

**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 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of WCL Limited for Transportation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur in the State of Maharashtra. (FP/MH/OTHERS/118188/2020).

No. : Desk-17/Nodal/Nagpur /I.D-12933 / **1298**2021-22
Nagpur – 440 001, Dated **20/10/2021**

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralya, Mumbai – 400032

The Area General Manager, Western Coal Filed Limited, Umrer Area has submitted Proposal for diversion of 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of WCL Limited for Transportation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item of Work proposal	Village	Khasra No.	Area (in ha)	Legal Status of Land
1	For conveyor	Sukali	27	0.26847	Zudpi Jungle Charaee
			28	0.63161	
			56	4.36601	
			72	0.77818	
			73	0.60595	
			95	1.03232	
[A] Total Area (in ha.)			7.68254		
2	For conveyor	Sayaki	216	0.20646	Zudpi Jungle Charaee
			219	0.01606	
[B] Total Area (in ha.)			0.22252		
3	For conveyor	Dahegaon	95	0.31514	Zudpi Jungle Charaee
			106	0.40501	
[C] Total Area (in ha.)			0.72015		
4	For Rail loop	Dahegaon	102	0.07102	Zudpi Jungle Charaee
			105	1.84819	
			106	1.56203	
			107	0.25421	
			108	0.60698	
			110	0.96478	
			111	0.27137	
[D] Total Area (in ha.)			5.57858		
5	For Rail loop	Makardhokra	26	0.29305	Zudpi Jungle Charaee
			31	1.29393	
[E] Total Area (in ha.)			1.58698		
6	For SILO	Dahegaon	106	0.02000	Zudpi Jungle Charaee
[F] Total Area (in ha.)			0.02000		
Grand Total [A]+(B)+[C]+[D]+[E]+[F]				15.811	

p/62

As the Both side Railway loop Forest Khasra No. 110, 111 and 186 is already acquired by the Western Coalfield Limited vide notification of Coal Ministry dated 23/12/2020 is enclosed herewith.

p/110

2.0 The project has initiated by the Area General Manager, Western Coal Filed Limited, Umrer Area for approval under the Forest (Conservation) Act, 1980. The existing Dinesh (Makardhokra-III) OC Mine is being operated by hiring of HEMM with Shovel- Dumper Combination at the rated capacity of 4 MTY. The Umrer Butibori railway line passes through the southern boundary of Dinesh (Makardhokra-III) OC as well as through the northern boundary of Makardhokra-I OC and exhausted Makardhokra-II OC mine. The occurrence of coal was proved by department of geology and mining (DGM) in 1984 over a strike length of 11 km in Makardhokra block in the western side of Umrer OC beyond Amb River. Makardhokra-I block located in the west side of Makardhokra-II block and south side of Umrer Butibori railway line was explored by MECL during 1996-1997. The Makardhokra-III Open Cast Project belonging to Western Coalfields Limited is approved by the Government of India for production of coal @ 8.00 MTPA (Million Tonne Per Annum) for 13 year life. The project is planned to liquidate the mineable reserves at a faster pace with available resources, infrastructure and land with reduced life.

2.1 Presently, the annual coal production of the mine is 4 MTPA (Million Tonne Per Annum). The entire coal production is crushed to (-) 100 mm size by the suitable crushers. The crushed coal is transported to the existing Umrer siding located at a distance of about 7 Kilo meters by various trucks and then the coal is loaded into wagons by Pay Loader (mechanical loading). Finally the coal dispatches to the various thermal power stations located in Maharashtra, Madya Pradesh, Chattisgarh, Andhra, Karnataka etc. states of India. This entire system is called as RCR (Road cum Rail) mode of transportation and dispatch. The system involves heavy movement of trucks regularly plying (24x7) to a distance of 7 Kilometers with the coal dust suppression arrangement. Further the system creates high accident potential due to heavy movement of the trucks about 400 - 500 trucks in a day to handle 4 MT of coal production.

2.2 The mines of WCL are under constant pressure to meet the increasing demand of non-cocking coal of power houses and other bulk consumers from western as well as southern parts of the country. To meet the coal demand, the production capacity of Dinesh OC mine is increased from 4 MTPA to 8 MTPA in August, 2019 by approving revised project report by WCL board and sent for information to the Ministry of Coal, Government of India. When the coal production is increased, there is high pressure of coal dispatch and its evacuation system. The existing RCR (Road cum Rail) mode of dispatch has a capacity of dispatching 5 to 6 rakes of coal to cater the coal dispatch services for other mines of Umrer Area (Umrer open cast mine, Gokul open cast mine, Makardhokda I open cast mine). On increase of the existing capacity of Makardhokda III mine, it is planned to establish the faster/rapid coal loading system and its dispatch through the Mary Go Round (MGR) system of rail dispatch. This system involves the modification of the railway siding and construction of big coal bunkers called SILO located at the western side of the project at a distance of about 6 to 7 kilometers. Following activities are planned to present heavy & frequent trucks movement in restricted area at concentrated place of railway siding to eliminate accident potential.

- Construction of Coal Handling Plant and ground bunkers.
- Installation of conveyor belt from the mine to the coal loading point i.e. SILO for a length of 6 to 7 kilometers.

2.3 As such the total coal transportation will be handled by conveyor belt system and rapid loading system into railway wagons at a rate of 4000 tonnes loading only in an hour time. This system

42

entirely prevents dust and noise pollution during the transport of coal to a distance of 6 to 7 kilometers. To accommodate the linear length of the belt (6 to 7 kilometers), ground bunker, the SILO, length of the railway track we need acquisition of forest land of 15.81 Ha which is already approved in the project report.

3.4 The total non forest land involved in the project is 27.27 ha. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed on page no. 112 to 111.

3.0 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,

4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

4.1 no suitable alternate land is available and the forest land required is the lowest minimum. p/98

4.2 the area belongs to Eco-value class-III and having density below 0.4 (Open forest) p/93

4.3 there are 510 trees of various species and trees is involved in implementation of the Project.
The Girth wise break up is as under:- p/90,94

Tree Girth in Cm.								
0-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-150 cm	Total
14	324	103	33	13	5	1	0	510

4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. p/12

4.6 there is no violation of Forest (Conservation) Act 1980. p/98

4.7 the proposed area for the project is within 10.00 km from the protected area (Sanctuary and National Park). p/95

4.8 and proposed compensatory afforestation over 35.797 ha degraded forest land in Survey no.528,530 in village Bhojapur, Tal. Umred, Range North Umred, Round-Kuhi District. Nagpur (Area 9.997 ha.) and in Survey No. 21 in Village Butibori, Tal.Butibori, Range Butibori, Round Butibori East, Dist. Nagpur (Area-25.80 ha.) is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance. p/92

4.9 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.

p/98,110 4.10 the proposed alignment of belt conveyor system in combination with ground bunker and SILO rapid loading system, there is no other alternative for the proposed area.

5.00 The User Agency has submitted an undertaking that:-

5.1 to defray the cost of compensatory afforestation. p/294

p/219 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.

5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.

p/303 Hence, the user agency has given 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 formal approval.

5.4 The copy of the Development plan is enclosed on page no. 76

5.5 The cop of the Mine Closure Planning and Reclamation Plan is enclosed on page no. 706

5.6 Copy of the administrative & technical approval by the Sub Area Manager, Makardhokra Sub Area, Western Coal Fields Limited, letter no.WLD/MKD/SAM/Forest Clearance/2020/545, dated 28/08/2020 p/155

5.7 The User Agency has submitted notification Zudpi Jungle notified RF/PF vide notification dated 07/12/2017 enclosed on page no. 18

6.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Chief Conservator of Forests (T), Nagpur Circle have recommended the proposal for diversion of 15.811 ha. of forest land.

7.0 Justification as per Para 1.15 of the Handbook under FCA, 1980 issued by GOI is as under:- p/104

- The linear acquisition of forest land to 50 meters width is required for the reasons as mentioned below:-
- Two sets of conveyor belt to transport the high capacity coal production of 8 MTPA.
- The laying of 3 railway tracks by Central Railway below the loading bunker in a loop shape to facilitate the rapid coal loading into wagons and to provide the scope of keeping additional track as a standage rake for loading. This would ensure continuous loading at branch line of railway track is from Butibori Railway Station about 32 Kilometers away.
- Maintenance of the Conveyor belt and railway track, free movement of machineries for the maintenance.
- Provision of electrical apparatus and electrical substation require space all along the belt and railway track.
- The smooth running of belt and operation of the railway track requires the proper drainage system which has to be accommodated in the 50 meter width forest land.
- The inspection route has to be maintained all along the conveyor belt up to the SILO on both side of the conveyor belt system.

- Any other alternative of coal transportation like Arial Ropeway system of pipe bolting system requires the same alignment as what proposed for belt transportation system as it is the location where no mining activities including OB (overburden) dumping are proposed in PR. Location of belt structure, bunker, Silo should be in collaboration with Railway department as such its location should not be disturbed till the end of life of mine.

8.00 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 The legal status of the forest land required will 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 shall be taken up by the Forest Department over 35.797 ha degraded forest land in Survey no.528,530 in village Bhojapur, Tal. Umred, Range North Umred, Round-Kuhi District. Nagpur (Area 9.997 ha.) and in Survey No. 21 in Village Butibori, Tal.Butibori, Range Butibori, Round Butibori East, Dist. Nagpur (Area-25.80 ha.) at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- 8.4 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- 8.5 **NPV:-**
- a) The State Government shall charge the Net Present Value (NPV) for the 15.811 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 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.
- 8.6 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.
- 8.7 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 8.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 8.9 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 8.10 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.

- 8.11 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.12 No labour camp shall be established on the forest land.
- 8.13 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.
- 8.14 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.
- 8.15 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.16 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.
- 8.17 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.18 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 8.19 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 8.20 It Shall be mandatory to provide underpass for safe crossing of wild animals:-
- The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.
 - Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.
 - Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above. (Principally to enable intertidal movements)
 - Interval between such underpasses shall not be more than 2.00 km
- 8.21 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.
- 8.22 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

8.00 It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of WCL Limited for Transportation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur 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 Chief Conservator of Forests (Territorial), Nagpur for information.
Copy to the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur for information.
Copy to the Area General Manager, Western Coal Field Limited, Umrer for information

Recd
21/10/21
(M) 8275970079

20/11/21

20/11/21

20/10/2021
at

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 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of WCL Limited for Transportation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur in the State of Maharashtra. (FP/MH/OTHERS/118188/2020). The details of land proposed for diversion is as under-

Sr. No.	Item of Work proposal	Village	Khasra No.	Area (in ha)	Legal Status of Land
1	For conveyor	Sukali	27	0.26847	Zudpi Jungle Charaee
			28	0.63161	
			56	4.36601	
			72	0.77818	
			73	0.60595	
			95	1.03232	
[A] Total Area (in ha.)				7.68254	
2	For conveyor	Sayaki	216	0.20646	Zudpi Jungle Charaee
			219	0.01606	
[B] Total Area (in ha.)				0.22252	
3	For conveyor	Dahegaon	95	0.31514	Zudpi Jungle Charaee
			106	0.40501	
[C] Total Area (in ha.)				0.72015	
4	For Rail loop	Dahegaon	102	0.07102	Zudpi Jungle Charaee
			105	1.84819	
			106	1.56203	
			107	0.25421	
			108	0.60698	
			110	0.96478	
			111	0.27137	
[D] Total Area (in ha.)				5.57858	
5	For Rail loop	Makardhokra	26	0.29305	Zudpi Jungle Charaee
			31	1.29393	
[E] Total Area (in ha.)				1.58698	
6	For SILO	Dahegaon	106	0.02000	Zudpi Jungle Charaee
[F] Total Area (in ha.)				0.02000	
Grand Total [A]+(B)+[C]+[D]+[E]+[F]				15.811	

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

(Naresh Zurmure)

**Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: /10/2021

Place: Nagpur

Proposal for diversion of 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of WCL Limited for Transporation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur in the State of Maharashtra. (FP/MH/OTHERS/118188/2020).

