

Sub: Proposal for diversion of 162.45 ha of forest land in Indaram RF, Mancherial Range of Mancherial Forest Division in Mancherial District for grant of Mining Lease for Srirampur Open Cast-II Expansion Project in Jaipur Mandal, Mancherial District in favour of M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District (Online proposal no. is FP/TG/MIN/29918/2017.)- reg.

Part A

1. The Government of Telangana, Environment, Forest, Science and Technology (For .I) Department, vide their letter No.460/For.I (1)/2019 dated 13.02.2019 placed along with its annexure submitted the above mentioned proposal to obtain prior approval of Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980.
2. Details indicated in the proposal submitted by the Government of Telangana are as below:-

1.	Name of the proposal.	Proposal for diversion of 162.45 ha of forest land in Indaram RF, Mancherial Range of Mancherial Forest Division in Mancherial District for grant of Mining Lease for Srirampur Open Cast-II Expansion Project in Jaipur Mandal, Mancherial District in favour of M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District.
2.	Location:- i. State ii. District iii. Category	Telangana. Mancherial. Mining.
3.	Details of the user agency	
(i)	Name of the user agency	M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District.
(ii)	Nature of the user agency	Central PSU.
(iii)	Total period for which the forest land is proposed to be diverted (in year).	Not given.
4.	Particulars of Forests:- i. Name of forest Division ii. Forest Block iii. Forest area involved iv. Compartment Nos. v. Legal Status / Sy. No. vi. Maps	Mancherial Forest Division. - 162.45 ha. - Reserve Forest Notified Under Section-15 i. Indaram RF vide Notification No.234/235 dated 30.01.1349F. ii. Indaram Ext.II RF vide G.O.No.174 F&RD (For.II), dated 13.04.1981 (Jaipur) iii. Ramraopet (CA) area Un Notified). Submitted

5.	<p>i. Vegetation ii. Density iii. Number of trees to be felled.</p>	<p>Eco-Class-3 100.45 ha. Between 0.2 to 0.3 & Balance 62.007 ha. – Moderately dense. 34621 number of trees/poles to be felled. in the area proposed for diversion.</p>
6.	<p>Species-wise local/(Scientific names) and girth-wise enumeration of trees at FRL.</p>	<p>Species wise, diameter class wise enumeration. The abstract tree growth, density class wise is submitted.</p>
7.	<p>Working plan prescription for the forest land and proposed for diversion;</p>	<p>Nil.</p>
8.	<p>Brief note on vulnerability of the forest area to erosion.</p>	<p>Due to this project no adverse impact takes place.</p>
9.	<p>Approximate distance of the proposed site for diversion from boundary of forest</p>	<p>Within RF.</p>
10.	<p>Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)</p>	<p>Area proposed for diversion is a not a part of National park, Wildlife sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. It is not falling in any Eco Sensitive Zone.</p>
11.	<p>Details of wildlife present in and around the forest land proposed for diversion.</p>	<p>No.</p>
12.	<p>Whether the forest land proposed for diversion is located within eco-sensitive zone (ESZ) of the Protected Area notified under Wildlife(Protection) Act,1972 (Note: In case, ESZ of a Protected Area is not notified, then, 10kms distance from boundary of the Protected Area should be treated as ESZ.</p>	<p>No.</p>
12.	<p>Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1 Km. from boundary of the forest land proposed for diversion.</p>	<p>No.</p>
13.	<p>Whether area is significant from wildlife point of view</p>	<p></p>
14.	<p>Whether any rare / endangered unique species of flora and fauna found in the area. If so, details thereof.</p>	<p>No.</p>
15.	<p>Whether any protected archaeological / heritage site / Defence establishment or any other important monument is located in the area.</p>	<p>No.</p>
16.	<p>Whether the requirement of forest land as proposed by the User Agency in col. 2</p>	<p></p>

