

PART -IV

**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force))**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.- Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District in the State of Maharashtra (FP/MH/MIN/145510/2021). The details of land proposed for diversion is as under-

Sr. No	Item work purpose	District	Name of Village	Taluka	Gut No.	Compt. No.	Area (in ha.)	Legal Status
1	Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District	Yavatmal	Pardi	Zari Jamni	12	20A, 20B,19	119.078	Reserved Forest
2			Sawali		9	--	7.930	
					10 P	--	2.763	
3			Ruikot		1 Part	--	17.225	
Total Forest Land (in ha.)							146.996	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur is attached on page no.

 26/4/23

**(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: 26/04/2023

Place: Nagpur

Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal lock in Yavatmal District in the State of Maharashtra (FP/MH/MIN/145510/2021)

**Specific Recommendation of Principal Chief Conservator of Forests
(Head of Forest Force), Maharashtra State, Nagpur with regards to acceptance or otherwise of the proposal supported by reasons.**

1.0 The proposal is for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal lock in Yavatmal District in the State of Maharashtra in favor of M/s Yazdani International Private Limited, Bhubneshwar, for seeking approval under Forest (Conservation) Act, 1980.

2.0 The details of the forest land proposed for diversion are as under:-

Sr. No	Item work purpose	District	Name of Village	Taluka	Gut No.	Compt. No.	Area (in ha.)	Legal Status
1	Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District	Yavatmal	Pardi	Zari Jamni	12	20A, 20B,19	119.078	Reserved Forest
2			Sawali		9	--	7.930	
10 P					--	2.763		
3			Ruikot		1 Part	--	17.225	
Total Forest Land (in ha.)							146.996	

3.00 The proposal has been initiated by the Authorized Signatory, Ashok Kumar Pani, Vice President, Yazdani International Private Limited for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District in the State of Maharashtra. The proposed Marki Mangli (II), coal block in village Ruikot, Pardi, Savli and Mukutban in Zari Jamni Taluka of Yavatmal District in the State of Maharashtra has been vested in favor of M/s. Yazdani International Private Limited by Government of India under section 8 of Coal Mine (Special Provision) Act, 2015. Out of 339.467 ha., total lease area of the block 146.996 ha. is forest land, 192.471 ha. non forest land. The block has estimated proved geological reserve of coal for the mining is 11.54 MT as per block summary and final reserve to be mined is 9.58 Million Tonne. The forest area falls under Ruikot forest area having some patches of C class forest and Reserve Forest some of which is in possession of Forest Development Corporation of Maharashtra (FDCM). The said forest land is unavoidable as it forms inseparable land parcel within the lease area and need to be acquired for mining after taking due process under Forest (Conservation) Act, 1980. Being site specific project there is no alternative other than excavation of coal reserve where it is available.

4.0 The Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawda has certified that:-

- 4.1 The copy of the mining plan and Mine Closure Plan is enclosed herewith on page No.180
- 4.2 Total non-forest involved in the project is 192.471 ha.
- 4.3 The Joint site inspection report of the Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawada and the Conservator of Forests (T), Yavatmal are enclosed on page No. 7 to 12.
- 4.4 No alternate alignment is possible and the forest land required is minimum.
- 4.5 The area belongs to Eco-value class-III having density between 0.4 to 0.6
- 4.6 There are 1,13,425 trees of various species and trees involved in implementation of the project. The Girth wise break up is as under:-

Tree Girth in Cm.							
Particular	15-30	31-60	61-90	91-120	121-150	150 Above	Total
FDCM	28036	11407	2379	930	369	204	43325
Forest Department	38508	26043	4036	1075	283	155	70100
Total Trees	66544	37450	6415	2005	652	359	113425

- 4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.8 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.9 There is no violation of Forest (Conservation) Act, 1980.
- 4.10 Proposed project is not within 10 Kms of nearest Wildlife Sanctuary/National Park. The User Agency has applied for seeking recommendation of Standing Committee of NBWL/SBWL under section 38(o)(g) of WL Act. The copy of the Part-III is enclosed herewith on page No. 319 to 320.
- 4.11 The non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