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

Proposal for diversion of 15.811 ha. Forest land under Section-2 of Forest (Conservation) Act, 1980 in favour of Western Coalfield Limited for Transporation Network for Dinesh Open Cast Project in Tehsil-Umred, Dist. Nagpur in the State of Maharashtra. (FP/MH/OTHERS/118188/2020).

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

P/75

Sr. No.	Item of Work proposal	Village	Khasra No.	Area (in ha)	Legal Status of Land
1	For conveyor	Sukali	27	0.26847	Zudpi Jungle Charaee
			28	0.63161	
			56	4.36601	
			72	0.77818	
			73	0.60595	
			95	1.03232	
[A] Total Area (in ha.)				7.68254	
2	For conveyor	Sayaki	216	0.20646	Zudpi Jungle Charaee
			219	0.01606	
[B] Total Area (in ha.)				0.22252	
3	For conveyor	Dahegaon	95	0.31514	Zudpi Jungle Charaee
			106	0.40501	
[C] Total Area (in ha.)				0.72015	
4	For Rail loop	Dahegaon	102	0.07102	Zudpi Jungle Charaee
			105	1.84819	
			106	1.56203	
			107	0.25421	
			108	0.60698	
			110	0.96478	
			111	0.27137	
[D] Total Area (in ha.)				5.57858	
5	For Rail loop	Makardhokra	26	0.29305	Zudpi Jungle Charaee
			31	1.29393	
[E] Total Area (in ha.)				1.58698	
6	For SILO	Dahegaon	106	0.02000	Zudpi Jungle Charaee
[F] Total Area (in ha.)				0.02000	
Grand Total [A]+(B)+[C]+[D]+[E]+[F]				15.811	

p/62

As the Both side Railway loop Forest Khasra No. 110, 111 and 186 is already acquired by the Western Coalfield Limited vide notification of Coal Ministry dated 23/12/2020 is enclosed herewith.

p/10

3.0 The project has initiated by the Area General Manager, Western Coal Filed Limited, Umrer Area for approval under the Forest (Conservation) Act, 1980. The existing Dinesh (Makardhokra-III) OC Mine is being operated by hiring of HEMM with Shovel- Dumper Combination at the rated capacity of 4 MTY. The Umrer Butibori railway line passes through the southern boundary of Dinesh (Makardhokra-III) OC as well as through the northern boundary of Makardhokra-I OC and exhausted Makardhokra-II OC mine. The occurrence of coal was proved by department of geology and mining (DGM) in 1984 over a strike length of 11 km in Makardhokra block in the western side of Umrer OC beyond Amb River. Makardhokra-I block located in the west side of Makardhokra-II block and south side of Umrer Butibori railway line was explored by MECL during 1996-1997. The Makardhokra-III Open Cast Project belonging to Western Coalfields Limited is approved by the Government of India for production of coal @ 8.00 MTPA (Million Tonne Per Annum) for 13 year life. The project is planned to liquidate the mineable reserves at a faster pace with available resources, infrastructure and land with reduced life.