	of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Yes.																
17.	Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	No.																
(i)	Details of violation (s):																	
(ii)	Period of work done (Year):																	
(iii)	Area of forest land involved in violation (in ha.)																	
(iv)	Whether work in violation is still in progress (Yes / No)																	
18.	Compensatory Afforestation	<p>An area measuring 325 ha. identified in double DFL in (2) patches in (7 Compartments) Mancherial Range of RF Indaram i.e.,</p> <table border="1"> <thead> <tr> <th>Name of the Beat & Section</th> <th>Compt. No.</th> <th>Name of the RF</th> <th>Area identified for CA in Ha.</th> </tr> </thead> <tbody> <tr> <td>Mancherial Beat of Mancherial Section</td> <td>691,693 & 698</td> <td>Indaram</td> <td>100.00</td> </tr> <tr> <td>Venkatapur Beat of Mandmarri Section</td> <td>687,688,689 & 690</td> <td>Indaram</td> <td>225.00</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td>325.00</td> </tr> </tbody> </table> <p>CA scheme has been submitted.</p>	Name of the Beat & Section	Compt. No.	Name of the RF	Area identified for CA in Ha.	Mancherial Beat of Mancherial Section	691,693 & 698	Indaram	100.00	Venkatapur Beat of Mandmarri Section	687,688,689 & 690	Indaram	225.00	Total			325.00
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Total			325.00															
18.	Total financial Out lay for CA (in lakhs)	Rs. 41 1811.12973/-																
20.	CAT Plan	Not applicable.																
21.	Rehabilitation of Oustees	No.																
22.	Employment Potential Permanent / Temporary.	437 permanent 750 Temporary																
23.	Whether clearance under the Environment (protection) Act, 1986 is required?	Yes, EC application yet to be submitted.																
24.	Status of Wildlife Clearance	No																

26.	Cost Benefit analysis.	Rs.1:89.33 Ratio
27.	Total Cost of the Project (Rupees in lakhs)	Rs.27273 lakhs
28.	Site Inspection Report of the Divisional Forest Officer in compliance to the conditions stipulated in the col. 7 (xi, xii) 8 and 9 previous approval.	Site Inspection Report as carried by Divisional Forest Officer, Mancherial is submitted.
29.	Recommendations:	-
	i. DFO	<p>Recommended</p> <p>The proposal is recommended with the following conditions, keeping in view of the overall development of the local people in the Telangana State:</p> <p>1. The SCCL is having (2) ongoing open cast mining projects, namely SRP-1 and RKP OC, besides 4 underground mines. These 2 mines will produce 829.31 Million tons of over burden dump. The SCCL is also having plan to open new mines namely Indaram OC which will produce about 382.000 Million tons of over burden in its life time. If over burden restoration is not simultaneous and as per scientific standards there is possibilities for damage to flora and fauna in adjoining fields besides moving of soil into adjacent water bodies due to soil erosion from these over burdens. It is essential that magnitude of such restoration shall be understood first then only monitoring of such works can be done by forest officials. Hence, it is essential to expose a team of forest officers at least 10 Officers to World's best practices being followed to restore over burdens etc., in coal mining like places in Hunter valley Australia / New Zealand the cost of which shall be borne by the User Agency.</p> <p>2. The area equivalent to the diverted area to be developed in adjoining degraded forest land as a part of Forest Rejuvenation, as is being done elsewhere in Telangana state, in between Mancherial to Jaipur, by the User Agency in consultation with forest department.</p>
	ii. CCF	Recommended
	iii. PCCF / Nodal Officer	Recommended
	iv. State Government	Recommended
30.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.	The District Collector, Mancherial, Government of Telangana vide his letter No.D4/1232/2017 dated 10.08.2018 has issued a FRA certificate for diversion of 162.45 ha of forest land in Indaram RF, Mancherial Range of Mancherial Forest Division in Mancherial District for grant of Mining Lease for Srirampur Open Cast-II Expansion Project in Jaipur Mandal, Mancherial District in favour of M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District.

		Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has been submitted.
31.	Division/District Profile, Adilabad,	
	i. Total Geographical area (in Ha.)	123599.8 ha.
	ii. Total forest area (in Ha.)	55005.6 ha.
	iii. Total forest area diverted since 1980	4421.971 28 ases
	iv. Total area proposed for afforested since 1980	
	a. forest land including penal Compensatory Afforestation	1089.141 ha.
	b. non-forest land.	Nil
	v. Total area afforested since 1980 30.09.2018	
	(a) forest land	17.772 ha.
	(b) non-forest land	224.830
32.	Date of issue of the letter of Intent (LOI) for grant of mining lease.	State Mines and Geology Department Letter No.13016/1/2017-PCA dated 21.08.2017.
(a)	Total area of the mining lease	212.66 ha
(b)	Area of forest land located in the mining lease (in ha.)	162.45 ha.
33.	Details of mining lease:-	
(i)	Date of approval of mining plan	21 st August, 2017
(iii)	Date of execution of mining lease	Not provided.
(iv)	Mine Plan	Provided vide letter dt 21.08.2017
(v)	Progressive Mine Closure Plan	Provided.
(vi)	Date of earlier approval obtained under the Forest (Conservation) Act, 1980.	North Godavari - 23.02.1996,11.03.2003 &04.02.2013. Sri rampur-12.02.2005 & 29.05.2001 Indaram- 20.03.2002

2. Ministry vide its letter dt 18.03.2019 requested the regional office Chennai to inspect the forest and submit a report. The RO, Chennai vide letter dt 20.06.2019 submitted the Site Inspection Report. In the SIR there were certain remarks of Regional Office, Chennai wrt to violation and a court order.

