



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
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F No. TSA225/2021-HYD/97

Date: 27th October 2021

To
The Additional Director General of Forests(FC)
Ministry of Environment & Forests
Paryavaran Bhawan, Jorbagh
NEW DELHI – 110 003

Sub: Proposal for Regularization of 330.33 ha. (330.1826 ha as per DGPS Survey) of forest land in Upperlakesaram Forest Block in Manthani Range of Peddapalli Division for Open Cast Mining Operations and Other Activities of SCCL in Peddapalli District in favour of M/s SCCL – reg.

Ref: MOEF &CC, GOI File No. 8-16/2021-FC Dated 23.07.2021

Sir,

With reference to the above subject and reference & in compliance of the instructions of the Ministry, the undersigned has carried out site inspection of both the proposed area for diversion as well as CA lands on DFL on 7th and 8th October 2021 along with the representatives of the State Forest Department and the User Agency. In this connection, a detailed site inspection report is prepared and enclosed herewith for kind perusal and taking further necessary action please.

Encl: as above

Yours faithfully,

(N.S.Murali)

Inspector General of Forests (Central)

Site Inspection Report of Proposal for Regularization of 330.33 ha. (330.1826 ha as per DGPS Survey) of forest land in Upperlakesaram Forest Block in Manthani Range of Peddapalli Division for Open Cast Mining Operations and Other Activities of SCCL in Peddapalli District in favour of M/s SCCL

The MOEF &CC, GOI, vide reference above had directed the Integrated Regional Office, Hyderabad of the Ministry to inspect the forest land proposed for diversion as well the CA sites and submit a report at the earliest Accordingly, undersigned took up the site inspection of the areas in Ramagundam of Peddapally district on 7th October, 2021 and the double the degraded forest land given as CA in Bhupalpally district on 8th October, 2021.

1. The proposal for regularization of 330.1826 Ha for Upperlakesoram mining in Ramagundam (under possession of SCCL) was submitted vide reference of the State Government EFST Lr. No. 1190/For.I (I) /2021 Dt.03.05.2021 to Ministry for obtaining and communicating approval under F (C) Act, 1980.
2. The proposed **330. 1826 is part of RG Coal Mine and RG OC III and forms part of 6848.00 Ha of South Godavari Mining Lease which has been renewed for 3rd time for a period of 20 years from 01.01.2015 to 31.12.2034**, vide G.O Ms. No.02 dated 12.01.2015 by the State Government.
3. Following mines form part of **6848.00 Ha of South Godavari Mining Lease** (*with Forest land of 606.5826 and 6241.4174 Ha of Non Forest land*). Individual Mining Plans have been approved by the Ministry of Coal, as obtained from the SCCL during the site inspections is mentioned below.

| Sl.No. | Name of Mine | Reference of the Ministry of Coal |
|--------|----------------------|--|
| 1 | GDK No.1&3 Inclines | F.No.13016/2/2006-CA II, dt.17.10.2014 |
| 2 | GDK No.2&2A Inclines | F.No.13016/2/2006-CA II dt. 17.10.2014 |
| 3 | GDK No.5 Incline | F.No. 13016/6/2013-CA II, Dt.25.11.2014 |
| 4 | GDK Coal mine | F.No. 38011/12/2017-PCA, dt. 22.04.2019 |
| 5 | GDK No. 10 Inclines | Part of RG Coal Mine approved Vide MoC, Gol, F.No.55026/1/2020-CPAM, dt.08.08.2020 |
| 6 | Vakilpalli Mine, | Part of RG Coal Mine approved Vide MoC, Gol, F.No.55026/1/2020-CPAM, dt.08.08.2020 |
| 7 | GDK No.11 Incline | F.No. 13016/3/2016-CA II,dt. 31.08.2016 |
| 8 | RGOC-1 Exp. | F.No. 13016/2/2006-CA II,dt. 17.10.2014 |
| 9 | RGOC-II Ext, | F.No.13016/3/2009-CAII/Pt1, dt.06.09.2016 |
| 10 | RGOC-III Exp.II | F.No. 38011/12/2017-PCA, dt. 17.06.2019 |

