

F. No. 8-46/2017-FC
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

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

Dated: 19th December, 2017

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

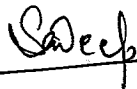
Sub: Proposal for prospecting of coal for use of 1745.883 ha of forest land of Kente Extension coal block in favour of Rajasthan Rajya Vidyut Utpadan Nigam Limited for exploration of coal reserves by undertaking 153 boreholes of 4" dia in Suga District in the State of Chhattisgarh.

Sir,

I am directed to refer to the Government of Chhattisgarh's letter No. F-5-44/2017/10-2 dated 07.07.2017 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 under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, In-principle approval /Stage-I Clearance of the Central Government is hereby granted for prospecting of coal for use of 1745.883 ha of forest land of Kente Extension coal block in favour of Rajasthan Rajya Vidyut Utpadan Nigam Limited for exploration of coal reserves by undertaking 153 boreholes of 4" dia in Suga District in the State of Chhattisgarh subject to the following conditions:

- (i) The User Agency shall be allowed exploratory drilling of a maximum of 153 bore holes of 4" diameter over 1745.883 ha of forest land.
- (ii) A biodiversity assessment study is to be conducted by state government through ICFRE Dehradun in consultation with Wildlife institute of India Dehradun for the whole Hasdeo- Arand coalfields comprising of Tara, Parsa, Parsa East, Kante to be funded by M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RVUNL). The study is to be awarded by State Government by associating the Indian Council of Forestry Research and Education (ICFRE), Dehradun and Wildlife Institute of India (WII) Dehradun and integrated wildlife management plan (IWMP) will be prepared and conservation area will be identified and mitigation measures will be recommended by the expert committee. The cost of study and cost of implementation of recommendations shall be borne by M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL). The report will be submitted within two years.
- (iii) The permission for prospecting of coal in forest area does not assure any subsequent right to M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL) to claim permission under section 2(ii) of FCA 1980 for mining of coal. Fresh proposal for diversion under section 2(ii) of FC Act for mining will be considered on merit based on the report of the expert committee so constituted to study the biodiversity in the area, by FAC on the



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recommendations of the State Government, existing guidelines and policy for coal mining and the standard procedure for diversion of forest land for coal mining shall be followed in such case.

- (iv) No tree/ vegetation shall be allowed to be removed /felled during prospecting. User agency shall give an undertaking that no forest area will be diverted for road.
- (v) Compensatory afforestation shall be raised over equal diverted forest land and at-least 1000 plants per hectare (6.12125 hectares x 1000 = 6200 plants) shall be planted over identified non- forest land (6.2 ha) in pits of size 0.6m x 0.6m x 0.6m filled with imported soils and manure with provision for ten years on subsequent maintenance. Identified non-forest land for CA has been certified to be suitable for bald hill plantation by the state government.
- (vi) 25% of revised CA cost will be deposited extra by the user agency for soil and moisture conservation (SMC) activities on the CA land.
- (vii) The non-forest land will be transferred in favour of forest department before the stage-II approval.
- (viii) The approval for prospecting shall be subject to the outcome of the Civil Appeal No. 4395 of 2014 in the matter of Rajasthan Rajya Vidyut Utpadan Nigam Ltd vs. Sudiep Shrivastava pending before the Hon'ble Supreme Court.
- (ix) The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale.
- (x) The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act.
- (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 activities to be undertaken by the user agency within the forest land for prospecting shall not result in felling of any tree;
- (xiii) The samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose;
- (xiv) To minimize disturbance to the wildlife, user agency shall take all possible measures to minimize noise during prospecting operations and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concern State Forest Department ;
- (xv) The State Forest Department shall deploy adequate staff to supervise the activities to be undertaken by the user agency to prevent any damage to the flora (especially the fresh regeneration), fauna and also to prevent felling of trees during drilling of holes and movement of equipment;
- (xvi) After completion of the prospecting all bore holes shall be completely filled up and the ground restored back to its original position ;
- (xvii) During transportation of Bore drilling Machine / rigs, no new road / permanent path in the forest area will be constructed.
- (xviii) The State Government and the user agency shall comply with any other condition that the concern Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xix) The user agency and the State Government shall ensure compliance to provisions of the Guidelines dated 4th July, 2014 issued by the Ministry regarding drilling in the forest land.
- (xx) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and



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(xxi) This permission shall, in no way, confer any rights to the project proponents or any other agency for grant of approval under the Forest (Conservation) Act, 1980 for diversion of forest land for any other non-forestry use of the said forest land

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 affected till final approval is granted by the Central Government in this regard.

Yours faithfully,



(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

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Copy to:-

1. The Principal Chief Conservator of Forests, Government of Chhattisgarh, Raipur.
2. The Addl. PCCF (Central), Regional Office, Nagpur
3. The Nodal Officer (FCA), O/o PCCF, Government of Chhattisgarh, Raipur.
4. User Agency.
5. Monitoring Cell of Forest Conservation, MoEF&CC, New Delhi.
6. Guard File.



(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

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