3. The Ministry vide its letter dated 04.07.2019 forwarded the same to the State Government for their comments.

4. The Government of Telangana, vide letter No. No.460/For.I (1)/2019 dated 27th December, 2019 forwarded additional information in respect of this Ministry's letter dated 04.07.2019. Further it is reported by the PCCF & HoFF Government of Telangana vide letter dated 23.08.2019 has forwarded a para-wise comments on the remarks of DDG (C) RO, Chennai in the SIR submitted, which are as follows:

Sl. No.	Observation of Ministry	Reply from State Government																					
1.	<p>M/s Singareni Collieries Company Limited (SCCL), is a Government company jointly owned by Government of Telangana and Government of India and is largely seen as a responsible company towards compliance to various laws of Forestry and environment. Though, the compliance towards conditions imposed in forestry diversions is more or less satisfactory but off late it is seen that the company is violating the provisions of environment clearances. The violation pertains to increase in production more than the stipulated in environment clearance granted to various projects. The matter was brought to their notice and as well as Ministry from time to time. In fact, during the appraisal of one project of diversion of 285.44 ha of forest land in Lankapalli RF of Khamman Division the Ministry has sought for overall compliance of the SCCL and nominated a committee comprising of ADGF(C), RO (SEZ), Chennai and Shri. Sandeep Sharma, AIG of the Ministry and the report was also submitted to the Ministry at that time.</p>	<p>M/s, Singareni Collieries Company Limited (SCCL) has stated that it is presently operating 30 underground mines and 18 opencast mines in Telangana State and the annual production for the year 2019-20 ha been set at 70 MT. The coal produced from SCCL mines is being supplied to mainly Thermal Power plants like NTPC, APGENCO, MAHAGENCO, KPCL etc., in order to meet the power requirement of southern states and thereby reducing burden on forex reserves due to import of coal.</p> <p>The M/s. SCCL further stated that it is having plans of enhancing annual coal production by opening new mines/ expansion of existing mines to meet the demand for coal and is in the process of obtaining Environmental Clearance for such mines, Earlier the SCCL has exceeded the coal production capacity in (18) mines, however all control measures were taken to ensure pollution loads are not exceeded and as such treated these proposals as violation cases. The SCCL has submitted affidavits for 18 violation mines on 04.03.2019 and 07.03.2019 as required as MoEF & CC issued notification vide. S.O.No. 804 (E), dated 14th March, 2018. The EAC (Violation) of MoEF&CC, Govt. of India considered these proposals and recommended for issue of ToR to all these proposals. Accordingly, till now ToRs have been issued for the following projects (copies enclosed). The ToRs of remaining projects are under progress.</p>																					
<table border="1"> <thead> <tr> <th data-bbox="809 1249 874 1323">S. No.</th> <th data-bbox="879 1249 1134 1323">Name of the Project</th> <th data-bbox="1139 1249 1497 1323">MoEF&CC Lr. No. and date of issue of ToR</th> </tr> </thead> <tbody> <tr> <td data-bbox="809 1330 874 1426">1.</td> <td data-bbox="879 1330 1134 1426">GDK-1&3, GDK-2&2A and GDK-5 Inclines.</td> <td data-bbox="1139 1330 1497 1426">F.No. 23-78/2018-IA(III), dt. 26.06.2018.</td> </tr> <tr> <td data-bbox="809 1433 874 1529">2.</td> <td data-bbox="879 1433 1134 1529">Godavarikhani-7 Life Extension UG Coal Mine</td> <td data-bbox="1139 1433 1497 1529">F.No. 23-72/2018-IA(III), dt. 13.05.2018.</td> </tr> <tr> <td data-bbox="809 1536 874 1610">3.</td> <td data-bbox="879 1536 1134 1610">IK-IA Incline UG Coal Mine</td> <td data-bbox="1139 1536 1497 1610">F.No. 23-79/2018-IA(III), dt. 04.04.2019.</td> </tr> <tr> <td data-bbox="809 1617 874 1691">4.</td> <td data-bbox="879 1617 1134 1691">RK-8 Incline UG Coal Mine</td> <td data-bbox="1139 1617 1497 1691">F.No. 23-70/2018-IA(III), dt. 13.05.2019.</td> </tr> <tr> <td data-bbox="809 1697 874 1771">5.</td> <td data-bbox="879 1697 1134 1771">VK-7 Incline UG Coal Mine</td> <td data-bbox="1139 1697 1497 1771">F.No. 23-773/2018-IA(III), dt. 19.06.2018.</td> </tr> <tr> <td data-bbox="809 1778 874 1852">6.</td> <td data-bbox="879 1778 1134 1852">Jalagam Vengala Rao Opencast-I Expansion Project.</td> <td data-bbox="1139 1778 1497 1852">F.No. 23-77/2018-IA(III), dt. 08.08.2019.</td> </tr> </tbody> </table>			S. No.	Name of the Project	MoEF&CC Lr. No. and date of issue of ToR	1.	GDK-1&3, GDK-2&2A and GDK-5 Inclines.	F.No. 23-78/2018-IA(III), dt. 26.06.2018.	2.	Godavarikhani-7 Life Extension UG Coal Mine	F.No. 23-72/2018-IA(III), dt. 13.05.2018.	3.	IK-IA Incline UG Coal Mine	F.No. 23-79/2018-IA(III), dt. 04.04.2019.	4.	RK-8 Incline UG Coal Mine	F.No. 23-70/2018-IA(III), dt. 13.05.2019.	5.	VK-7 Incline UG Coal Mine	F.No. 23-773/2018-IA(III), dt. 19.06.2018.	6.	Jalagam Vengala Rao Opencast-I Expansion Project.	F.No. 23-77/2018-IA(III), dt. 08.08.2019.
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6.	Jalagam Vengala Rao Opencast-I Expansion Project.	F.No. 23-77/2018-IA(III), dt. 08.08.2019.																					
<p>M/s. SCCL further stated that existing Srirampur Opencast-II project located in Srirampur village of Mancherial Mandal and District of Telangana state is not in the above list of 18 mines. The Environmental</p>																							