4. It is submitted that the SCCL had taken over the possession of 448.90 Ha land in Upperlakesoram as Government land from the Revenue Department and since 1973 the company has been doing Mining Operations in this land. The present

proposal for regularization of 330.1826 Ha land for Upperlakesoram mining in Ramagundam is part of this 448.90 ha under possession of SCCL thus. Details of charge certificates of land acquisition of 448.90 Ha , between Revenue & SCCL authorities, as obtained during the site inspections & discussions are summarised as below:

| Village | Sy. No. | Extent(Acres-Guntas.) | Details of acquisition by SCCL | | |
|----------------|---------|-----------------------|--------------------------------|---|---------------------|
| | | | Exten. (Acs- Gts.) | charge certificates & date | |
| Upperlakesaram | 107/1 | 545-12 | 110-00 | Do | charge certificates |
| | | | 90-00 | 07.09.1982 | -do- |
| | | | 214-00 | 31.12.1987 | -do- |
| | | | 131-12 | Possessed since 1973 in terms of ML | |
| | | | 545-12 | | |
| | 93 | 42-01 | 42-01 | Possessed since 20.10.1988 in terms of ML | |
| Nagepalli | 321 | 6-04 | 6-04 | | |
| | 322 | 6-10 | 6-10 | | |
| | 329 | 13-07 | 13-07 | 28.12.1987 | charge certificates |
| | 332 | 492-11 | 93-00 | 01.05.1975 | charge certificates |
| | | | 94-32 | 28.12.1987 | -do- |
| | | | 304-19 | Possessed since 1975 in terms of ML | |
| | | | 492-11 | | |
| | 333 | 4-05 | 4-05 | 28.12.1987 | charge certificates |
| | Tot. | 1109-10 | 1109-10 | | |

5. This 448.90 Ha land in Upperlakesoram is now discovered to be forest land and not revenue land & notified as RF during 1944 under the Hyderabad Forest Act u/s 7 in the Gazette no. 3 dated 19th Azor 1353 F and U/S 10 dated 98th Bahman 1353 F (to an extent of 1109 Ac & 22 Guntas) The original notification in urdu translated into English & obtained during the site inspection is annexed herewith for kind perusal.

6. The SCCL after taking over from the Revenue Department, a part of this 448.90 ha, ie., to an extent of 118.57 Ha was actually furnished to state government as C.A land (N F L) by for another project of PKOC-II, Manuguru and this was accepted by the Forest department as non-RF for C.A purpose. This underlines that even Forest department was unaware of the legal position of this land which they had accepted as NFL against CA.
7. After it was discovered that this land is forest land, presumably by SCCL as understood during discussions as part of site visit, and not revenue land , SCCL took up the proposal for FC clearance for the 147.42 ha of Forest land which included 118.57 ha of forest land covered under the said RF notification.
8. The MOEF & CC, GOI vide letter No. F.N.8-109/2005-FC (vol) dated 01.08.2013 had accorded final approval for diversion of 147.42 Ha of forest land which included the 118.57 ha of land which was earlier part of this 448.90 ha which was (118.57 ha) in turn had been given by SCCL against NFL for an earlier diversion proposal and accepted by the State Government. Thus, while according approval for diversion of 147.42 ha of forest land a part of which was the 118.57 ha land which was earlier offered as CA, SCCL was directed to regularize the remaining 330.1826 Ha of the 448.90 ha. Hence the proposal for regularisation.
9. The MOEF & CC, GOI vide letter No. F.N.8-109/2005-FC (vol) dated 01.08.2013 had accorded final approval for diversion of 147.42 Ha of forest land. This approval was based on the compliance report submitted by the State Government vide Lr.No-9659/FOR.I(1)/2010 Dt.29.05.2013. The SCCL is submitting Compliance report every year to the Principal Chief Conservator of Forests & HoFF. The latest compliance report as dated 21.04.2021.
10. Environment Clearances have also been obtained for these mines in 330.1826 and details are furnished below:

| Sl.No | Name of the Mine | Environment Clearance Ref.No. & Date | | Total project area (Ha) | Extent (out of 330.1826Ha) |
|-------|--|--|--|-------------------------|-----------------------------|
| 1 | RG Coal Mine (Amalgamation of RGOC-1, Vakilpalli Mine, GDK 10) | i) <i>Vakilpalli Under Ground Mine</i> | No.J-1105/29/68/LA –II, Dated 14.08.1989 | 4326.08 | 290.83 |
| | | ii) <i>RG OC I</i> | No. 13016/2006-CA-II Dated 17.10.2014 | | |
| | | iii) Godavarikhan i 10 Under Ground Mine | No. 11015/7/84.EN. 5 Dated 11.07.1985 | | |

| | | | | |
|--------------|--------------------------|--|---------|-----------------|
| 2 | Ramagundam OC-III | No. 38011/12/2017-PCA Dated 17.06.2019 | 2070.10 | 39.3526 |
| Total | | | | 330.1826 |

11. The breakup of the forest land within the South Godavari Mining Lease (SGML) is as follows:

| S.No | Forest Land | South Godavari Mining Lease |
|-------|--------------------------------------|-----------------------------|
| 1 | 330.1826 | 330.1826 |
| 2 | 412.4000 (inclusive of 118.57Ha) | 276.4000 |
| Total | 742.5826 | 606.5826 |

12. Forest Land already Diverted for 276.40 ha falling in SGML is as follows:

| S.no | FL Diversion ref no. | Extent (Ha) | Purpose |
|--------------|---|---------------|---|
| 1 | MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC dated 02.05.2008 | 258.42 | Stage II granted for 412.40Ha |
| 2 | MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC (Vol), dated 01.08.2013 | | Stage II granted for 147.42Ha Surface rights. |
| 3 | Ref No.RG3/EST/FL/104-G/124 dated 09.07.2020 & online proposal no. FP/TG/MIN/47657/2020 | 17.98 | Proposal submitted for Underground rights to surface rights |
| Total | | 276.40 | |

13. The MoEF &CC, GOI, has accorded forest diversion orders for **412.00 Ha**. Details are as follows:

| S.no | FL Diversion ref no. | Date | Total Area | Surface rights | UG Rights |
|------|---|------------|------------|----------------|-----------|
| 1 | MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC | 02.05.2008 | 412.00 | 247.00 | 165.40 |

| | | | | | |
|---|---|--------------------|--------|---|-------|
| 2 | MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC (Vol) | 01.08.2013 | 165.40 | 147.42 | 17.98 |
| 3 | Ref No.RG3/EST/FL/104-G/124 dated 09.07.2020 & online proposal no. FP/TG/MIN/47657/2020 | Proposal submitted | 17.98 | Proposal submitted for Underground rights to surface rights | |

14. The SCCL has handed over 237.45 Ha of Non-Forest land (as detailed below), against the diversion of 118.57 ha of forest land which was part of the 448.90 ha (330.1826 + 118.57) mutated in favor of the Forest Department and non-encumbrance certificate has already been submitted as informed during the inspection. This 237.45 double in extent to the diverted 118.57 ha was in compliance of the stipulation (xiv) of Ministry's approval vide dt 19th July 2012 for diversion of total 147.42 ha. SCCL has also paid C.A charges of Rs. 5,96,04091/- for raising C.A in 237.45 Ha, into CAMPA A/C through RGTS. These lands were taken over by the Forest Department. The State Government in report vide reference 9659/FOR.I(1)/2010 Dt.29.05.2013 has confirmed this to the MOEF.

