

F.No.8-25/2009-FC
Government of India
Ministry of Environment Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 1100 03.
Dated: 24th December, 2018

To,

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: Proposal for diversion of 226.67 hectares of forest land for Karo OCP in favour of M/s. Central Coal Fields Limited (CCL) in Bokaro district of Jharkhand.

Sir,

I am directed to refer to the State Government's letter No. 3/Van-Bhumi-02/2009/451/VP dated 22.02.2009 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 226.67 hectares of forest land for Karo OCP in favour of M/s. Central Coal Fields Limited (CCL) in Bokaro district of Jharkhand subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation shall be raised over double the forest land diverted and at least 1000 plants per hectare (480 hectares x 1000 = 480000 plants) shall be planted over identified degraded forest land with provision for ten years on subsequent maintenance.
- (iii) 25% of revised CA cost will be deposited extra by the user agency for soil and moisture conservation (SMC) activities on the CA land.
- (iv) The user agency should plan in such a fashion that the internal dumping starts early which will reduce the actual OB dump area. The mining plan should be modified on that line. The external OB dump should be limited to the non-forest area alone. The user agency should also explore the possibility of dumping the OB from the proposed mine in the already existing voids or voids being created due to mining in other adjacent mines of the user agency.
- (v) The Karo OCP is located in the East Bakaro coal fields, where a number of mines of CCL are under operation. Due to the mining the area has been denuded causing environmental problems like dust pollution, damage of trees, etc., which need immediate attention. The user agency should plan for taking up plantation in all the available areas in the East Bokaro coalfields of CCL. The plantation should be done by the CCL under the supervision and advice of the Forest Department. Instead of sectoral green planning, the CCL should go for integrated



- green planning including soil and moisture conservation measures for the East Bokaro coal fields.
- (vi) The voids available locally within the CCL should be identified and earmarked for deposition of ash generated from the nearby Bokaro TPS.
 - (vii) The user agency should give an undertaking to contribute proportionately for the Regional Wildlife Management Plan which is under preparation.
 - (viii) 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.
 - (ix) The land identified for the purpose of CA shall be clearly depicted on a Survey of India top-sheet of 1:50,000 scale;
 - (x) The User Agency shall transfer the cost of raising and maintaining the **compensatory afforestation** at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State **through online portal**. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
 - (xi) The User Agency shall transfer the funds for **the Net Present Value (NPV)** of the forest land being diverted under this proposal from the User Agency 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 **through online portal** of CAMPA account of the State Concerned;
 - (xii) At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
 - (xiii) Any fund received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA through online portal of Ad-hoc CAMPA account of the State Concerned;
 - (xiv) Following activities shall be undertaken by the user agency at the project cost in supervision of State Forest Department:
 - a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;
 - b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour;
 - d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that the angles of repose at any given place is less than 28°; and
 - e) Strict adherence to the prescribed top soil management.
 - (xv) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 (if applicable);



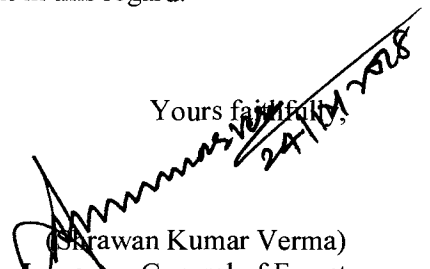
- (xvi) The user agency shall prepare a land surrender schedule for surrender of the mined out and biologically reclaimed forest land in accordance with the existing mine plan and progressive mine closure plan and submit an undertaking that mined out and biologically reclaimed forest land will be surrendered to the State Forest Department as per this schedule.
- (xvii) User agency in consultation with the State Forest Department shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xviii) Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done at the project cost within three years and maintained thereafter as per approved working plan of the State Govt.;
- (xix) User agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, at project cost, one and half time in extent to the area used for safety zone;
- (xx) Period of diversion of the said forest land under this approval shall be for a maximum period 30 years from the date of issue of Stage-II Clearance;
- (xxi) User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 meters from outer perimeter of the mining lease;
- (xxii) The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km. from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF& CC before Stage-II approval;
- (xxiii) 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 and implementation. 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.
- (xxiv) User agency shall undertake mining in a phased manner only after stage-II clearance and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the concern Nodal Officer, Forest (Conservation) Act, 1980, and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, concern Regional Office. 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 Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;



- (xxv) No labour camp shall be established on the forest land;
- (xxvi) User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xxvii) Boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;
- (xxviii) Forest land shall not be used for any purpose other than that specified in the proposal;
- (xxix) State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 3rd August 2009 read with 05.07.2013, in support thereof;
- (xxx) The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly.
- (xxxi) Any other condition that the concern Regional Office of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxxii) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

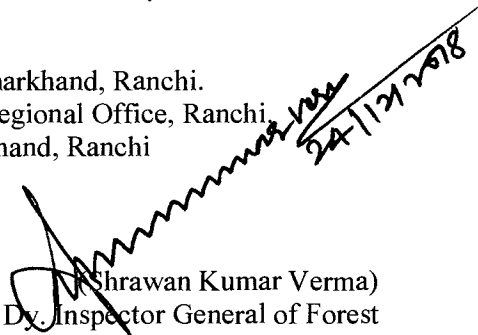
After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,


(Shrawan Kumar Verma)
Dy. Inspector General of Forest

Copy to:

1. The Principal Chief Conservator of Forest (HoFF), Government of Jharkhand, Ranchi.
2. The Addl. Principal Chief Conservator of Forest (Central), Eastern Regional Office, Ranchi.
3. The Nodal Officer (FCA), Office of the PCCF, Government of Jharkhand, Ranchi
4. User agency
5. Monitoring Cell of FC Division
6. Guard file.


(Shrawan Kumar Verma)
Dy. Inspector General of Forest