

GOVERNMENT OF ANDHRA PRADESH  
FOREST DEPARTMENT

Rc.No.19974/94/F2,  
Dated: 20-11-1996.

Office of the Pri.Chief Conservator of Forests,  
Aranya Bhavan, A.P., Hyderabad.

Sri M.Kamal Naidu, I.F.S.,  
Pri.Chief Conservator of forests.

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CIRCULAR No.12/96

Sub:- Mines and Minerals Forest (Cons) Act 1980 and rules made thereunder  
and guidelines issued thereon – Instructions issued – Regarding.

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As per the provisions made in the Forest (Cons.) Act, 1980 and rules thereunder and guidelines issued by the Government of India, the mining lease in the forest areas involving underground mining is a non-forestry activity for which the prior approval of the Central Government is essential before the mining lease is granted. Renewal of the existing mining lease in the forest areas also requires prior approval under Forest (Cons.) Act, continuation or resumption of mining operations without approved amounts the contravention of the Forest(Cons.) Act. For renewal of mining lease the user agencies have to submit the proposals in the prescribed proforma with all the columns duly filled in the case of fresh lease in (7) sets one year prior to the expiry of the lease period failing which the proposals are liable for rejection. Alongwith the proposals, the maps of the area already broken up in the earlier lease, and proposed to be brokenup during the renewal period should be enclosed, duly demarcated on the ground.

2. The Government of India, Ministry of environment and Forests, New Delhi letter No.5-5/86/FC, dt.25-11-1994 was communicated to all the Conservators of Forests (T) and Divisional Forest Officers (T) in Pri.Chief Conservator of Forests Ref.No.56805/92/F3, dt. 30-1-1995 modifications for existing guidelines issued in the 19-4-1995 procedure for processing of the proposals have been made.

3. The Divisional Forest Officers are therefore requested to prepare a list of all the existing mining lease in R.F. areas WITH THE DATE OF EXPIRY of mining leave and submit the same to Pri.Chief Conservator of Forests through concerned Conservator of Forests. The Conservators of Forests are requested to submit a consolidated list of cases pertaining to all the Divisions under their Circles.

The Divisional Forest Officers are requested to issue notices to all the user agencies (2) years prior to the expiry of the lease period informing them the date of expiry of mining lease and to handover the forest areas on the date of expiry of the lease. They should be informed about the provisions of Forests (Cons.) Act and Rules and Government of India guidelines and obtain their acknowledgements so that they may not report to going to the court without any reason. It should be clearly borne in mind that should continuation of mining lease in forest areas without prior approval of Government of India is a violation under Forest (Cons.) Act. The Mining department or any other authority is not competent to issue orders for continuing mining except with prior approval of Government of India.

4. The Divisional Forest Officers are also directed that as soon as the lease in the forest areas expires. They should take necessary action to stop the mining operations and take possession of the area.

5. The receipt of this circular instructions should be acknowledged by return of post.

Sd/- M.Kamal Naidu