

F. No. 8-55/2014-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: 11th August, 2018
September

To,

The Special Chief Secretary,
Environment, Forests, Science and Technology Department,
Government of Telangana,
Hyderabad.


Sub: Diversion of 285.44 hectares of forest land in Lankapalli R.F. of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their Kistaram OCP.

Sir,

I am directed to refer to the State Government of Telangana's letter No. 2373/FOR.I (1)/2014 dated 20th May, 2014 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.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *in-principle/ Stage-I* approval of the Central Government is hereby granted for diversion of 285.44 hectares of forest land in Lankapalli R.F. of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their Kistaram OCP, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) *The Forest area 71.71 Ha. required for dumping should be rehabilitated and returned to the Forest Dept. within a maximum period of 10 years from its date of handing over to the User Agency;*
- (iii) *As per Certificate under FRA, rights are recognized to 12 families involving 10.03 Ha. In addition to this, in the Non-forest land identified for dumping, there is one village called Jagannadhapuram where about 120 houses exist, who are also to be rehabilitated. The Officials of SCCL have informed that they have already identified land for shifting the villagers and the District Administration is taking action to rehabilitate them as per the Rehabilitation Policy of the State Govt. Hence, along with the rehabilitation of the villagers, the 12 families for whom rights under FRA are recognized are also to be rehabilitated before starting of mining operations in the area;*
- (iv) *The non-forest land identified for dump measures around 122 ha. shall be handed over to forest department, once treated for future maintenance, so as to prevent land fragmentation there;*
- (v) *The environmental conditions in and around Sathupalli town may be appraised by the E.C. Appraisal Committee separately;*
- (vi) *No rehabilitation shall be done on forest land;*

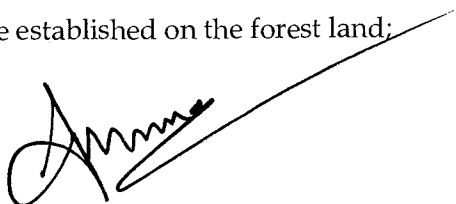


- (vii) Compensatory afforestation over the degraded forest land twice in extent to the area of forest land proposed to be diverted shall be raised on the identified land within three years from the date of Stage -II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency;
- (viii) 25% of revised CA cost will be deposited extra by the user agency for soil and moisture conservation activities on the CA land in the account of Ad-hoc CAMPA of the concerned State through online portal;
- (ix) User agency shall provide funds for preparation and execution of a Wildlife Conservation Plan to mitigate impact of project on Wildlife sanctuary and other habitats of wildlife located in and around the forest land proposed to be diverted;
- (x) The User agency shall submit a schedule for surrender of mined out and reclaimed forest land in the lease as per existing progressive mine closure plan approved by the Coal Controller;
- (xi) 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;
- (xii) 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 Ad-hoc CAMPA account of the State Concerned**;
- (xiii) At the time of payment of the Net Present Value (NPV) at the then prevailing 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;
- (xiv) 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**;
- (xv) Following activities shall be undertaken by the user agency at the project cost and appropriate cost of the plan/scheme shall be deposited in Ad-hoc CAMPA Account:
 - a) A plan containing appropriate mitigation 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 that angles of repose at any given place is less than 28°; and
 - e) Strict adherence to the prescribed top soil management;
- (xvi) 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 within three year at the project cost from the issue of Stage-II Clearance. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a



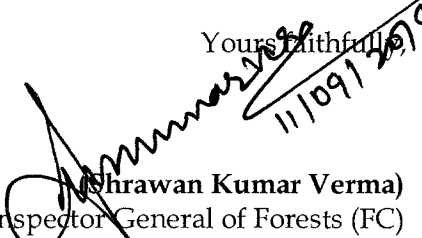
half times the area under safety zone shall also be done at the project cost; The degraded forest land (DFL) so selected will be informed to the MoEF & CC with shape files and afforestation will be done within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department;

- (xvii) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xviii) 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/concerned Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;
- (xix) Suitable bridges /quality roads shall be constructed at all low lying spots being frequently damaged due to movement of lorries with heavy loads of coal;
- (xx) 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;
- (xxi) 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 thereunder, subject to a maximum period of 21 years;
- (xxii) 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;
- (xxiii) 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;
- (xxiv) User agency shall undertake mining in a phased manner 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 Nodal Officer, the Forest (Conservation) Act, 1980, Government of Telangana and concerned Regional Office of this 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, the Forest (Conservation) Act, 1980, Government of Telangana or the Addl. Principal Chief Conservator of Forests (Central) in-charge of the concerned Regional Office of this Ministry 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) 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;
- (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 it's letter No. 11-9/1998-FC (pt.) dated 3rd August 2009 read with 5th July, 2013, in support thereof;
- (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 regularly;
- (xxxi) 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
- (xxxii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines , Hon'ble Court Order (s) and NGT 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 effected till final approval is granted by the Central Government in this regard.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Telangana, Hyderabad.
2. The Nodal Officer (FCA), Government of Telangana, Hyderabad.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (South Eastern Zone), Chennai.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(Shrawan Kumar Verma)
Dy. Inspector General of Forests (FC)