

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

देशीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region.

"Kendriya Paryavaran Bhavan"
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File No. 6-MPA04/2018-BHO/ 438

Dated: 16/07/2018

To.

Shri Sandeep Sharma (AIGF),
FC Division,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi- 110003.

Sub: PROPOSAL FOR DIVERSION OF 107.816 HA OF FOREST LAND FOR FOR TAWA
UNDERGROUND COAL MINING PROJECT IN FAVOUR OF M/S MANAGER,
WCL, PATHAKHEDA REGION IN BETUL DISTRICT, MADHYA PRADESH.

Ref.: Your letter No. 8-06/2018 dated 25/01/ 2018

Sir,

With reference to above, I am directed to enclose herewith the Site Inspection Report for further necessary action at your end.

Encl. : As above.


(B. Abhay Bhaskar)
DCF(C)

SITE INSPECTION REPORT OF PROPOSAL FOR DIVERSION OF 107.816 HA OF FOREST LAND FOR FOR TAWA UNDERGROUND COAL MINING PROJECT IN FAVOUR OF M/S MANAGER, WCL, PATHAKHEDA REGION IN BETUL DISTRICT, MADHYA PRADESH.

Title of Project as per Part-I : Post facto approval of 107.816 ha forest land for underground mining of Pathakhera Area

Date of Inspection: 12/07/2018

1. Legal Status of Forest land proposed for diversion.
 - 1) Reserved Forests - **107.816 ha**
 - 2) Protected Forests - **00.00 ha**
 - 3) Revenue Forests - **00.00 ha**
 - 4) Non-forests - **46.492 ha**
2. How the land proposed for diversion is to be utilized? : **For underground coal mining project.**
3. Whether the proposal involves any construction of buildings (including residential): **No.**
4. Total cost of Project. : **Rs. 6727.75 lakhs**
5. Wild Life: **Not give in Part-II. No direct sighting of wildlife during site inspection.**

Whether the forest area proposed for diversion is important from Wildlife point of view or not : **Proposal is not a part of any protected area. but in 10 km radius of Satpuda-Melghat Tiger Reserve Corridor & Pachmadhi Biosphere Reserve boundary**

6. Aerial distance from the nearest boundary of any protected area : **Not given in part-II**
7. Vegetation :
 - a. Trees to be felled : **NIL.**
 - b. Effect of removal on the general ecosystem in the area: **Not Applicable.**

As per Part-II, Canopy Density 0.7 in Eco Class 3. The area is Revenue Forests and similar situation was observed during site inspection. The vegetation containing *Tectona grandis*, *Anogeissus latifolia*, *Madhuca longifolia*, *Lagestromia parviflora*, *Butea monosperma*. etc were observed.

8. Background note of the proposal:

The project needs 107.816 ha of forest land and in addition project requires 46.492 ha of non-forest area is required. User agency have Government of India , Ministry of Environment & Forests New Delhi Letter no./ F.NO.-8-102/2004-FC dated 30/01/2012 Stage-I approval for diversion of 90.00 ha of forest land (A-I) which is other project in same area, but DFO refers said Stage-I approval and its condition in every proposal for diversion from WCL, Betul. In compliance to the same the User Agency / WCL had deposited the amount with Forest Department which is as follows :

1. **Rs 23,22,38,995.00 via RTGS UTR in CAMPA account**
2. **Rs 1,67,52,284.00 via DD no. 609019 dt 1/6/2018 to DFO, Betul**
3. **Rs 64,69,605.00 via DD no. 609018 dt 1/6/2018 to DFO, Betul**

Entire area will be used for underground coal mining project. The coal is of non-cooking quality.

9. Compensatory Afforestation : **Not applicable as per 3.2(vii)(c) of F(C)A, 1980 handbook/ guideline.**
10. Whether proposal involves violation of Forest (Conservation) Act ? : **Yes, as the proposal is for the post facto approval of 107.816 ha forest land for underground mining of Pathakhera Area.**
11. Whether the proposal involves rehabilitation of displaced people? : **No.**
12. Reclamation Plan : details and Financial Allocation : **Not applicable.**
13. Cost benefit ratio : **submitted.**
14. Utility of project: **Underground coal mining project.**
15. Number of Scheduled Case and Scheduled Tribe involved in the Project: **Yes.**
16. Compliance of FRA 2006-DC Certificate: **Not submitted.**
17. Whether the land being diverted has any socio-cultural / religious value: **No.**
18. Whether any sacred groves or very old growth of tree of forest exist in the area proposed for diversion? : **No**
19. DFO recommendation : there are different recommendations of DFO as in **e.protal** and **F(C)A forms part-II**
 - i. **e.protal** : (1) The applicant agency is continuously extracting mineral from the above mentioned forest land since 1980, therefore Ex-post facto approval may be granted to the applicant after imposing penalty on the organization as mining activities is being carried out by the organization without prior approval of the Central Government .