4.12 The proposed Compensatory afforestation over 148.4123 ha. non forest land. The details of Compensatory Afforestation is as under:-

Sr.No.	Village	Gut No.	Hissa No.	Area (in ha.)
1	Ratambi	5	5/2, 5/3/A(P), 5/3/B, 5/5, 5/6(P), 5/8(P), 5/9, 5/10, 5/11, 5/12, 5/13, 5/14 (P), 5/15 (P), 5/16 (P), 5/17 (P), 5/18 (P), 5/19 (P), 5/21/A, 5/21/D, 5/22, 5/23, 5/25 (P)	34.2368
2		6	6/1/A, 6/1/B (P), 6/2, 6/3(P), 6/4, 6/5(P), 6/6, 6/7(P), 6/9, 6/10, 6/11 (P)	31.1952
3		9	9/1, 9/2, 9/3 (P), 9/4 (P), 9/5 (P), 9/6 (P), 9/7(P), 9/8, 9/9 (P), 9/10, 9/11/B, 9/11/C(P), 9/12 (P), 9/13 (P), 9/14, 9/12 (P), 9/12 (P), 9/14, 9/15 (P), 9/21 (P), 9/23	22.4896
4		12	12/1/A, 12/1/B, 12/1/C, 12/1/D, 12/1/E, 12/1/F, 12/1/G, 12/1/H, 12/7 (P)	32.2017
5		10	10/10	1.05
6		20	20/1C, 20/1B, 20/1L, 20/1BH	25.699
7		13	13/11	1.54
Total Non forest land (in ha.)				148.4123

and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

4.13 There is no suitable alternative non forest land is available.

4.14 Copy of the Wildlife Mitigation Plan for Marki Mangli II coal mine is enclosed on page No.321

4.15 Copy of the vesting order accorded by the Government of India, Ministry of Coal vide dated 03/03/2021. The copy of the same is enclosed herewith on page No.352

5.0 The User Agency has submitted an undertaking that:-

5.1 The User Agency has submitted an undertaking to defray the cost of Net Present Value.

5.2 The User Agency has submitted an undertaking to defray the cost of Compensatory Afforestation.

5.3 The Cost Benefit Analysis report is enclosed on page no.65 to 67. The Benefit loss ratio is 119.562.

- 5.4 The User Agency has submitted an undertaking NoC from MD, FDCM shall obtain before Stage-I approval.
- 5.5 The User Agency has submitted an undertaking that Environment clearance and road transportation plan shall obtain before Stage-I approval.
- 5.6 The User Agency has submitted an undertaking regarding the compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been applied and is under process and shall be submitted before final approval as per Government of India vide letter No.11-43/2013-FC, dt. 3/12/2018.
- 6.0 The Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawda has recommended proposal for diversion of 146.996 ha. forest land.
- 7.0 The Conservator of Forests (T), Yavatmal has recommended the proposal for diversion of 146.996 ha. forest land. for acceptance subject to the compliance of the following conditions:-

A:- As per office record:-

- The project location does not fall in NP/WLS/SEZ.
- Project location is not a part of 32 notified corridor of GOI.
- Project area is not a part of Tiger Corridor notified by WII in their publication "Wildlife Atlas of Vidarbha Landscape"
- This location however is covered under Approved Tiger Conservation Plan of Tadoba Andhari Tiger Reserve and Section 38 (O) I (g) of the said Act, provides for the tiger conservation plan to ensure ecologically compatible land uses in areas linking one protected areas or tiger reserve with another and therefore need recommendations of NBWL.
- Separate proposal for obtaining recommendations of NBWL has been submitted by the User Agency.
- Proposed mining lease area is more than 28 km from the sensitive core boundary of Tipeshwar WLS and
- User Agency has already submitted separate proposal under section 38 (O) (G) of WLP 1972 for obtaining recommendations of NBWL

B: As per field inspection:-

- Area involved in this project have Schedule-I species as well as many other Wildlife. Keeping in view the above documents and observations the project is recommended for approval for the following reasons.
- Project is site specific as mine is vested by Government of India. Coal is the important and prime source of energy and mining is in the interest of infrastructure development of India.
- Project will create of additional employment opportunities which will reduce the pressure on adjoin forest and wildlife.

