

I/39454/2023

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

Indira Paryavaran Bhawan,
 Jor Bag Road, Aliganj,
 New Delhi – 110003
Dated: 09th March, 2023


To,

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

Subject: Diversion of 385.841 ha forest land (including 340.148 ha forest land and 45.693 ha of revenue forest land) in favour of M/s Western Coalfields Limited for Dhankasa underground coal mining project and construction of road in West Chhindwara district under the Chhindwara forest division, Madhya Pradesh - (Online No. FP/MP/MIN/16527/2015) - regarding.

Madam/Sir,

I am directed to refer to Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh's letter No. F-1/FP/MP/MIN/16527/2015/10-11/1632 dated 13.06.2017 on the subject mentioned above, seeking prior approval of Central Government under Section-2(ii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, *In-principle/Stage -I* approval for the proposal was granted by this Ministry's letter of even number dated 02.01.2018 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/Stage-I approval and has requested the Central Government to accord Final/Stage-II approval.

 In this connection, I am directed to say that on the basis of the compliance report furnished by Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No. F-1/FP/MP/MIN/16527/2015/10-11/4412 dated 26.12.2020, letter No. F-1/FP/MP/MIN/16527/2015/10-11/4112 dated 02.12.2022 and letter No. F-1/FP/MP/MIN/16527/2015/10-11/930 dated 01.03.2023 **Final /Stage-II approval** of the Central Government is hereby accorded under Section-2(ii) of the Forest (Conservation) Act, 1980 for diversion of 385.841 ha forest land (including 340.148 ha forest land and 45.693 ha of revenue forest land) in favour of M/s Western Coalfields Limited for Dhankasa underground coal mining project and construction of road in West Chhindwara district under the Chhindwara forest division, Madhya Pradesh, subject to fulfillment of the following conditions:


A: Conditions which need to be complied prior to handing over of forest land

to user agency by the State Govt.: -

- i. The User Agency shall implement the Rehabilitation & Resettlement (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. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- ii. The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard, before handing over of forest land to the user agency;
- iii. The State Government shall ensure that all the compensation, as per the norms and rules of the State Government to the affected persons shall be paid prior to handing over of forest land to the User agency;
- iv. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency.

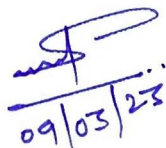
B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. For approach road on surface area, involving 9.65 ha of forest area, compensatory afforestation shall be raised over identified non-forest land of 11.404 ha (*which has been notified as Protected Forest under the relevant provisions of the Indian Forest Act-1927 by the State Government against this proposal vide notification no. 482/R-1110565/2023/10-3 dated 27.02.2023*) within a period of three years with effect from the date of Stage-II approval and maintained thereafter in accordance with approved Plan in consultation with the Forest Department at the cost of the user agency. As far as practicable a mixture of local indigenous species will be planted and mono-culture of a species has to be avoided;
- iii. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- iv. 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;
- v. In future, the company shall not ask the moderately / highly density forest area (i.e. canopy density >0.6) for open cast mining;


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- vi. The forest clearance will be for 25 years from the date of issue of final stage –II clearance;
- vii. The User Agency shall maintain the boundary of the mine with greenbelt of at least three rows of trees of local species;
- viii. The whole forest land 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;
- ix. The User Agency shall take adequate protection measures not to damage any nala/river/small stream/dams during the underground mine and shall maintain the mine with green belt of 50m with at least three rows of trees on both side of nala/river/small stream;
- x. 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;
- xi. Boundary of the forest land proposed to be diverted 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, distance from pillar to pillar and GPS coordinates;
- xii. 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;
- xiii. No damage to the flora and fauna of the adjoining area shall be caused;
- xiv. The layout of the mining plan/proposal shall not be changed without the prior approval of the Central Government;
- xv. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xvi. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Integrated Regional Office and to this Ministry by the end of March every year regularly;
- xvii. The User Agency and the State Government shall ensure compliance of provisions of the all Acts, Rules, Regulations, Guidelines, relevant Hon'ble Court Order (s) and National Green Tribunal (NGT) Order(s), if any, pertaining to this project for the time being in force, as applicable to the project;
- xviii. The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated



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28th March, 2019;

- xix. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried out by the State Government and User Agency;
- xx. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter dated 02.01.2018 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**Copy to:**

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.