		Clearance for this project was granted by MOEF&CC for a rated capacity of 2.5 Mtpa vide letter No. J-11015/212/2007-IA. II(M), dated 11/7/2008 (copy enclosed). The coal extracted from this project is supplied to Thermal power plants. In view of large demand of coal for power generation in Telangana State, SCCL proposed for expansion of the project by annexing the dip side property to the existing SRP OCP-II, thereby increasing the rated capacity from 2.5 Mtpa to 3.5 Mtpa in 1604.11 ha. Accordingly, SCCL obtained Terms of Reference (ToR) for expansion of the project from 2.5 MTPA to 3.50 vide MOEF&CC reference No. j-11015/212/2007-IA. II(M), dated 02.02.2018 (copy enclosed). Under the name of SRP OC-II Expansion Project and MoEF&CC will be requested for issue of revised EC (3.5 MTPA). For this expansion, diversion of 162.45 ha of forestland in Indaram RF is required. The Environment conditions stipulated in EC conditions of SRP OC-II are being complied without any violation.
2.	As the Hon'ble Supreme Court has viewed the violations very seriously in WP (Civil) No. 114/2014 in the matter of Common Cause Versus Union of India and others, it is seen that the project authorities in its 4 existing projects appears to have submitted one undertakings saying that they will not repeat any such violations in future.	The M/s. SCCL has stated that it has submitted affidavits for all 18 violation mines to MoEF&CC with an undertaking as all the statutory requirements and final judgement of Hon'ble Supreme Court dated 2 nd August 2017 in W.P. No. 114/2014 in the matter of 'Common Cause vs Union of India & Others' shall be complied and with a further commitment of such violation will not be repeated in future on 04.03.2019 and 07.03.2019. As there is no violation neither under E(P)Act, 1986 nor under F(C) Act, 1980 for SRP OC-II expansion project.

5. After examination of the proposal the Ministry has observed the following shortcomings as listed below and the ministry vide its letter dt 20.02.2020.

- i. The Suitability Certificate of suitable for plantation has not been given by the Concerned Authority.
- ii. The State Government has not submitted a copy of approved Mining and Progressive Mine Closure Plan.
- iii. The user agency has not been provide a lease period in the part-I.

