

F. No. 8-91/2010-FC
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 110003

Dated: 18th April, 2017

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

Sub: Transfer of lease in respect of diversion of 197.727 ha of forest land for OCP/UG Coal Mining from the original user i.e. M/s Goa Industrial Development Corporation, in whose favour forest land was diverted, to new user agency i.e. M/s Chhattisgarh State Power General Company Limited, in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal- reg.

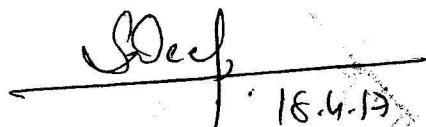
Sir,

I am directed to refer to the Ministry of Coal's letters no. 13016/38/2015-CA-III (Vol.II) dated 16th September, 2016 and 103/26/2015/NA dated 22.12.2016 on the above subject requesting this Ministry to transfer its approval granted under the Forest (Conservation) Act, 1980 for diversion of 197.727 ha of forest land for OCP/UG Coal Mining from the original user i.e. M/s Goa Industrial Development Corporation, in whose favour forest land was diverted, to new user agency i.e. M/s Chhattisgarh State Power General Company Limited, in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal.

After careful examination of the proposal in accordance with para 2.8 of the Guidelines read with the Guidelines dated 03.05.2010, 03.05.2013 and 31.03.2015 under the Forest (Conservation) Act, 1980 for transfer of approval granted by the Central Government and on the basis of recommendations of the Ministry of Coal, **the Central Government hereby conveys its approval for lease transfer from M/s Goa Industrial Development Corporation to M/s Chhattisgarh State Power General Company Limited subject to following condition:**

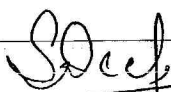
- (i) Lease transfer charges @ 10% of the NPV or Rs. 1,00,000/- (1 Lakh) whichever is less will be realized from the new user agency and will be deposited in the account of Ad-hoc CAMPA before execution of lease in favour of the new user agency.
- (ii) Reimbursement of amount paid by the original user agency shall be dealt with in the manner, as provided in the Coal Mines (Special Provisions) Second Ordinance, 2014 and Rules framed there under.
- (iii) The new user agency shall pay the NPV as per the approval granted under FC Act if not paid earlier. The new user agency shall also furnish an undertaking to pay the additional NPV, if so determined by the Hon'ble Supreme Court of India.
- (iv) The new user agency shall abide by any other condition that may be stipulated by the Central Government/Regional Offices/State Government in future in the interest of conservation, protection and development of forests & wildlife.
- (v) The new user agency shall abide by the following conditions on which the forest land was leased to the original user agency:

1. Legal status of the diverted forest land shall remain unchanged;


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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 from the funds deposit by the User Agency;
3. The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the mining lease or mining cluster, as applicable, and such other areas as specified in the approved mining plan) at the project cost;
4. The following activities shall be undertaken by the User Agency under supervision of the State Forest Department at the project cost:
 - (a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.
 - (b) Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
 - (c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - (d) Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°; and
 - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
5. 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;
6. 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;
7. The User Agency shall pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India;
8. 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, as amended and the Rules framed there-under;
9. The forest land shall not be used for any purpose other than that specified in the proposal;
10. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
11. No labour camps shall be set up inside the forest area;
12. The user agency shall provide fuel wood preferably alternate fuel to the labourers working at the site to avoid damage / felling of trees;


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13. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department
14. No damage to the flora and fauna of the adjoining area shall be caused;
15. 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 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease. The plan for plantation and SMC activities will be prepared and submitted to MoEF &CC before Stage-II Clearance;
16. 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, Forest (Conservation) Act, 1980, 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 Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed
17. 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;
18. 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
19. The user agency shall comply all 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.



(Sandeep Sharma) 15.4.17

Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Chhattisgarh, Raipur.
2. The Addl. PCCF (Central), Western Regional Office, Bhopal.
3. The Nodal Officer (FCA), O/o the PCCF, Government of Chhattisgarh, Raipur.
4. User Agency
5. Monitoring cell, FC Division, MoEF
6. Guard File.



(Sandeep Sharma) 15.4.17

Assistant Inspector General of Forests