- These recommendations are subject to Clearance under section 38 (o), (g) of Wildlife (Protection) Act, 1972 from NBWL.

C:-Project should have following mitigation measures.

- No Mining/ No blasting/ No transport allowed from 6 pm to 6 am.
- Mining lease boundary falling in corridor section will be fenced with 6-8 feet chain link fencing to avoid incident of trapping of Wildlife
- 7.5 meter safety zone around lease boundary within lease area will be developed as green belt for safety of the wildlife from dust/noise and vibrations. Plantation of additional plants of native species should be resorted to.
- Separate nursery of saplings of native flora should be created for plantation of the area on vacant spaces.
- Control Blasting with minimum duration during day time with keeping record for inspection for the forest staff.
- Water sprinkling during mining/ haul roads and approach road.
- Strict compliance of mitigation measures suggested in Mine Closure Plans, Wildlife Mitigation Plan project and conditions of Environment Clearance and NBWL

8.0 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –

- 8.1 Legal status of the forest land shall remain unchanged.
- 8.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.
- 8.3 **Compensatory Afforestation:-**
- (a) Compensatory afforestation over 148.4123 ha. non forest land. The details of Compensatory Afforestation is as under:-

Sr.No.	Village	Gut No.	Hissa No.	Area (in ha.)
1	Ratambi	5	5/2, 5/3/A(P), 5/3/B, 5/5, 5/6(P), 5/8(P), 5/9, 5/10, 5/11, 5/12, 5/13, 5/14 (P), 5/15 (P), 5/16 (P), 5/17 (P), 5/18 (P), 5/19 (P), 5/21/A, 5/21/D, 5/22, 5/23, 5/25 (P)	34.2368
2		6	6/1/A, 6/1/B (P), 6/2, 6/3(P), 6/4, 6/5(P), 6/6, 6/7(P), 6/9, 6/10, 6/11 (P)	31.1952
3		9	9/1, 9/2, 9/3 (P), 9/4 (P), 9/5 (P), 9/6 (P), 9/7(P), 9/8, 9/9 (P), 9/10, 9/11/B, 9/11/C(P), 9/12 (P), 9/13 (P), 9/14, 9/12 (P), 9/12 (P), 9/14, 9/15 (P), 9/21 (P), 9/23	22.4896
4		12	12/1/A, 12/1/B, 12/1/C, 12/1/D, 12/1/E, 12/1/F, 12/1/G, 12/1/H, 12/7 (P)	32.2017
5		10	10/10	1.05
6		20	20/1C, 20/1B, 20/1L, 20/1BH	25.699
7		13	13/11	1.54
Total Non forest land (in ha.)				148.4123

- 8.4 The non-forest land transferred and mutated in favour of the Forest Department shall be notified by the State Government as RF under section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, latest within a period of six months from the date of issue of Stage-II approval. The Conservator of Forests (T), Yavatmal shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927 or under the relevant sections of the local Forest Act, as the case may be, within the stipulated period to the Central Government for information and record;
- 8.5 The User Agency shall transfer the cost of raising and maintaining the CA plantation as per conditions stipulated above, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- 8.6 NPV:-
- a) The State Government shall charge the Net Present Value (NPV) for the 146.996 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.
 - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 8.7 User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 8.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 8.9 All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to CAMPA through the e- payment module to the designated account of the State Concerned;
- 8.10 The 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 & Regulating) Act, 1957 as amended or Rules framed there under;