6. The PCCF (HoFF), vide letter no. 9917/2017/FCA-1/PS dt 05.08.2020 has furnished the reply for the above queries and the same is given in the below table:-

S. No.	Observations raised by the MoEF&CC, New Delhi vide letter dt.20.02.2020	Reply submitted by the PCCF (HoFF) Telangana vide letter dt. 05.08.2020.
1.	The Suitability Certificate of suitable for plantation has not been given by the Concerned Authority.	In this regard it is informed that the CF& FDPT, Kawal TR, Nirmal has reported (copy enclosed) that the FDO, Mancherial has submitted a Site Suitability certificate along with the revised CA scheme for the identified degraded forest land for CA over 324.90 ha of double degraded RF in lieu of the forest land proposed for diversion. It is submitted that there is no change in CA DFL areas already furnished with the proposal. Further , the DFO, Mancherial reported that comp. No. 691, 693, 698 of Indaram of Mancherial beat are having canopy density of 0.2 to 0.4 ha and the compt. No. 687,688,689,690 and 805 of Indaram RF and

		<p>Indaram ext. RF of Venkatapur beat are having canopy density of 0.2 to 0.4 ha. Further reported that all the areas except Compt. No. 687 & 690 of Venkatapur beat are in Degraded Forest Improvement Circle and Compt. No. 687 & 690 are included in “ Conservation Working Circle” of Working Plan.</p> <p>Further reported that out of the proposed area of 324.90 ha of degraded forest land, an area of 170 ha is suitable for raising plantation under Semi Mechanical Method and total no. of plants proposed to be planted are 188870 nos. The balance area of 154.90 ha is suitable for treatment under Assisted Natural regeneration (ANR) and planting 30980 No's of plants in large gaps (average 200 plants per ha.) SMC works are proposed to be taken up in the entire area.</p> <p>The revised CA scheme is prepared for an financial outlay of Rs 1789.765 lakhs with 10 years of maintenance for consideration.</p> <p>Site Suitability Certificate has been submitted.</p>																																
2.	The State Government has not submitted a copy of approved Mining and Progressive Mine Closure Plan.	<p>It was informed that User Agency has submitted a copy of Mine Plan (III revision) and Mine Closure Plan of SRP OC-II project (SRP OC II Expansion Project) Srirampur, approved by Ministry of Coal, GoI vide letter no. 13016/1/2017/-PCA, dt 21.08.2017 and the same has been submitted.</p>																																
3.	The user agency has not been provide a lease period in the part-I.	<p>It was informed that user Agency has submitted that the proposed area of diversion is falling in 3 mining lease which are as follows:</p> <table border="1"> <thead> <tr> <th rowspan="2">S. No.</th> <th rowspan="2">Name of the Mining Lease</th> <th rowspan="2">Area in (ha)</th> <th rowspan="2">G.O. No & Date</th> <th colspan="2">Validity Period</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>North Godavari Mining Lease</td> <td>45.22</td> <td>01, Dt. 12.01.2015</td> <td>22.05.2010</td> <td>21.05.2030</td> </tr> <tr> <td>2</td> <td>Sri Rampur Mining Lease</td> <td>11.13</td> <td>42, Dt. 11.02.2008</td> <td>28.06.2008</td> <td>27.06.2038</td> </tr> <tr> <td>3</td> <td>Indaram Mining Lease</td> <td>106.10</td> <td>15, Dt. 23.01.2006</td> <td>24.07.2000</td> <td>23.07.2020</td> </tr> <tr> <td></td> <td>Total</td> <td>162.45</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>Further , reported that regarding Indaram Mining lease, M/s SCCL has applied for renewal of Indaram Mining lease on 06.04.2019 through online and submitted to Asst. Director of Mines & Geology, Mancherial on 08.04.2019 and it is under consideration with Director(Mines & Geology Dept.). As per the rule 24A of Mineral Concession Rules-1960(MCR-1960), the lease period will be considered as deemed to be extended till approved by the State Govt. The copies of G.O's issued by the State Govt. for mining lease mentioned in the table, the copy of the application of SCCL to the Asst. Director of Mines & Geology, Mancherial and copy of MCR-1960 are enclosed as furnished by M/s SCCL.</p>	S. No.	Name of the Mining Lease	Area in (ha)	G.O. No & Date	Validity Period		From	To	1	North Godavari Mining Lease	45.22	01, Dt. 12.01.2015	22.05.2010	21.05.2030	2	Sri Rampur Mining Lease	11.13	42, Dt. 11.02.2008	28.06.2008	27.06.2038	3	Indaram Mining Lease	106.10	15, Dt. 23.01.2006	24.07.2000	23.07.2020		Total	162.45			
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3	Indaram Mining Lease	106.10	15, Dt. 23.01.2006	24.07.2000	23.07.2020																													
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Part B