| Sl. No | Extent in Ha | Location |
|--------|----------------------|--|
| 1 | 86.727 out of 183.45 | Zafarghad (V), Mulugu Range, Warangal North Division |
| 2 | 30.330 out of 70 | Polkepad (V), Gopalpet Mandal, Mahboobnagar Division |
| 3 | 48.863 out of 55.15 | Pinapaka (V), Bayaram Range, Palvoncha Division |
| 4 | 71.45 | Esala Thakkapalli (V), Manthani Range, Karimnagar East Division. |
| | 237.45 | |

15. The SCCL has already paid against of diversion of 412.00 ha the complete NPV (Rs.1729 lakhs) for surface use area of 247 Ha and 50% NPV (Rs.578.90Lakhs) for underground use area of 165.40 Ha. Out of this area of 165.40 Ha (underground) an area of 147.42 Ha was again diverted to surface use and balance NPV of 50% has been paid. This was confirmed in the report of the State Government.

16. However, No NPV has been paid for 330.1826Ha by SCCL. But, SCCL has paid an amount of Rs.14, 47, 81,601 (Rs Fourteen crores fort seven lakhs eighty-one thousand and six hundred one only) through RTGS into CAMPA

account (No- SBHYHI3067304841) for raising the compensatory afforestation in 660.66 Ha of degraded forest land against the present proposal for diversion of 330.1826 ha.

17. During the field visit it is seen that mining operations are in progress and the entire area is under occupation of SCCL including it's own 8 incline labour colony.

18. Progress of Compensatory Afforestation over 660.66 ha:

The Compensatory Afforestation areas on DFL have been identified in Bhupalapally Division and so far 32 patches have been raised with years of planting ranging from 2014-15 to 2021-22. In some patches the area is more as the planting is done based on count of saplings depending on need/availability of space leading to increase in the overall area beyond the stipulated 660.66 ha. A detailed list indicating the progress of afforestation furnished by the Forest Department Officials during the inspection is attached herewith. During the field inspection to the CA areas, representative of the user agency, the CCF Warangal Circle and DFO Bhupalapally accompanied the undersigned. Around 10 patches could be physically inspected.

19. Further, SCCL representative has requested during the field inspection that, basing on the clarification issued by the MOEF & CC, GOI, vide Ref.F.No-11-42/2017-FC Dt.29th January, 2018 the occupation of forest land cannot be attributed to the SCCL as they had lawfully obtained it from the Revenue Department.

Conclusion & Recommendation:

- 1 Mining in this area has been started from 1970s and the area in possession of SCCL well before the RoFR Act came into existence. The area rights/possession is entirely with the SCCL now including a colony for its employees.
- 2 The very fact that this land was forest land was not in the knowhow of Forest Department who had accepted it for raising CA against another diversion proposal of SCCL. The records shown during the site visit and discussions reveal that this land was lawfully obtained by SCCL from Revenue Department. Therefore this is to be considered as a mistake of fact involving errors on the part of Revenue Department , Forest Department and SCCL & thus cannot be solely attributed to SCCL. As a matter of fact of the three agencies least is expected to be in the knowledge of SCCL in respect of the status/ownership of this land. In fact, it is SCCL which has pointed out that this is a forest land as per records shown during the visit in presence of the senior officials of the forest department.

- 3 It is also seen during the inspection that the working plan document ie., the Compartment History for this compartment (working plan for the period 1992-93 to 2001-02) it is recorded that the land is having mixed forest with site quality VI and density 0.1 with age class of 10 to 30 years and goes on to mention that natural regeneration is poor and has wildlife like bear, wild boar, rabbit and wildcat etc while the fact is that the land was under mining with SCCL from 70s. The record maintenance in both the forest and revenue department with respect to this particular area needs improvement to avoid such instances in future.
- 4 As the mistake of fact is not attributable to SCCL solely, the land in question under occupation of SCCL may be treated as a proposal for diversion and NPV for the same may be imposed as in the case of any diversion of forest land. The SCCL has already paid the CA for this diversion proposal and the progress of CA is also seen in the field. As the land is in occupation of SCCL and has lost the characteristic of forests over a period of time for the reasons stated above and considering all facts it is submitted that SCCL is entitled for regularisation of the 330.1826 ha of forest land as a case of diversion of forest land on usual terms without any penal NPV.