- 8.11 The User Agency shall prepare a schedule for surrender of the mined out and reclaimed forest land in accordance with existing mining plan and submit the same along with an undertaking to surrender the mined out and reclaimed forest land as per such schedule to the MoEF&CC before grant of Stage-II approval under the FC Act for diversion of the said forest land;
- 8.12 The mining activities shall be restricted and the User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area.
- 8.13 Following activities shall be undertaken by the User Agency for the management of safety zone:
- (a) User Agency shall ensure demarcation of boundary of safety zone and its protection by erecting adequate number of 6-8 feet chain link fencing to avoid incident of trapping of wildlife RCC boundary pillars prescribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
 - (b) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation/regeneration activities in the safety zone.
 - (c) 7.5 meter Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration for safety of wild life from dust/noise and vibrations shall be taken in this area by the State Forest Department at project cost.
 - (d) No Mining/ No blasting/ No transport allowed from 6 pm to 6 am.
 - (e) Control Blasting with minimum duration during day time with keeping record for inspection for the forest staff.
 - (e) Water sprinkling during mining/haul roads and approach road.
 - (f) Strict compliances of mitigation measures suggested in Mine Closure Plans, Wild Life Mitigation Plan and conditions of Environment Clearance and NBWL if required.
- 8.14 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.15 Following activities, if applicable, shall be undertaken by the User Agency at the Project cost:
- (a) Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;

- (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 along the contour to arrest sliding down of the excavated material;
- (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 28° ; and
- (e) Strict adherence to the prescribed top soil management.
- 8.16 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.17 No labour camp shall be established on the forest land.
- 8.18 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 8.19 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 8.20 No damage to the flora and fauna of the adjoining area shall be caused
- 8.21 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.22 The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- 8.23 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.24 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 8.25 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11- 42/2017-FC dt. 29/01/2018.
- 8.26 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.
- 8.27 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).


(Dr. Y.L.P Rao)

Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF FOREST FORCE), MAHARASHTRA STATE, NAGPUR

ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- apccfnodal@mahaforest.gov.in

Sub:- Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal lock in Yavatmal District in the State of Maharashtra (FP/MH/MIN/145510/2021)

No.: Desk-17/Nodal/Yavatmal/ID-13700/294 /2023-24
Nagpur – 440 001, Dated :- 26/04/2023

To,
The Principal Secretary (Forests),
Revenue and Forest Department,
Mantralaya, Mumbai -32

The Authorized Signatory, Ashok Kumar Pani, Vice President, Yazdani International Private Limited has submitted proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal lock in Yavatmal District in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No	Item work purpose	District	Name of Village	Taluka	Gut No.	Compt. No.	Area (in ha.)	Legal Status
1	Proposal for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District	Yavatmal	Pardi	Zari Jamni	12	20A, 20B, 19	119.078	Reserved Forest
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Total Forest Land (in ha.)							146.996	

2.00 The proposal has been initiated by the Authorized Signatory, Ashok Kumar Pani, Vice President, Yazdani International Private Limited for diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District in the State of Maharashtra. The proposed Marki Mangli (II), coal block in village Ruikot, Pardi, Savli and Mukutban in Zari Jamni Taluka of Yavatmal District in the State of Maharashtra has been vested in favor of M/s. Yazdani International Private Limited by Government of India under section 8 of Coal Mine (Special Provision) Act, 2015. Out of 339.467 ha., total lease area of the block 146.996 ha. is forest land, 192.471 ha. non forest land. The block has estimated proved geological reserve of coal for the mining is 11.54 MT as per block summary and final reserve to be mined is 9.58 Million Tonne. The forest area falls under Ruikot forest area having some patches of C class forest and Reserve Forest some of which is in possession of Forest Development Corporation of Maharashtra (FDCM). The said forest land is unavoidable as it forms inseparable land parcel within the lease area and need to be acquired for mining after taking due

process under Forest (Conservation) Act, 1980. Being site specific project there is no alternative other than excavation of coal reserve where it is available.

3.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3,dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copies.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale

4.0 The Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawda has certified that:-

4.1 The copy of the mining plan and Mine Closure Plan is enclosed herewith on page No.180

4.2 Total non-forest involved in the project is 192.471 ha.

4.3 The Joint site inspection report of the Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawada and the Conservator of Forests (T), Yavatmal are enclosed on page No. 7 to 12.