1. Based on the informations furnished by the State Government, The FAC considered this proposal in its meeting held on 18.08.2020 through video conferencing. Minutes of the Meeting of FAC held on 18.08.2020 can be seen at PARIVESH.
2. During the deliberations, FAC observed that:
 - a. The said proposal is for 162.45 ha of forest land in Indaram RF, Mancherial Range of Mancherial Forest Division in Mancherial District for grant of Mining Lease for Srirampur Open Cast-II in favour of M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District. PCCF (HoFF) clarified that the period of diversion of the proposal is 50 years.
 - b. The representative from the User Agency made an online presentation on the proposal.
 - c. It was observed that the proposal is for opencast mining of three already approved mining leases for underground mining of coal which are North Godavari Mining lease (forest area- 45.22 ha), Sri Rampur Mining lease (Forest area-11.13 ha) and Indaram Mining lease (forest area- 106.10 ha.). These three underground mining leases have validity up to 21.05.2030, 27.06.2038 and 23.07.2020 respectively. In fact major mining lease for Indaram RF has already expired, user agency clarified that for renewal of the mining lease has already been processed.
 - d. The issue of different validity of mining leases constituting a single proposal was raised and clarification was sought on how to make a single FC approval co-terminus with three different lease periods. This issue was deliberated upon and PCCF (HoFF) conveyed that earliest expiry of the lease period out of three leases will be the period of diversion.
 - e. FAC also noted that the Ministry vide its letter dated 31.01.2013 has accorded the status of CPSU to M/s SCCL. This issue needs a relook in the Ministry as Compensatory Afforestation has been proposed on double degraded forest land and this dispensation is available only to the Central PSUs whereas M/s SCCL is a joint holding PSU where major stake of 51% is with the State Government and for all other purposes it is treated as State PSU.
 - f. FAC observed that the Hon'ble Supreme Court on 11.08.2020 has given an order in WP 114 of 2014. The matter needs a fresh look as per the orders of the Hon'ble Supreme Court.
 - g. In light of the deliberations following additional points were considered for submission by the State Government:
 - i. Three separate kml files of proposed diversion as per forest area involved of three mining leases;
 - ii. Specific land use plan and mining plan;
 - iii. Status of realization of penalty as per specific instructions in WP114/2014 of Hon'ble Supreme Court in 'Common Cause' judgement;
 - iv. Suitability of proposed CA sites shall also be looked into.
 - h. In the meeting it was also deliberated that after receipt of all the details opinion/comments of Impact Assessment Division of the Ministry shall also be obtained.
3. **Decision of FAC:** After detailed deliberations the FAC **deferred** the proposal with the following:
 - i. The issue of different validity of mining leases constituting a single proposal was raised and clarification was sought on how to make a single FC approval co-terminus with three different lease periods. This issue was deliberated upon and PCCF (HoFF) conveyed that earliest expiry of the lease period out of three leases will be the period of diversion.
 - ii. In light of the deliberations following additional points were considered for submission by the State Government:
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- b. Specific land use plan and mining plan;
 - c. Status of realization of penalty as per specific instructions in WP114/2014 of Hon'ble Supreme Court in 'Common Cause' judgement;
- iii. Issues related with status of M/s SCCL as a Central PSU will also be looked into.
 - iv. As the proposed project has been carved out from parts of three existing / ongoing leases, it will be appropriate to obtain comments of IA division of this Ministry regarding permissibility of one single project instead of three in light of the EIA notification.
 - v. The proposal requires to be examined on the basis of the orders of the Hon'ble Supreme Court in WP 114 of 2014.
4. As per the decision of FAC the Ministry vide letter dated 11.09.2020 communicated the same to Government of Telangana requesting to take appropriate action and submit the following information/documents as per observation of FAC.
5. As per para 3 (iv) above the file was send to IA division seeking comments. The comments of IA division is mentioned below:
- “ IA Division was requested by FC division to offer its comments as mentioned at para 4 (iii) of Note#38 above. The information desired by FC Division is on Srirampur Opencast - II project of M/s SCCL and permissibly of single project instead of three as per EIA, Notification, 2006.*
- EC was granted to project on 11.07.2008 and further TOR for expansion on 02.02.2018. It is supplemented that EC is granted based on Approved Mine Plan from Ministry of Coal. The EIA, Notification, 2006 does not mention the bifurcation/trifurcation of project.”*
6. Further, as per para 3 (v) the Legal Assistant in FC division was requested to examine the cases based on orders of the Hon'ble Supreme Court in WP 114 of 2014 dt 11.08.2020. The comment of Legal Assistant is stated below:
- “.....3. The Hon'ble Supreme Court's judgment dated 11.08.2020(enclosed in ToC at Pg. 270/c) in Writ Petition(C) No. 114 of 2014 in the matter Common Cause Vs Union Of India and ors. Pertains to condoning the delay for payment of compensation and resuming the mining operations of M/s Orissa Minerals Development Company Limited (“OMDC” for short). The matter is not much of a muchness to the instant proposal and need not be a question of hindrance in deliberating this proposal.”*
7. As per the para 3 (iii) “Issues related with status of M/s SCCL as a Central PSU will also be looked into.” has already been processed in another file bearing number 11-423/2011-FC. Decision of which is under consideration.