3.1 Presently, the annual coal production of the mine is 4 MTPA (Million Tonne Per Annum). The entire coal production is crushed to (-) 100 mm size by the suitable crushers. The crushed coal is transported to the existing Umrer siding located at a distance of about 7 Kilo meters by various trucks and then the coal is loaded into wagons by Pay Loader (mechanical loading). Finally the coal dispatches to the various thermal power stations located in Maharashtra, Madhya Pradesh, Chattisgarh, Andhra, Karnataka etc. states of India. This entire system is called as RCR (Road cum Rail) mode of transportation and dispatch. The system involves heavy movement of trucks regularly plying (24x7) to a distance of 7 Kilometers with the coal dust suppression arrangement. Further the system creates high accident potential due to heavy movement of the trucks about 400 - 500 trucks in a day to handle 4 MT of coal production.

3.2 The mines of WCL are under constant pressure to meet the increasing demand of non-cocking coal of power houses and other bulk consumers from western as well as southern parts of the country. To meet the coal demand, the production capacity of Dinesh OC mine is increased from 4 MTPA to 8 MTPA in August, 2019 by approving revised project report by WCL board and sent for information to the Ministry of Coal, Government of India. When the coal production is increased, there is high pressure of coal dispatch and its evacuation system. The existing RCR (Road cum Rail) mode of dispatch has a capacity of dispatching 5 to 6 rakes of coal to cater the coal dispatch services for other mines of Umrer Area (Umrer open cast mine, Gokul open cast mine, Makardhokda I open cast mine). On increase of the existing capacity of Makardhokda III mine, it is planned to establish the faster/rapid coal loading system and its dispatch through the Mary Go Round (MGR) system of rail dispatch. This system involves the

modification of the railway siding and construction of big coal bunkers called SILO located at the western side of the project at a distance of about 6 to 7 kilometers. Following activities are planned to present heavy & frequent trucks movement in restricted area at concentrated place of railway siding to eliminate accident potential.

- Construction of Coal Handling Plant and ground bunkers.
- Installation of conveyor belt from the mine to the coal loading point i.e. SILO for a length of 6 to 7 kilometers.

3.3 As such the total coal transportation will be handled by conveyor belt system and rapid loading system into railway wagons at a rate of 4000 tonnes loading only in an hour time. This system entirely prevents dust and noise pollution during the transport of coal to a distance of 6 to 7 kilometers. To accommodate the linear length of the belt (6 to 7 kilometers), ground bunker, the SILO, length of the railway track we need acquisition of forest land of 15.81 Ha which is already approved in the project report.

3.4 The total non forest land involved in the project is 27.27 ha. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed on page no. 112 to 111.

4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 4.1 no suitable alternate land is available and the forest land required is the lowest minimum. p198
- 4.2 the area belongs to Eco-value class-III and having density below 0.4 (Open forest) p193
- 4.3 there are 510 trees of various species and trees is involved in implementation of the Project. The Girth wise break up is as under:- p190, 94

Tree Girth in Cm.								
0-30 cm	31-45 cm	46-60 cm	61-75 cm	76-90 cm	91-105 cm	106-120 cm	121-150 cm	Total
14	324	103	33	13	5	1	0	510

4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. p197

4.6 there is no violation of Forest (Conservation) Act 1980. p198

4.7 the proposed area for the project is within 10.00 km from the protected area (Sanctuary and National Park). p195

4.8 and proposed compensatory afforestation over 35.797 ha degraded forest land in Survey no.528,530 in village Bhojapur, Tal. Umred, Range North Umred, Round-Kuhi District. Nagpur (Area 9.997 ha.) and in Survey No. 21 in Village Butibori, Tal.Butibori, Range p192

Butibori, Round Butibori East, Dist. Nagpur (Area-25.80 ha.) is contiguous; suitable for afforestation and management purpose also it is free from encroachment an encumbrance.

- 4.9 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.

p/108, 110 4.10 the proposed alignment of belt conveyor system in combination with ground bunker and SILO rapid loading system, there is no other alternative for the proposed area.

5.00 **The User Agency has submitted an undertaking that:-**

5.1 to defray the cost of compensatory afforestation. p/297

p/219 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.

