

**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Forest Conservation Division)**

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Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi: 110003  
**Dated: 07th August, 2020**

To

**The Principal Secretary (Forests),**  
**Government of Chhattisgarh,**  
Mantralaya, Mahanadi Bhavan,  
New Raipur (CG).

**Sub:Proposal seeking prior approval of Central Government under Forest (Conservation) Act, 1980 for non-forestry use of 93.58 ha of Revenue Forest Land in favour of M/s South Eastern Coalfields Limited (SECL) for Amgaon Opencast Coal Mining Project District Surajpur (Chhattisgarh) - reg.**

**Madam/Sir,**

I am directed to refer to the State Government of Chhattisgarh's letter no. 5-21/2018/10-2 dated 16<sup>th</sup> October, 2018 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval to the proposal under the Forest (Conservation) Act, 1980 was granted by the Central Government vide letter of even number dated 15<sup>th</sup> April, 2019 subject to fulfillment 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. 5-21/2018/10-2 dated 15.06.2020, final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of 93.58 ha of Revenue Forest Land in favour of M/s South Eastern Coalfields Limited (SECL) for Amgaon Opencast Coal Mining Project District Surajpur (Chhattisgarh) subject to following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory afforestation over the degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department at the cost of the User Agency. It shall

be ensured by the PCCF & HoFF that no plantation/afforestation under any scheme/programme was taken up over the identified degraded forest land for raising compensatory afforestation under this proposal.

3. Approved site-specific CA schemes, in lieu of diversion of forest land of 93.58 ha and violation of FC Act, 1980 shall be implemented by the State Forest Deptt. from the funds provided by the User Agency;
4. The State Government has realized the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard, additional NPV if becomes due as per final order of Hon'ble Supreme Court, shall be paid by the User Agency;
5. Funds, if any to be received from the User Agency under the project in future, shall be transferred, through e-challan, to the account of State CAMPA concerned;
6. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the 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;
7. 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, as amended or Rules framed there under subject to a maximum period of 30 years.
8. 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), as per approved scheme, located in the area within 100 m from outer perimeter of the mining lease;
9. 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 (FCA), 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 DDG (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.

10. The user agency shall surrender the mined out and reclaimed forest land in accordance with existing mining plan and schedule for their surrender submitted along with Stage-I compliance;
11. Following activities shall be undertaken by the user agency for the management of safety zone:
  - a. User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its protection by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbered wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department.
  - b. In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation /regeneration activities in the safety zone.
  - c. Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department.
  - d. Afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall also be done by the user agency at the project cost under the supervision of the State Forest Department.
12. 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. A monitoring committee comprising DFO concerned as member in accordance with Govt. policies may be constituted for implementation of Reclamation Plan;
13. The said R & R Plan will be monitored by the State Government/Regional Office of MoEF along with indicators for

monitoring and expected observable milestones;

14. The user agency shall undertake 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;
15. Following activities shall be undertaken by the User Agency at the project cost:
  - a. Implementation of a Plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;
  - 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 along the contour to arrest sliding down of the excavated material;
  - 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 degrees; and
  - e. Strict adherence to the prescribed top soil management.
16. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
17. No labour camp shall be established on the forest land;
18. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
19. The protection plan which provides the provisions of gas/fuel supply to the laborers and the staff working at the site to avoid any damage and pressure on the adjacent forest areas shall be implemented
20. The boundary of the diverted forest land, mining lease 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 and distance from pillar to pillar;
21. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

22. The forest land shall not be used for any purpose other than that specified in the proposal;
23. 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;
24. No damage to the flora and fauna of the adjoining area shall be caused;
25. The trees to be felled in the proposed area are not marked properly. Hence, tree enumeration be completed with marking before handing over of the land to user agency. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
26. The State Government shall ensure that process for settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted has been completed in accordance with the relevant rules/guidelines issued by the MoEF&CC;
27. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly;
28. 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
29. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

Sd/-

(Brijendra Swaroop)

**Dy Inspector General of Forests (FC)**

Copy to:

1. The PCCF (HoFF), Government of Chhattisgarh, Raipur.
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Nagpur.
3. The Nodal Officer (FCA), O/o of the PCCF, Aranya Bhawan, New

Raipur.

4. User Agency.

5. Monitoring Cell, FC Division, MoEF&CC, New Delhi