

F. No. 8-31/2010-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan, C.G.O Complex,
Lodhi Road, New Delhi - 110510.
Dated: 15th March, 2012

To
The Principal Secretary (Forests),
Government of Chhattisgarh,
Raipur.

Sub: **Diversion of 1898.328. ha in two phases of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh – reg.**

Sir,

I am directed to refer to the State Government's letter no. FS-4/2010/10-2 dated 28.04.2010 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act, in-principle approval was granted vide this Ministry's letter of even number dated 06.07.2011 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter no. vide its letter no. 331-53/2455 dated 31.12.2011, approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 1898.328. ha in two phases of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh subject to fulfilment of the following conditions:

1. Legal status of forest land shall remain unchanged.
 - a. Compensatory afforestation shall be raised and maintained by the State Forest Department over degraded orange forest land double in extent to the forest land proposed to be diverted at the project cost.
 - b. Fencing, protection and regeneration of the safety zone area shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost.
 - c. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.



2. Following activities undertaken by the project proponent under the supervision of the State Forest Department at the project cost:
 - (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - (iii) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
 - (iv) The areas shall be reclaimed keeping in view the international practice of stabilizing the dumps by grading / benching so that angles of repose (normally less than 28 at any given place) are maintained.
 - (v) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
3. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986 and any other Acts/Regulation/Rules.
4. The 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 & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years.
5. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
6. Demarcation of mining lease area will be done on the ground at project cost using four feet high reinforced cement concrete pillars with serial numbers, forward and back bearings and distance from pillar to pillar.
7. Mining/reclamation schedule shall be implemented by the user agency at their cost as per Environmental Management Plan / phased reclamation programme. The annual report about the progress of reclamation should be submitted to the CCF (Central), Regional Office, Bhopal.
8. The mining shall be done in two phases:
 - i. During phases-I, covering 15 years, the mining shall be restricted to 762.00 ha of forest land.
 - ii. During phase –II the mining permission over remaining 1136.00 ha will be linked to the reforestation and biodiversity management in phase-I.
 - iii. The project proponent will submit the application for permission for mining in phase – II along with compliance report of phase-I.

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9. The user agency will ensure the dumping of OB and phase wise rehabilitation and afforestation of the used / mined out pits / voids as per the approved plan under the supervision of the State Forest Department.
10. The user agency will make arrangement for free supply of alternate fuels to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
11. The forest land shall not be used for any purpose other than that specified in the proposal.
12. Any tree felling shall be done only when it is unavoidable and under strict supervision of the State Forest Department.
13. No damage to the flora and fauna of the area shall be caused.
14. No labour camps shall be set up inside the forest area.
15. The forest land proposed to be diverted shall under no circumstances shall be transferred to any other agency, department or person without prior approval of the Central Government.
16. The user agency will implement the Resettlement and Rehabilitation Plan as per the R&R Policy of State Government.
17. The user agency will undertake transplantation of important tree species under 60 cm girth under the supervision of State Forest Department.
18. The State Government will not come up for opening up of the main Hasdeo-Arand area.
19. The user agency will ensure proper implementation of Wildlife Management Plan prepared by the State Government.
20. The user agency will assist the State Government in conservation and preservation of the flora and fauna of the area.
21. The State Government will suitably incorporate the comments, as suggested by of the WII, Dehradun, into the Wildlife Management Plan prepared for the area. The project proponent has deposited an amount of Rs. 22 crores (Rs. Twenty two crores) towards cost of implementation of the Wildlife Management Plan. Increased costs, if any, due to incorporation of the suggestions of WII, Dehradun will be borne by the user agency. Final copy of the Wildlife Management Plan will be submitted to this Ministry and the Regional Office, Bhopal within a period of three months for the purpose of monitoring. A soft copy in PDF format will also be submitted to the Ministry.
22. The user agency will make provision for appropriate financial outlay for the establishment of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
23. The Wildlife Management Plan will be implemented by the State Government and independent institutions like the Nature Conservation Foundation, Wildlife Trust of India and the Canter for Ecological Studies at the Indian Institute of Science apart from the Wildlife Institute of India may be involved in implementation of the Plan. In order to ensure proper implementation of the Wildlife Management Plan, the State Government shall make necessary provisions for carrying out the monitoring and evaluation of the plan. It would be appropriate to include

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Chief Wildlife Warden of the State in monitoring the implementation of the Plan.

24. The user agency will undertake and implement suitable mitigative measures as prescribed in the Wildlife Management Plan for reducing the dependency of cattle and people on the surrounding forest area.
25. Any other condition that the Chief Conservator of Forests (Central), Regional Office, Bhopal may impose from time to time in the interest of conservation, protection or development of forests.
26. The user agency shall submit the annual compliance report in respect of the above conditions to the State Government and to the Regional Office, Bhopal regularly.

Yours faithfully,


(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests Government of Chhattisgarh, Raipur.
2. The Nodal Officer, Office of the PCCF, Government of Chhattisgarh, Raipur.
3. The Chief Conservator of Forest, Regional Office, Bhopal.
4. User Agency
5. Monitoring Cell, FC Division.
6. Guard file.


(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests