



o/c

दिनांक : 16.10.2023

सेवा में,
प्रभागीय वनाधिकारी,
कैमूर वन्य जीव प्रभाग,
मीरजापुर ।

विषय: Minutes of meeting, held on 24.08.2023 regarding 2nd Renewal of 61.2348ha forest land lease to be used as Ash Dyke at Renusagar Power Company for further period of next 10 years from 21.06.2019-20.20.2029

संदर्भ: सहायक वन महानिरीक्षक (केन्द्रीय), भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, लखनऊ का पत्र सं० 8ए/09/यू०पी०/1149/2012/एफ०सी०/81 दिनांक 27.09.2023

महोदय,

विषयक प्रकरण में कृपया संदर्भित पत्र (छायाप्रति संलग्न है) का अवलोकन करने की कृपा करें। प्रश्नगत प्रकरण में अवगत कराना है कि रेनुकूट वन प्रभाग अन्तर्गत मे० रेणुसागर पावर कम्पनी को ऐश डिस्पोजल यार्ड के निर्माण हेतु 10 वर्षों की लीज पर दी गयी 61.2348हे० वन भूमि के लीज का पुनः 10 वर्षों हेतु (दिनांक 21.06.2019 से 20.06.2029 तक) नवीनीकरण प्रस्ताव भारत सरकार के स्तर पर विचाराधीन है। प्रकरण में संस्थान द्वारा कैमूर वन्य जीव प्रभाग (वन विभाग) को वर्ष 1996 में हस्तान्तरित की गई गैर वन भूमि क्षेत्र पर राजस्व अभिलेखों व वर्तमान नक्शे के अनुसार वन विभाग का स्वामित्व है जिसके धारा-4 की विज्ञप्ति जारी कराने की कार्यवाही अभी तक लम्बित है।

संस्थान के प्रतिनिधि द्वारा प्रकरण में अपेक्षित प्रगति/सहयोग हेतु अपने अधिवक्ता, वन अधिवक्ता श्री नरेन्द्र देव पाण्डेय जी के साथ ही साथ क्षेत्रीय वन अधिकारी महोदय, घोरावल रेंज से निरन्तर सम्पर्क बनाये हुए है, परन्तु खेद के साथ सूचित करना है कि भारत सरकार द्वारा जारी पत्र (संदर्भित) में उक्त कार्य को प्राथमिकता के आधार पर पूर्ण किये जाने हेतु दिनांक 05.10.2023 तक का समय निर्धारित किये जाने के उपरान्त भी प्रकरण में प्रगति नहीं हुई है।

क्षेत्रीय वन अधिकारी महोदय, घोरावल रेंज द्वारा अभी तक प्रश्नगत मुकदमे से सम्बन्धित अभिलेख वन अधिवक्ता को उपलब्ध नहीं कराया गया है। जिसके कारण प्रकरण में अनावश्यक विलम्ब हो रहा है और प्रस्ताव पर अग्रतर कार्यवाही सम्भव नहीं हो पा रही है।

Hindalco Industries Limited

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ADITYA BIRLA




अतः श्रीमान् जी से अनुरोध है कि प्रकरण की अविलम्बिता को दृष्टिगत रखते हुए कृपया क्षेत्रीय वन अधिकारी महोदय, घोरावल रेंज को प्रकरण में यथाशीघ्र मुकदमे से सम्बन्धित अभिलेख, वन अधिवक्ता श्री नरेन्द्र देव पाण्डेय जी को उपलब्ध कराने हेतु निर्देशित करने की कृपा करें, जिससे नवीनीकरण प्रस्ताव के सम्बन्ध में भारत सरकार के स्तर से अग्रोत्तर कार्यवाही हो पाना सम्भव हो सके।