5.3 Government of India vide letter No.11-43/2013-FC, dt.3/12/2018 has issued guidelines regarding compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Right) Act, 2006. As per these guidelines:-

'Accordingly, it is clarified that within the time period stipulated for compliance of Stage I condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to be concerned CF), hence for the purpose of the MoEF & CC, as per the provisions under the Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the State Government for consideration of the proposal by the Ministry for final approval'.

p/303 Hence, the user agency has given 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 formal approval.

5.4 The copy of the Development plan is enclosed on page no. 76

5.5 The cop of the Mine Closure Planning and Reclamation Plan is enclosed on page no. 106

5.6 Copy of the administrative & technical approval by the Sub Area Manager, Makardhokra Sub Area, Western Coal Fields Limited, letter no.WLD/MKD/SAM/Forest Clearance/2020/545, dated 28/08/2020 p/55

5.7 The User Agency has submitted notification Zudpi Jungle notified RF/PF vide notification dated 07/12/2017 enclosed on page no. 18

6.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Chief Conservator of Forests (T), Nagpur Circle have recommended the proposal for diversion of 15.811 ha. of forest land.

9/104

7.0 Justification as per Para 1.15 of the Handbook under FCA, 1980 issued by GOI is as under:-

- The linear acquisition of forest land to 50 meters width is required for the reasons as mentioned below:-
- Two sets of conveyor belt to transport the high capacity coal production of 8 MTPA.
- The laying of 3 railway tracks by Central Railway below the loading bunker in a loop shape to facilitate the rapid coal loading into wagons and to provide the scope of keeping additional track as a standage rake for loading. This would ensure continuous loading at branch line of railway track is from Butibori Railway Station about 32 Kilometers away.
- Maintenance of the Conveyor belt and railway track, free movement of machineries for the maintenance.
- Provision of electrical apparatus and electrical substation require space all along the belt and railway track.
- The smooth running of belt and operation of the railway track requires the proper drainage system which has to be accommodated in the 50 meter width forest land.
- The inspection route has to be maintained all along the conveyor belt up to the SILO on both side of the conveyor belt system.
- Any other alternative of coal transportation like Arial Ropeway system of pipe bolting system requires the same alignment as what proposed for belt transportation system as it is the location where no mining activities including OB (overburden) dumping are proposed in PR. Location of belt structure, bunker, Silo should be in collaboration with Railway department as such its location should not be disturbed till the end of life of mine.

8.00 **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 The legal status of the forest land required will 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 shall be taken up by the Forest Department over 35.797 ha degraded forest land in Survey no.528,530 in village Bhojapur, Tal. Umred, Range North Umred, Round-Kuhi District. Nagpur (Area 9.997 ha.) and in Survey No. 21 in Village Butibori, Tal.Butibori, Range Butibori, Round Butibori East, Dist. Nagpur (Area-25.80 ha.) at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- 8.4 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars

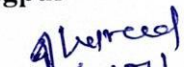
if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

8.5 NPV:-

- a) The State Government shall charge the Net Present Value (NPV) for the 15.811 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 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.
- 8.6 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.
- 8.7 All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>)
- 8.8 The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 8.9 The user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC.
- 8.10 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- 8.11 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 8.12 No labour camp shall be established on the forest land.
- 8.13 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.
- 8.14 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.
- 8.15 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 8.16 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.

- 8.17 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 8.18 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
- 8.19 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 Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- 7.19 It Shall be mandatory to provide underpass for safe crossing of wild animals:-
- (a) The underpass shall have a minimum size of width 4.00 mt and Height 3.00 mt.
 - (b) Wherever natural cross drainage works are in existence, then no need to construct new underpass subject to existing structure nearly complying above mentioned dimensions, as suggested in (a) above.
 - (c) Wherever natural cross drainage works are in existence but as per engineering requirement, it is required to reconstruct then that structure shall comply with the minimum dimensions as suggested in (a) above. (Principally to enable intertidal movements)
 - (d) Interval between such underpasses shall not be more than 2.00 km
- 7.20 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.
- 7.21 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)


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


13/10/2021
D A