4.4 No alternate alignment is possible and the forest land required is minimum.

4.5 The area belongs to Eco-value class-III having density between 0.4 to 0.6

4.6 There are 1,13,425 trees of various species and trees involved in implementation of the project. The Girth wise break up is as under:-

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4.7 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.

4.8 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.

4.9 There is no violation of Forest (Conservation) Act, 1980.

4.10 Proposed project is not within 10 Kms of nearest Wildlife Sanctuary/National Park. The User Agency has applied for seeking recommendation of Standing Committee of NBWL/SBWL under section 38(o)(g) of WL Act. The copy of the Part-III is enclosed herewith on page No. 319 to 320.

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3		9	9/1, 9/2, 9/3 (P), 9/4 (P), 9/5 (P), 9/6 (P), 9/7(P), 9/8, 9/9 (P), 9/10, 9/11/B, 9/11/C(P), 9/12 (P), 9/13 (P), 9/14, 9/12 (P), 9/12 (P), 9/14, 9/15 (P), 9/21 (P), 9/23	22.4896
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- Project location is not a part of 32 notified corridor of GOI.
- Project area is not a part of Tiger Corridor notified by WII in their publication "Wildlife Atlas of Vidarbha Landscape"
- This location however is covered under Approved Tiger Conservation Plan of Tadoba Andhari Tiger Reserve and Section 38 (O) I (g) of the said Act, provides for the tiger conservation plan to ensure ecologically compatible land uses in areas linking one protected areas or tiger reserve with another and therefore need recommendations of NBWL.
- Separate proposal for obtaining recommendations of NBWL has been submitted by the User Agency.
- Proposed mining lease area is more than 28 km from the sensitive core boundary of Tipeshwar WLS and

- User Agency has already submitted separate proposal under section 38 (O) (G) of WLP 1972 for obtaining recommendations of NBWL

B: As per field inspection:-

- Area involved in this project have Schedule-I species as well as many other Wildlife.

Keeping in view the above documents and observations the project is recommended for approval for the following reasons.

- Project is site specific as mine is vested by Government of India. Coal is the important and prime source of energy and mining is in the interest of infrastructure development of India.
- Project will create of additional employment opportunities which will reduce the pressure on adjoin forest and wildlife.
- These recommendations are subject to Clearance under section 38 (o), (g) of Wildlife (Protection) Act, 1972 from NBWL.

C:-Project should have following mitigation measures.

- No Mining/ No blasting/ No transport allowed from 6 pm to 6 am.
- Mining lease boundary falling in corridor section will be fenced with 6-8 feet chain link fencing to avoid incident of trapping of Wildlife
- 7.5 meter safety zone around lease boundary within lease area will be developed as green belt for safety of the wildlife from dust/noise and vibrations. Plantation of additional plants of native species should be resorted to.
- Separate nursery of saplings of native flora should be created for plantation of the area on vacant spaces.
- Control Blasting with minimum duration during day time with keeping record for inspection for the forest staff.
- Water sprinkling during mining/ haul roads and approach road.
- Strict compliance of mitigation measures suggested in Mine Closure Plans, Wildlife Mitigation Plan project and conditions of Environment Clearance and NBWL

8.0 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –

- 8.1 Legal status of the forest land shall remain unchanged.
- 8.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

8.3 Compensatory Afforestation:-

- (a) Compensatory afforestation over 148.4123 ha. non forest land. The details of Compensatory Afforestation is as under:-

Sr.No.	Village	Gut No.	Hissa No.	Area (in ha.)
1	Ratambi	5	5/2, 5/3/A(P), 5/3/B, 5/5, 5/6(P), 5/8(P), 5/9, 5/10, 5/11, 5/12, 5/13, 5/14 (P),	34.2368