सधन्यवाद,

भवदीय,

कृते हिण्डालको इण्डस्ट्रीज लिमिटेड


(विवेक कुमार)
हेड-लीगल

प्रतिलिपि : निम्नलिखित को संदर्भित पत्र के क्रम में सादर सूचनार्थ प्रेषित –

1. सहायक वन महानिरीक्षक (केन्द्रिय), भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय लखनऊ, केन्द्रीय भवन, ग्यारवां तल, सेक्टर एच, अलीगंज, लखनऊ-226024 (0522-2326696)
2. अपर मुख्य सचिव, उ०प्र० शासन, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, उ०प्र० लखनऊ।
3. प्रधान मुख्य वन संरक्षक और विभागाध्यक्ष, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, 17 राणाप्रताप मार्ग, उ०प्र० लखनऊ।
4. मुख्य वन संरक्षक/नोडल अधिकारी, कार्यालय प्रधान मुख्य वन संरक्षक और विभागाध्यक्ष, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, 17 राणाप्रताप मार्ग, उ०प्र० लखनऊ।
5. जिलाधिकारी महोदय, सोनभद्र।
6. प्रभागीय वनाधिकारी महोदय, रेनुकूट वन प्रभाग, रेनुकूट-सोनभद्र।

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भारत सरकार
Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय, लखनऊ
Regional Office, Lucknow



केन्द्रीय भवन, ग्यारवां सल, सेक्टर एच, अलीगंज, लखनऊ-226024
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पत्र सं० : 8ए/09/यू0पी0/1149/2012/एफ.सी/10/

दिनांक : 27.09.2023

Minutes of meeting, held on 24.08.2023 regarding 2nd Renewal of 61.2348 ha forest land lease to be used as Ash Dyke at Renusagar Power Company again for next 10 years from 21.06.2019-20.06.2029.

The meeting was held on 24/8/2023, 11:30 hrs in Hybrid mode under the chairmanship of DDG Central, Regional office MoEFCC, Lucknow regarding representation dated 18/08/2023 of Hindalco Industries Ltd- 2nd renewal of 61.2348 Ha forest land to be used as Ash Dyke at Renusagar Power Company again for next 10 years from 21.6.2019 to 20.6.2029.

Background:

1. The issue pertains w.r.t. proposal for 2nd renewal of lease of 61.2348 Ha forest land to be used as Ash Dyke at Renusagar Power Company again for next 10 years from 21.6.2019 to 20.6.2029.

2. Online proposal was submitted vide proposal number #FP/UP/IND/39403/2019. The proposal is pending at MoEFCC New Delhi for In-principle Approval. Initially 61.2348 Ha forest land was taken on lease to be used as Ash Dyke.

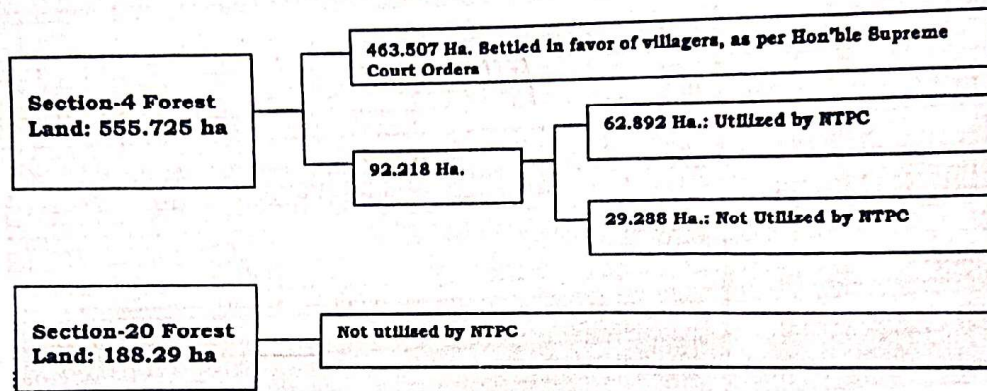
3. The proposal of diversion of forest land of 126.27 Ha for construction of ash disposal yard on ten year lease was accorded approval by central government vide letter dated 26-02-1999. Later this area was reduced to 61.2348 Ha. Details of approval for 61.2348 ha?

A proposal for renewal of lease of 61.2348 Ha from 20-06-2009 for a period of ten years was received vide letter of State Government dated 05-07-2012.

In the meanwhile a proposal for diversion of 146.31 Ha of forest land for construction of Rihand Super Thermal Power Project Stage 2 (2X500 MW) Ash Dam and Ash Pipe line in favour of NTPC in Sonbhadra District was received. FAC while considering this proposal in its meeting dated 12-13 September 2013, recommended – *that current proposal for diversion of 146.31 ha of forest land shall be considered for diversion by the Central Government after compliances on the actions, as given below, is completed by the State Government agency. As this proposal is an off shoot of the earlier proposal and without obtaining compliance on the first proposal and subsequent grant of stage II new proposal cannot be considered.*

Regional office was thus directed by MOEF&CC to Reinspect the area and report the present legal status of 744 Hec for which stage-I approval was granted in 1991. The site inspection of Regional office was done on 16-12-2016. The report of meeting was sent to MoEF by this office vide letter number 229 dated 20/1/1, in which the status of 744.015 Ha of land was concluded as follows:

Considering the observations above, the status of land is as follows:



4. Eventually Stage-I of the renewal of Lease for 61.2348 Ha for Ash dyke of Renusagar Power Company from 2009 to 2019 was provided on 13/2/2017 by MOEFCC. State Government was requested by MoEFCC to facilitate the deposition of necessary levies by letter dated 27/5/2017.

Again FAC in its meeting held on 16-05-2017 constituted on committee under the Chairmanship of Sh. V. K. Singh, Addl. PCCF (Central), Regional Office, Lucknow to examine the legality involved in land in possession of NTPC, particularly land under section 4 notification under Forest Act 1927. In light of various court orders in this regard and status of compliance of Stage-I clearance, State Government was asked by committee vide letters dated 13 July 2017, 1 August 2017, 12 September 2017 regarding expedition of process for ascertaining legal status of forest land. The committee submitted report by letter number 118 dated 31/10/2017, in which it was concluded that NTPC has developed the area notified under Section 4 as per settlement by settlement officer in favor of Local people only.

6. The proposal of renewal of Lease for 61.2348 Ha for Ash dyke of Renusagar Power Company from 2009 to 2019 was provided final approval by MoEFCC on 23/8/2018 and a five point letter to state Government for compliance of the final notification was asked from state government vide letter 8-05/1993 dated 15/7/2021. Same letter was sent by this office vide letter no 8A/09/1149/2012/FC/199 dated 18/8/21.

संदर्भ:-उप वन महानिरीक्षक, भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन का पत्रांक-8-05/1993-एफ.सी., दिनांक-15.07.2021.

महोदय,

कृपया उपरोक्त विषयक संदर्भित पत्र का आशय ग्रहण करने का कष्ट करें। जिसके द्वारा राज्य सरकार ने विषयवस्तु प्रस्ताव :र वन (संरक्षण) अधिनियम, 1980 की धारा-2 के तहत भारत सरकार की स्वीकृति मांगी थी। प्रकरण में भारत सरकार, नई दिल्ली द्वारा दिनांक 23.08.2018 द्वारा विधिवत स्वीकृति प्रदान की गई थी। वर्तमान में लीज नवीनीकरण के प्रस्ताव के सम्बन्ध में भारत सरकार के उपरोक्त संदर्भित पत्र द्वारा निम्न 5 बिन्दुओं पर आवश्यक सूचना मांगी गई है, जिन्हें भारत सरकार को उपलब्ध कराने का कष्ट करें-

- 1- The complete compliance of conditions stipulated in Ministry's Stage-II/Final approval letter no. 8-05/1993-FC (Pt.) dated 23-08-2018 has to be submitted.
- 2- The State Government shall submit the status of the notification for declaring the area acquired for Compensatory Afforestation as RF/PF along with present status of the compensatory afforestation has to be submitted.
- 3- Validity of lease under FCA, 1980 has already expired, therefore it needs to be ascertained that violation of the Forest (Conservation) Act, 1980 need submission.
- 4- Reasons/justification for seeking renewal of forest lease after every 10 years under the Forest (Conservation) Act, 1980 need submission.
- 5- Vital details regarding the capacity of the Ash Disposal Yard and timeline for utilization of the same up to the brim need submission.