Part-C

1. The PCCF (HoFF), Govt. of Telangana vide its letter No.9917/2017/FCA-4 (FCA-1/PS) dated 30.09.2020 forwarded additional information with respect to this Ministry's letter dated 11.09.2020. The summary of the reply is given as under:
- i. It was informed that the renewal application under MMDR Act, 1957 was also submitted to the Assistant Director of Mines & Geology, Mancherial, vide letter dated 08.04.2019. However, the mining lease permission can be issued only after Stage-I renewal permission under F(C)Act,1980 is issued. Once, Stage-I is accorded for the renewal, SCCL will be obtaining the ML for next 20 years.
 - ii. Further it was stated that after grant of Indaram mining Lease for a period of 20 years, the validity of the Indaram Mining lease will be upto year 2040. In such case, the **least validity of mining lease will be of North Godavari ML, valid upto 2030. Hence, the diversion permission under F(C)Act will be co-terminus with this lease period.** However, as the life of the project is for 25 years, suitable renewal permission will be submitted two years before expiry of the permission.

- iii. M/s SCCL has submitted that the present proposal is not under the category of violation as per EIA Notification, 2006 and provisions under Section 21(5) of MM(D&R) Act-1957 (working without Mining Lease).
 - iv. The site suitability certificate issued by the Forest Divisional Officer, Mancherla, has been submitted to the MOEF&CC,GOI, vide PCCF Rc.No.9917/2017/FCA/-1/PS, dated 05.08.2020
 - v. As per the DSS report the Director (operations) has submitted the separate KML files of proposed diversion as per forest areas involved in three mining leases.
 - vi. M/s SCCL has submitted the specific land use plan for the proposed diversion of 162.45 Ha is as shown below and same area is as approved in mining plan.
 - vii. M/s SCCL has submitted that the present proposal is not under the category of violation as per EIA Notification, 2006 and provisions under Section 21(5) of MM(D&R) Act-1957 (working without Mining Lease). The orders of the Supreme Court dated 11.08.2020 is specific to Odisha Mining Development Corporation & others.
2. After examination of the additional information submitted by the State Govt. the justification stated are not clear. Certain shortcomings are observed and the same are listed below:-
 - i. It is not clear that the area proposed for diversion is part of already diverted area or new area. Whether the area proposed for diversion i.e. 45.22 ha, 11.13 ha and 106.10 ha are part of the earlier diverted.
 - ii. The KML file submitted does not have forest boundary wrt all the mining leases.
 - iii. The State Govt. may be requested to submit the KML file of outer boundary of expansion of Srirampur opencast-II.
 - iv. The area mentioned in the table given in State Govt. letter does not match with the area previously diverted wrt to the file no. and date of Stage-II letter of this Ministry.
 3. Since there was lack of clarity wrt the lease boundaries and the reply from State Govt., a meeting was conducted through Video Conference on 04.01.2021 under the chairmanship of IGF(FC) with the Nodal Officer (FCA), Govt. of Telangana and representative of User Agency. In this meeting the following decisions were made:
 - i. The Ministry will await for the letter with details as informed by the PCCF (HoFF), Govt. of Telangana before considering placing this proposal in the upcoming FAC meeting.
 - ii. The Forest Clearance will be co-terminus with the mining leases expiring first i.e.2030, which is the mining lease of North Godavari.
 4. As per the decision taken in the meeting held on 04.01.2021 the Principal Chief Conservator of Forests & Head of Forest Force, (FAC), Govt. of Telangana vide letter dt 04.01.2021 informed that the revised kml file has been submitted. Further with respect to the discrepancy in the area approved and area mentioned it was stated that:-
 - i. The proposal is fresh diversion proposal for surface use and area of 162.45 Ha RF land is falling in the (3) sanctioned mining leases. At presently, an extent of 1118.1 ha of forest land (889.32 ha UG rights +228.79 Ha of surface rights) is involved in North Godavari ML lease. Out of North Godavari Mining lease area of 1118.11 Ha (1105.00(UG)+4.8 S+8.26), an area of 45.11 ha is included in the present proposal for surface rights which is a part of 1105.00 ha (UG Mining).
 - ii. An extent of 266.85 Ha of forest land is involved in Srirampur Mining Lease. Underground rights is 52.36 ha (266.85-214.49 = 52.36 ha. Out of 162.45 Ha of present proposal from UG to surface rights, an extent of 11.14 Ha of forest land which is a part of 52.36 ha for Underground Rights is falling in Srirampur Mining Lease.
 - iii. Out of Indaram Mining lease of 929.29 ha, an area of 106.20 ha is included in the present proposal.
 5. The KML of proposed diversion area and CA area has been examined by the DSS cell of FC Division and the observations are mentioned below:

a. Proposed Area for diversion:

- Proposed area for diversion of forest land falls on Adilabad district of Telangana State.
- Calculated area of the forest land applied for diversion is found 162.45 ha.
- Major area of the proposed forest land is under Plantation as seen through high resolution Google Earth Imagery dated from 15/01/2010 till 28/02/2019.
- The proposed land for diversion is Not in High Conservation Value Zone or Not-Inviolateas per Decision Rule 1 and Decision Rule 2.
- Out of total proposed area, 72ha. is classified as scruband 91ha. as Non-Forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

b. Details of proposed degraded CA land:-

- Proposed CA land is double in extent to the forest land being diverted. Total area of proposed CA land is found 349.44 ha.
- Proposed CA land has been provided in 2 different patches falling in Adilabad District of Telangana State. Both CA patches are proposed on degraded forest land.
- Forest density classes of proposed CA patches (based on interpretation of satellite data period 2013-14) as per ISFR 2015, are as follows:

(Area in ha.)

S. No.	Compartment No	Patch Name	Calculated Area of CA Land (ha.)	Very Dense Forest	Moderately dense Forest	Open Forest	Scrub	Non-Forest
1	691,693,698	Patch-1	99.89	0	0	0	43	57
2	687,688,689, 690	Patch-2	249.55	0	0	0	206	44
TOTAL			349.44	0	0	0	249	101

The PCCF (HoFF), vide letter no. 9917/2017/FCA-1/PS dt 05.08.2020 informed that a Site Suitability certificate along with the revised CA scheme for the identified degraded forest land for CA over 324.90 ha of double degraded RF in lieu of the forest land proposed for diversion is submitted. It was also informed that there is no change in CA DFL areas already furnished with the proposal. Further, the DFO, Mancherial reported that comp. No. 691, 693, 698 of Indaram of Mancherial beat are having canopy density of 0.2 to 0.4 ha and the compt. No. 687,688,689,690 and 805 of Indaram RF and Indaram ext. RF of Venkatapur beat are having canopy density of 0.2 to 0.4 ha. and that all the areas except Compt. No. 687 & 690 of Venkatapur beat are in Degraded Forest Improvement Circle and Compt. No. 687 & 690 are included in "Conservation Working Circle" of Working Plan. It was also informed that out of the proposed area of 324.90 ha of degraded forest land, an area of 170 ha is suitable for raising plantation under Semi Mechanical Method and total no. of plants proposed to be planted are 188870 nos. The balance area of 154.90 ha is suitable for treatment under Assisted Natural regeneration (ANR) and planting 30980 No's of plants in large gaps (average 200 plants per ha.) SMC works are proposed to be taken up in the entire area.

6. The latest kml file forwarded was analysed by the DSS cell of FC Division and observations can be seen below:-

Table No. 1:

S. No.	Name of Mining Lease (ML)	Area in proposed diversion (ha.) (given in proposal)	Software calculated area of proposed diversion (ha.)
1.	North Godavari ML	45.22	45.11

2.	Sri Rampur ML	11.13	11.14
3.	Indaram ML	106.10	106.20
Total		162.45	162.45

(The software calculated area of SRP OC-II Expansion Project boundary is **1605.70** ha.)

Calculated area of the KML files of the North Godavari Mining Lease (ML), Sri Rampur ML and Indaram ML is mentioned in Table 2.

Table No. 2:

S. No	Name of Mining Lease (ML)	Total area of lease Ha			Software calculated area of Lease boundary (ha.)
		RF	Non RF	Total	
1	North Godavari ML	1118.18	3375.89	4494.07	4498.64
2	Sri Rampur ML	266.85	672.00	938.85	939.79
3	Indaram ML	929.29	1170.71	2100.00	2102.65
	Total :	2314.32	5218.60	7532.92	7541.08

In view of the above, if agreed we may place the above facts/ information's submitted by the State Govt. before the next FAC meeting scheduled on 27.01.2021 for appropriate decision.
