4. You will agree that these pending cases cannot be disposed of in a time bound manner unless close monitoring preferably on weekly basis is carried out at the level of Principal Secretary / Secretary in-charge of mining department. I will also request that at least once in a fortnight these cases are reviewed at your level in which all the concerned District Collectors, District Commissioners, Secretaries of Revenue, Forest and Mining Departments are sensitized for finalization of these cases at the earliest.

5. The concerned officers from the Ministry can also join such meetings, if required, to expedite the process. Shri Subhash Chandra, Joint Secretary, (8800921468, subhash.chandra65@gov.in) and Shri Prithul Kumar, Director (9717644922, prithul.kumar@nic.in) may be contacted in this regard.

With warm wishes

Yours sincerely,

[Signature]

(Balvinder Kumar)

The Chief Secretary,
State Government of Andhra Pradesh, Chhattisgarh, Goa, Gujarat, Karnataka, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamilnadu, Telangana.

Copy to:
Shri Ajay Narayan Jha, Secretary, Ministry of Environment, Forests and Climate Change, Paryavaran Bhavan, Jorbagh, New Delhi.