The response to these queries is still awaited. The copy of correspondence dated 2/9/21 to DFO Renukoot was provided by Hindalco to this office in which the issues raised regarding ownership of the CA land provided is summarized below: below-

- (i) In 1989, Non Forest land was provided by the user agency(HINDALCO) for Compensatory Afforestation.(38.2050 ha. in compartment no. purna in Gorwal range, 19.354 ha. in compartment no. pedh in range Gorwal and 3.6758 ha. in compartment no. Anjani of Jarha range) and on the same ground AIP(Stage I) and FA(Stage II) was granted.

It was submitted by user agency that 3.6758 ha. in compartment no. Anjani of Jarha range was eventually planted under CA and notified under section 4 of IFA. The remaining 2 patches of land provided (38.2050 ha. In compartment no. purna in Gorwal range, 19.354 ha. In compartment no. pedh in range Gorwal) are yet not notified.

For notification of later two patches for land provided by user agency forest department was approached by user agency. Forest department has to clarify that whether the two non-forest patches of land provided by the user agency includes forest land also or not ?

It was informed by user agency vide its representation dated 18.08.2023 that "MoEF, New Delhi has raised 5-point query vide its letter 8-05/1993-FC (Pt) dated 15.07.2021 compliance of which was sent to CCF, Mirzapur by DFO, Renukoot vide its letter 2766/Renukoot/15-31 dated 11.03.2022. It may please be noted that 57.559 ha non-forestland was provided to Kaimur Vanya Jeev Prabhag in 1996 itself as CA land, notification process under Section-4 of which could not yet be completed by Kaimur Vanya JeevPrabhag". DFO Kaimur during meeting was not clear whether some Forest land is included in the patches of 57.559 Ha land ,made available by HINDALCO in 1996.

It was noticed that the proposal for further renewal of lease from 2019 to 2029 was submitted on parivesh portal on 15.03.2019 for "renewal of lease of Ash disposal yard for Renusagar Captive Thermal Power Plant in 61.2348 ha." for which CA was proposed on 61.2348 ha (38.2050 ha. in compartment no. purna in Gorwal range, 19.354 ha. in compartment no. pedh in range Gorwal and 3.6758 ha. in compartment no. Anjani of Jarha range as mentioned above)

The meeting was conducted under the chairmanship of DDG, Regional Office Lucknow along in Hybrid Mode with officials of Regional office in response to above mentioned representation. Following representatives of State forest department and user agency-

- Shri. Anupam Gupta, Nodal Officer, FC
- Shri. Arvind Yadav, DFO Kaimur, Wild Life Sanctuary.
- Shri. Swarantra Shrivastav DFO Renukoot.
- Shri Vivek Kumar, Legal head Hindalco
- Shri Vibhor Bhargav, Hindalco Representative

Following decisions were taken:-

- DFO Kaimur explained that inspite of repeated requests with district revenue officials, Tarmini Map has not been made available which is causing delay in ascertaining whether any forest land is included in the said CA land provided by User agency.
- DFO Kaimur was directed to arrange the maps from Revenue department and expedite the matter and furnish Joint Inspection Report within 30 Days. A communication also to be endorsed to DM, Sonebhadra to make available requisite maps/records and ensure demarcation/inspection report by 5th October, 2023.
- HINDALCO Representatives were directed to coordinate with State Forest Department in carrying out joint inspection of the Non forest Land provided by HINDALCO by 5th October, 2023.
- Nodal Officer FC, State Government was requested to follow up the matter on priority and ensure submission of report by 5th October, 2023..

Dr. Pranay Misra
Assistant Inspector General Forest (C)

Copy for kind information and necessary action to (through e-mail only):-

1. Additional Chief Secretary, UP Forest Department, with the request to facilitate availability of Tarmini Map and relevant revenue records by District Magistrate, Sonebhadra.
2. PCCF and HOFF Uttar Pradesh Forest Department
3. The Nodal officer, Forest Department, 17, Rana Pratap Marg, Lucknow, U.P.
4. District Magistrate, Sonbhadra, to provide Tarmini Map and relevant revenue records on priority to DFO.

5. The Divisional Forest Officer, Kaimur Wild Life Sancturay.
6. The Divisional Forest Officer, Renukoot.
7. The Divisional Forest Officer, Sonebhadra.
8. Shri Vivek Kumar, Legal head Hindalco.



Dr. Pranay Misra
Assistant Inspector General Forest (C)