

F. No. 8-25/2017-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 June, 2018

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

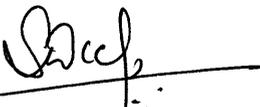
Sub: Diversion of 99.350 ha of Reserved forest land for Bauxite non-coal Mining in favour of M/s Chhattisgarh Mineral Development Corporation Ltd (CMDCL) Raipur, in Pathari village in Surguja Forest Division of Surguja District in the State of Chhattisgarh.

Sir,

I am directed to refer to the Government of Chhattisgarh's letter F-5-34/2016/10-2 dated 13.11.2016 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under Section-3 of the said Act, *In-principle* approval was granted vide this Ministry's letter of even number dated 28.08.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the 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 Addl. Pr. Chief Conservation of Forests & Nodal Officer (FCA), State Government of Chhattisgarh vide their letters No. BHU- Prabandh/Khanij/331-182/224/1161 dated 11.04.2018 and BHU-Parbandh/Khanij/331/224/1804 dated 15.06.2018 **Stage-II/Final approval** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 99.350 ha of Reserved forest land for Bauxite non-coal Mining in favour of M/s Chhattisgarh Mineral Development Corporation Ltd (CMDCL) Raipur, in Pathari village in Surguja Forest Division of Surguja District in the State of Chhattisgarh subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over 200 ha. of identified revenue forest land shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department from the funds of Rs. 12,00,44,400/- deposited in Ad-hoc CAMPA account by the user agency;
- (iii) At-least 1000 plants per hectare in the revised identified CA land of 200 ha i.e. (200 hectares x 1000 = 2,00,000 plants) shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter as per approved prescription of working plan. If it is not possible to plant all these seedlings in the identified CA land, then the balance seedlings will be planted in any degraded Forest in the State as per prescription of working plan;
- (iv) The State Govt. shall ensure that the approved Biodiversity Management Plan including Wildlife Conservation Plan shall be implemented by user agency at their cost of Rs. 45.65 lakhs in consultation with State Forest Department.

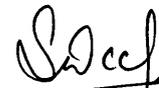

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- (v) The State Govt. shall ensure that the revenue forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and the same shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;
- (vi) The State Govt. shall ensure that the following activities shall be undertaken by the user agency at the project cost:
 - a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;
 - b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour;
 - d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28o; and
 - e) Strict adherence to the prescribed top soil management.
- (vii) The State Govt. ensure that 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;
- (viii) The State Govt. ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986,if required;
- (ix) The State Govt. ensure that the user agency shall implement the approved land surrender schedule for surrender of the mined out and biologically reclaimed forest land in accordance with the existing mine plan and progressive mine closure plan ;
- (x) The State Govt. ensure that the user agency in consultation with the State Forest Department shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xi) The State Govt. ensure that the fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done at the project cost within three years and maintained thereafter as per approved working plan of the State Govt. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost;
- (xii) 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, and the Rules framed there-under as amended;
- (xiii) The State Govt. ensure that the user agency in consultation with State Forest Department shall carry out gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 meters from outer perimeter of the mining lease;
- (xiv) The State Govt. shall ensure that the user agency shall implement the approved plan for de-silting of the village tanks and other water bodies located within five km from the mine lease boundary as identified so as to mitigate the impact of siltation of such tanks/water bodies at their cost in consultation with State Forest Department;
- (xv) The State Govt. ensure that the User Agency shall implement the 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 and the said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and


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- expected observable milestones.
- (xvi) The State Govt. and the user agency shall ensure that the mining may be carried out 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 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) The State Govt. ensure that no labour camp shall be established on the forest land;
- (xviii) The State Govt. ensure that the user agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xix) The State Govt. ensure that the boundary of the mining lease and safety zone 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 co-ordinates;
- (xx) The State Govt. ensure that the Forest land shall not be used for any purpose other than that specified in the proposal;
- (xxi) The State Govt. ensure that the user agency shall submit the annual self- compliance report in respect of the above conditions and also to the conditions stipulated in Stage-I Clearance for which undertakings given, to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;
- (xxii) Any other condition that the Regional Office (Western Zone), Nagpur of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxiii) The State Government and user agency shall comply 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.

Yours faithfully,



(Sandeep Sharma) 19.7.16

Assistant Inspector General of Forests (FC)

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 Chhattisgarh, Raipur.
4. User Agency.
5. Forest Conservation Monitoring Cell, FC Division, MoEF&CC, New Delhi.
6. Guard File.



(Sandeep Sharma) 19.7.16

Assistant Inspector General of Forests (FC)