(N S Murali)

Inspector General of Forests(Central)

Reserve Forest Block Upper Kesaram, Taluq Sultanabad,
Karimnagar District.

Under section 18 Forest Act No. I, 1326 F.

In exercise of powers conferred U/s 18 Hyderabad Forest Act No. I 1326 F. the Government hereby notifies that the following villages of Sultanabad Taluq Karimnagar District are included in Upperkesaram Block which is notified in the Government Gazette known as called "Reserve Forest Upper Kesaram Block Sultanabad Taluq Karimnagar District". The area is 1109. acres 22 Guntas. It has been notified U/s 7 in the Gazette No. 3 dated 19th Azoor 1353 F. and U/s 10 dated 9th Bahman 1353 F. The description of the Boundary is as follows:-

NORTH A to B:- The northern boundary of this Block starts from S.No.18 Patta of Upperkesaram village, in the south west direction, where the village boundary of Mailaram meets, it is shown on the map as "A". The boundary passing south east and eastern direction of S.No.107 excluding a portion of the said S.No. and it goes upto western boundary of the S.Nos. 109. From there excluding the S.Nos. 34, 105, 109 and its western boundary, it goes upto S.No. 109 of south west corner. From there the boundary line passing at some distance of the northern boundary of the parampoke S.No.93 and turns western direction and excludes some portion of the parampoke S.No. 93 and upto S.No.107 and excluding a portion of the said S.No. and goes towards south east and north east and north west and S.Nos.920 north east direction. From there excluding S.Nos. (91,90,89) and the boundary goes zig zag upto S.No.88 south west corner and from there the eastern direction of S.No.87,88 and excluding and passing southern boundary of the said S.Nos. upto village boundary of Gunjepadga Jageer, shown in the map. point "B".

EAST B to C. From point "B" the "B" line passing towards south from the common village boundary of Upperkesaram and Gunjepadga Jageer upto four corners of Gunjepadga Jageer, Upper Kesaram, Vodial and Nagapalli. From there the "B" line goes in the same direction in a slight zig zag fashion along with village boundary of Nagapalli, Vodial upto point "C" shown on the map.

SOUTH C to D. From point "C" the "B" line passes towards south west direction excluding a portion of S.No. 332 parampoke and S.Nos. 324, 330, and 331 grazing S.No. 331 also upto village limits of Jeellapalli point "D" shown on the map.

WEST D to A. From point "D" the "B" line turns towards North west and passing along with village limits of Jeellapalli and Nagapalli upto village limits of Jeellapalli, Nagapalli and Upperkesaram. From there the "B" line passing between village limits of Jeellapalli and Upperkesaram towards western direction upto trijunction of villages of Jeellapalli, Upperkesaram and Mailaram. From there towards north the "B" line passing along with common boundary of villages Upperkesaram and Mailaram meets at starting point "A".

There are no patta lands in this Reserve forest so no petitions came for decision.

Gairan.

The total cultivable area of Upper kesaram is 1377 acres 11 Guntas. As per 10% 138 acres is sufficient. There is a S.No. with an area 169 acres 13 gairan is existing. so there is need of any order:-

P.T.O.

2. The total cultivable area of Nagaipalli is 1016 acres as per
15 & 183 acres grazing land is required there is S.No.231 area
399 acres Gairan is existing out side the Reserve forest.


3. path:- There is no path passing through the Reserve Forest:

sd/-
I2-I2-1354.
Secretary
Board of Revenue.

31.3.1965.

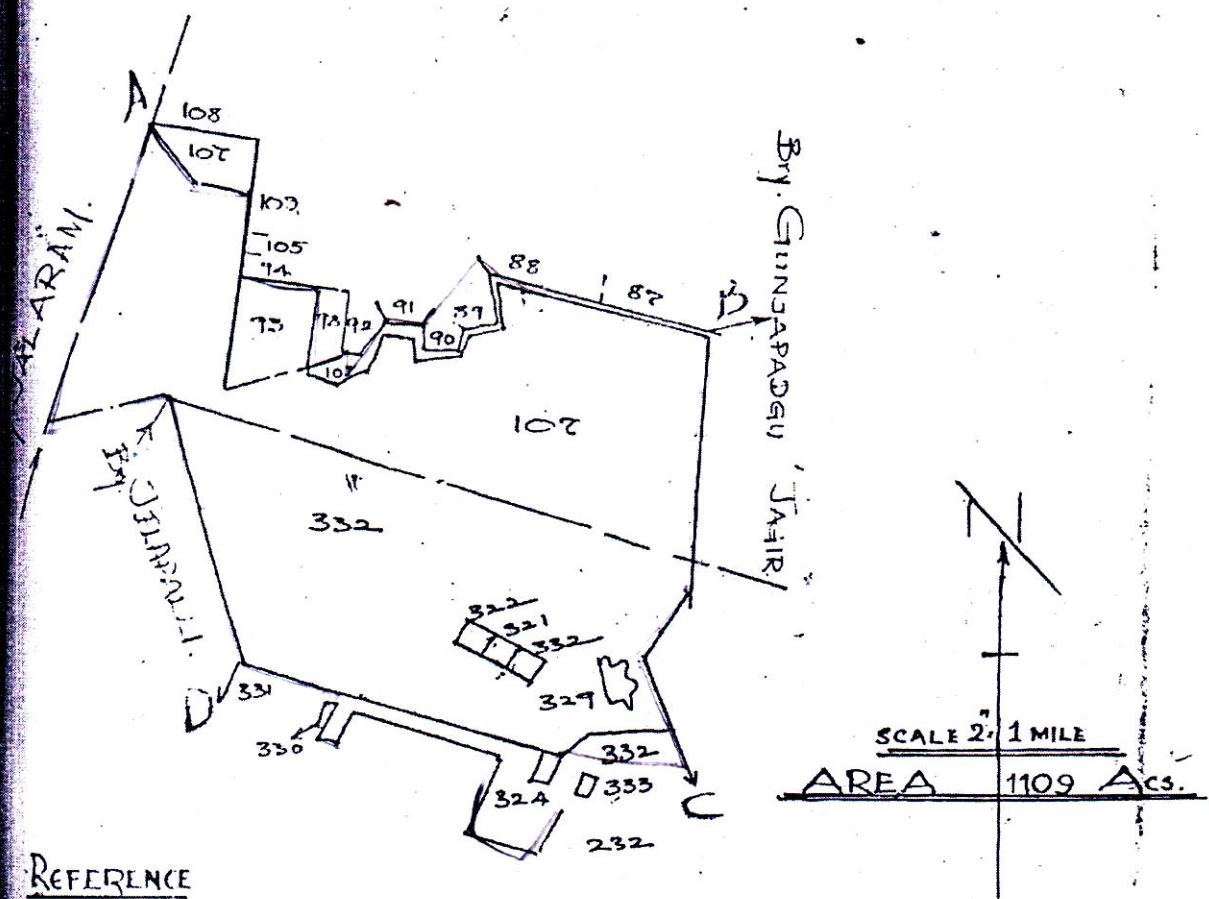
ATTESTED

[Signature]
D. F. C. Karimnagar
West Division.




LIPPARKIVASARAM

(14)

MAP OF
LIPPARKIVASARAM RESERVE FOREST



REFERENCE

- line ———
- By. ———
- Khata 
- Ste. 


Dy. FOREST OFFICER
KARIMNAGARAM (W)

NAGPALI (V) 