ii. **F(C) A form Part-II:**

<p>1. आवेदित कल क्रमांक - आरएफ - 340 341 342 343 सतपुड़ा मेलघाट कारीदोर की सीमा से एवं पंचमढी बायोस्फियर रिजर्व की सीमा से 10 कि.मी की परिधि में आता है ।</p> <p>2- आवेदित वन भूमि में वन संरक्षण अधिनियम 1980 के लागू होने के पूर्व ही कोयला बर्यांग एरियाज एक्ट 1957 के तहत जीवित वन आवेदक संस्थान द्वारा भूमिगत खनन कार्य किया गया है एवं वर्ष 1980 के बाद भी भूमिगत खनन कार्य किया जा रहा है । भारत सरकार पर्यावरण एवं वन मंत्रालय के पत्र क्रमांक / एफ.न 2 1 / 2003 1 c (Part-4) दिनांक 06/07 दिसम्बर 2004 से जारी निर्देशों के अनुरूप दिनांक 25.10.1980 के पश्चात भूमिगत खनन जारी रहना वन संरक्षण अधिनियम 1980 के उल्लंघन की परिधि में आता है ।</p> <p>3. आवेदक संस्थान द्वारा वन (संरक्षण) अधिनियम 1980 के अंतर्गत भारत शासन से औपचारिक स्वीकृति प्राप्त प्रकरण में वार्षिक एवं दशकिक वृक्षारोपण की मात्रा अनुसार कुल राशि रुपये 25,54,62,766/- (पच्चीस करोड़ पचास लाख बासठ हजार सात सौ छैसठ रुपये मात्र) आज दिनांक तक जमा नहीं की गयी है । वर्ष 2012 से आज दिनांक तक मंत्रगई में वृद्धि होने पर वार्षिक वार्षिक वृक्षारोपण हेतु आकर्षित राशि में बढ़ावरी लेना आवश्यकता है ।</p> <p>4- वार्षिक नियमानुसूल प्राप्तान रखत हुये आवेदक संस्थान को भूमिगत खनन की कार्यांतर स्वीकृति प्रदान करने की अनुशसा की जाती है ।</p>
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20. Recommendation of Nodal officer and the State government: **Recommended.**

21. Details of comments of the APCCF (LM), MP on alternate routes/alignments for locating the projects. : **Recommended by APCCF (LM), MP.**

22. **Specific observation:-**

1. The user agency had started operation of mining in 1992, the entry and exit shaft is located on non-forest land. The approximately 30% of coal from proposed forest land is extracted and after progress of mine rest will be extracted.
2. As per the forest department, surface area is under management of forest department and regular management of area as per the working plan prescription.
3. As per Part-II, DFO reports that the area has CD 0.7, Eco-class 3. However, the project is underground mining & no removal of tree is proposed. The similar situation was also observed.
4. The violation may be dealt in accordance to MoEFCC guideline no. F. No. 11-42/2017-FC dated 29/01/2018.
5. The Penal CA in accordance to Para 4.3 (ii) of Handbook of FCA Shall be submitted.
6. CA is not applicable for UG mines as per 3.2(vii)(c) of F(C)A, 1980 handbook/ guideline but UA continued the operation and the State Forest department did not stop the extraction of mineral, responsibility on both may be fixed.

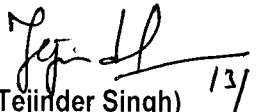
The above observations are framed as the WCL is Govt Company and surface area is under active management of forest department. The specific observation and comments are submitted for consideration in FAC, please.

Dated: 13/7/18.....


(B. Abhay Bhaskar)
Dy. Conservator of Forest (C)

Recommendations of APCCF(C), R.O., Bhopal :

In view of the details mentioned in the site inspection report of Dy. Conservator of Forest (C), undersigned recommends the diversion of 107.816 ha of forest land for Tawa underground coal mining project in favour of m/s Manager, WCL, Pathakheda Region in Betul district, Madhya Pradesh under Forest (Conservation) Act 1980 subject to the specific observation in the SIR.


(Dr. Tejinder Singh) 13/7/18
APCCF(C),
R.O., Bhopal

Photographs of Site:

