

F. No. 8-06/2007-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003
Dated: 12th December, 2018

To,

The Principal Secretary (Forests),
Department of Forests & Environment,
Government of Madhya Pradesh,
Bhopal

Sub: Diversion of 843.76 ha (instead of 1283.570 ha) of forest land for Coal Mining in Amelia Coal Block by M/s. THDC limited, in Singrauli District of Madhya Pradesh (Online proposal No. FP/MP/MIN/1026/2007) regd.

Sir,

I am directed to refer to APCCF (Land Management) & Nodal Officer, FCA, 1980, Madhya Pradesh vide his letter No. F-1/437/06/10-11/281 dated 01.02.2007, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Madhya Pradesh and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to accord "In-principle" approval under the Forest (Conservation) Act, 1980 for diversion of 843.76 ha (instead of 1283.570 ha) of forest land for Coal Mining in Amelia Coal Block by M/s. THDC limited, in Singrauli District of Madhya Pradesh, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) *The User Agency shall submit the fresh KML file for the revised area totalling to 1367.1 ha (1180.2 ha in the main block, 186.90 outside the main block) and also demarcate the revised area on ground jointly with the Forest Department;*
- (iii) The User Agency shall submit the revised Mining Plan for the 843.76 ha Forest Land;
- (iv) The Compensatory Afforestation shall be done over on double the degraded forest land of the proposed forest area to be diverted within a period of three years with effect from the date of issue of Stage-II clearance. The same shall be maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the User Agency. At least 1000 saplings per hectares shall be planted over 1687.52 ha. (843.76x2 = 1687.52);
- (v) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;
- (vi) The State Government shall submit a certificate about suitability of site for CA and same is free from all encroachments and other encumbrances. This shall be submitted under the signature not below the rank of Nodal Officer (FCA) from the State Government;



- (vii) The User Agency shall deposit the cost of raising and maintaining the CA at the current wage rate through online portal into Ad-hoc CAMPA account of the State Concerned. The scheme shall include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (viii) The User Agency shall deposit, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be deposited through online portal into Ad-hoc CAMPA account of the State Concerned;
- (ix) The User Agency shall provide additional 25% of the CA cost for Soil and Moisture Conservation (SMC) measures in the proposed CA area as per requirement at site. The said amount shall be deposited through online portal into Ad-hoc CAMPA account of the State Concerned;
- (x) The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (xi) The user agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage -I clearance;
- (xii) Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, and the Rules framed there-under, subject. The State Government will submit the lease agreement document specified in the lease agreement;
- (xiii) Area on surface of the mining lease shall be fenced and afforested;
- (xiv) The State Government and user agency shall monitor the mining induced subsidence and take appropriate mitigative measures to ensure that it remains within the permissible limit;
- (xv) The user agency shall implement the following activities under the supervision of the State Forest Department at the project cost;
 - (a) Mitigative measures to minimize soil erosion and choking of stream shall be initiated to be implemented within a period of three years with effect from the date of issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department;
 - (b) Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - (d) Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28 degrees; and
 - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
- (xvi) The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the



concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the APCCF (Central), RO Bhopal may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;

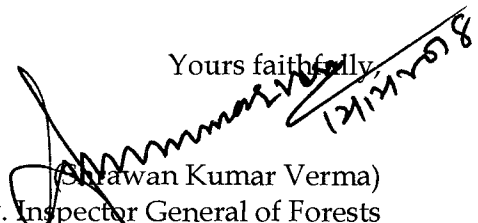
- (xvii) The user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- (xviii) The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds' nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xix) The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- (xx) The State Government shall ensure that green cover on the ground over the underground part of mine shall be maintained as forest and supplemented by plantations in gaps at the cost of user agency;
- (xxi) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (xxii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xxiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xxiv) No construction of buildings/labour camps/huts shall be established on the forest land;
- (xxv) The User Agency shall provide fuels preferably alternate fuels (LPG) to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xxvi) The State Government and the User agency shall ensure de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required preferably within five years from the date of approval of Stage-II Clearance;
- (xxvii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxviii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- (xxix) No damage to the flora and fauna of the adjoining area shall be caused;
- (xxx) The User Agency shall submit the annual self - compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- (xxxi) The cost benefit analysis report shall be submitted as per Ministry Guidelines dated 01.08.2017.
- (xxxii) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and



(xxxiii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project;

3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Madhya Pradesh, final/stage-II approval for diversion of the proposed forest land under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of the said forest land to the user agency shall not be effected by the State Government of Madhya Pradesh till final/stage-II approval for its diversion is issued by this Ministry.

Yours faithfully,


(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Forest Department, Satpuda Bhawan, 1st Floor, Bhopal-462003.
2. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Western Zone), Kendriya Paryavaran Bhawan, E-5 Arera Colony, Link Road-3, Ravishankar Nagar, Bhopal-462016.
3. The Nodal Officer, under the forest (Conservation) Act, 1980, Forest Department, Satpuda Bhawan, 1st Floor, Bhopal-462003.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.
6. Guard File.


(Shrawan Kumar Verma)
Dy. Inspector General of Forests