

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

Indira Paryavaran Bhawan,
 Jar Bag Road, Aliganj,
 New Delhi — 110003
Dated: 5th January, 2024

To,

The Principal Secretary (Forests),
 Government of Madhya Pradesh,
 Bhopal.

Subject: Proposal for seeking prior approval of the central Government under Section 2 (1) (ii) of Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 in favour of M/s Western Coalfields Limited for non forestry use of 54.639 ha of Revenue Forest land of Jamunia Pthaar Under Ground Coal Mining Project in West Chhindwara District under the Chhindwara Forest Division, Madhya Pradesh State (Online No. FP/MP/MIN/10885/2015) - regarding.

Madam/Sir.

I am directed to refer to the Government of Madhya Pradesh's letter No. F1/FP/MP/MIN/10885/2015/10-11/1634 dated 13.06.2017 on the above subject seeking prior approval of the Central Government under section-2 of the Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980. After careful examination and recommendation of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval under the Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 was granted vide this Ministry's letter of even number dated 03.01.2018 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, F-1/FP/MP/M1N/10885/2015/ 10-11/4418 dated 26.12.2020, letter No. F-1/FP/MP/M1N/10885/ 2015/10-11/3330 dated 26.07.2023, letter No. F-1/FP/MP/M1N/10885/2015/10-11/3654 dated 14.08.2023, letter No. F 1/FP/MP/M1N/10885 /2015/10-11/4372 dated 29.09.2023 and letter No. F 1/FP/MP/M1N/10885/2015/10-11/5144 dated 05.12.2023, 'Final/Stage—II' approval of the Central Government is hereby accorded under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Western Coalfields Limited for non forestry use of 54.639 ha of Revenue Forest land of Jamunia Pthaar Under Ground Coal Mining Project in West Chhindwara District under the Chhindwara Forest Division, Madhya Pradesh, subject to fulfilment of the following conditions:

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


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- ii. No opening and breaking of land for mining will be done in Forest Area. In case of any damage to surface by way or underground work, the user agency shall pay all damages and recoveries.
- iii. The State Government shall ensure that process for settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has been completed in accordance with the relevant guidelines prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013;
- iv. The State Govt. shall ensure that the KML files of diverted area shall be uploaded on the e-Green watch portal with all requisite details before issuing the formal order;
- v. The State Government and user agency shall monitor the mining induced subsidence and take appropriate mitigative measures to ensure that it remains within the permissible limit;
- vi. The State Government and user agency shall ensure that no opening and breaking of land for mining will be done in Forest Area. In case of any damage to surface by way or underground work, the company shall pay all damages and recoveries.
- vii. The State Government shall ensure that the User Agency shall maintain the boundary of the mine with green belt of at least three rows of trees of local species;
- viii. The State Government shall ensure that that the whole forestland in the mining lease area will be planted with local species in consultation and association with the forest department at the cost of user agency as per the plan prepared for afforestation scheme for surface area and funds deposited already in compensatory afforestation fund managed by CAMPA;
- ix. The State Government shall ensure that that the User Agency shall take adequate protection measure not to damage any nala / river/ small stream / dams during the underground mine and shall maintain the mine with green belt of 50 meter with at least three rows of trees on both side of nala / river / small stream;
- x. The ground area over the mine shall not be allowed to be used for construction of residential buildings or labour camps;
- xi. Forest land within the project area for which approval has not been obtained by user agency shall not be used for non-forestry purpose;
- xii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xiii. 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 coordinates;
- xiv. 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;


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- xv. The State Government shall ensure that green cover on the ground over the underground part of mine shall be maintained as forest and supplemented by plantations in gaps at the cost of user agency;
- xvi. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined out 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 concern Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
- xvii. Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:
- 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 degrees; and
- xviii. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xix. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act. 1986, if required;
- xx. No labour camp shall be established on the forest land and 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;
- xxi. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- xxii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xxiii. 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;


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- xxiv. No damage to the flora and fauna of the adjoining area shall be caused;
- xxv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when A is unavoidable and that too under strict supervision of the State Forest Department;
- xxvi. The rights of the peoples allotted under FRA, 2006 shall be settled by following due procedure prescribed under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, whichever applicable. The provisions of FRA 2006 shall be complied by the State Government;
- xxvii. The User Agency shall implement the R & R Plan, if applicable, 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. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC;
- xxviii. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc in a timely manner;
- xxix. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
- xxx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019:
- xxxi. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter of even number dated 03.01.2018 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order(s) and NGT Order(s), if any, pertaining to this project for the time being in force, as applicable to the project.

Yours sincerely,



(Suneet Bhardwaj)

Assistant Inspector General of Forests

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Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal
3. The Nodal Officer (FCA), Department of Forest Government of Madhya

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Pradesh, Bhopal:

4. User Agency;
5. Monitoring Cell. FC Division. MoEF & CC, New Delhi for uploading on PARIVESH portal.