			5/15 (P), 5/16 (P), 5/17 (P), 5/18 (P), 5/19 (P), 5/21/A, 5/21/D, 5/22, 5/23, 5/25 (P)	
2		6	6/1/A, 6/1/B (P), 6/2, 6/3(P), 6/4, 6/5(P), 6/6, 6/7(P), 6/9, 6/10, 6/11 (P)	31.1952
3		9	9/1, 9/2, 9/3 (P), 9/4 (P), 9/5 (P), 9/6 (P), 9/7(P), 9/8, 9/9 (P), 9/10, 9/11/B, 9/11/C(P), 9/12 (P), 9/13 (P), 9/14, 9/12 (P), 9/12 (P), 9/14, 9/15 (P), 9/21 (P), 9/23	22.4896
4		12	12/1/A, 12/1/B, 12/1/C, 12/1/D, 12/1/E, 12/1/F, 12/1/G, 12/1/H, 12/7 (P)	32.2017
5		10	10/10	1.05
6		20	20/1C, 20/1B, 20/1L, 20/1BH	25.699
7		13	13/11	1.54
Total Non forest land (in ha.)				148.4123

8.4 The non-forest land transferred and mutated in favour of the Forest Department shall be notified by the State Government as RF under section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, latest within a period of six months from the date of issue of Stage-II approval. The Conservator of Forests (T), Yavatmal shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927 or under the relevant sections of the local Forest Act, as the case may be, within the stipulated period to the Central Government for information and record;

8.5 The User Agency shall transfer the cost of raising and maintaining the CA plantation as per conditions stipulated above, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;

8.6 NPV:-

- The State Government shall charge the Net Present Value (NPV) for the 146.996 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated

18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and File No.5-3/2011-FC(Vol-I), Dated 06/01/2022 in this regard.

- b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 8.7 User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 8.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 8.9 All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to CAMPA through the e- payment module to the designated account of the State Concerned;
- 8.10 The 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 & Regulating) Act, 1957 as amended or Rules framed there under;
- 8.11 The User Agency shall prepare a schedule for surrender of the mined out and reclaimed forest land in accordance with existing mining plan and submit the same along with an undertaking to surrender the mined out and reclaimed forest land as per such schedule to the MoEF&CC before grant of Stage-II approval under the FC Act for diversion of the said forest land;
- 8.12 The mining activities shall be restricted and the User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area.
- 8.13 Following activities shall be undertaken by the User Agency for the management of safety zone:
- (a) User Agency shall ensure demarcation of boundary of safety zone and its protection by erecting adequate number of 6-8 feet chain link fencing to avoid incident of trapping of wildlife RCC boundary pillars prescribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.

- (b) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation/regeneration activities in the safety zone.
 - (c) 7.5 meter Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration for safety of wild life from dust/noise and vibrations shall be taken in this area by the State Forest Department at project cost.
 - (d) No Mining/ No blasting/ No transport allowed from 6 pm to 6 am.
 - (e) Control Blasting with minimum duration during day time with keeping record for inspection for the forest staff.
 - (e) Water sprinkling during mining/haul roads and approach road.
 - (f) Strict compliances of mitigation measures suggested in Mine Closure Plans, Wild Life Mitigation Plan and conditions of Environment Clearance and NBWL if required.
- 8.14 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.15 Following activities, if applicable, shall be undertaken by the User Agency at the Project cost:
- (a) Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;
 - (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 along the contour to arrest sliding down of the excavated material;
 - (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 28° ; and
 - (e) Strict adherence to the prescribed top soil management.
- 8.16 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.17 No labour camp shall be established on the forest land.
- 8.18 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.

- 8.19 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 8.20 No damage to the flora and fauna of the adjoining area shall be caused
- 8.21 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.22 The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- 8.23 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.24 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 8.25 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt. 29/01/2018.
- 8.26 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.
- 8.27 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

9.0 It is therefore, requested that Government of Maharashtra may kindly recommended the proposal for approving the diversion of 146.996 ha. forest land for Integrated Coal Mining including post mine reclamation in Marki-Mangali II coal block in Yavatmal District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies



(Naresh Zurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy to the Conservator of Forests (T), Yavatmal for information.

Copy to the Deputy Conservator of Forests, Pandharkawda Forest Division, Pandharkawda for formation.

Copy to the Authorized Signatory, Ashok Kumar Pani, Vice President, Yazdani International Private Limited for information.