



केन्द्रीय कोयलाभित्तकृत निर्यातक - **WCL** (A Coal India Limited)
 मिनिम कम्पनी (A Miniratna Company)
 कोयला इण्डिया लिमिटेड की अग्रणी कम्पनी (A Subsidiary of Coal India Limited)
 CTN-4181885811775C/08818826



शेडीय मातृकांक का कार्यालय, चंद्रपुर शेड
 योजना विभाग
 पता: वे.के.नि., चंद्रपुर शेड, पो.बाबुपेठ,
 जिला: चंद्रपुर, महाराष्ट्र, पिन-442403
 Email: gmwclcha@gmail.com

Office of Area General Manager, Chandrapur Area
 PLANNING DEPARTMENT

Address: WCL, Chandrapur Area, PO: Babupeth,
 Dist: Chandrapur, MS, PIN:442403
 Fax:07172-255287, Phone: 07172-253322-25

संदर्भ : वेकोलि/चक्षे/शेडमातृका/योजना/राज्य/4711

दिनांक : 13.09.2024

प्रति,
 विभागीय वन अधिकारी,
 चंद्रपुर वन विभाग,
 चंद्रपुर.

विषय : Proposal for seeking prior approval of the Central Government under Section 2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for renewal of mining lease over 80.77 ha forest land for Durgapur Open Cast Mine Project by M/s WCL in compartment No 400 and 401 of Chandrapur Forest Division, Chandrapur District of Maharashtra State. (Online No. FP/MH/MIN/6704/2014) - regarding.

संदर्भ : 8-123/2003-FCVol. - I/78809/2024 dated :02.08.2024 by Assistant Inspector General of Forests, MoEF & CC, New Delhi

महोदय,

With reference to the above subject and referred letter from APCCCF office, please find the point-wise reply below:

Sr. No.	Query	Reply from User Agency
1	Recommendation of the Nodal officer, Govt. of Maharashtra in Part-IV has not been submitted with the proposal.	Copy of Part IV duly signed by the APCCF (Nodal Officer) on 23.08.2019 is herewith enclosed as Annexure I
2	The State Govt. in Part-II form mentioned the Canopy density of the proposed forest land for renewal of lease as Nil whereas good vegetation cover is visible through satellite imagery in the proposed land. Also the CCF in its site inspection report has mentioned that 45 no. of trees are marked for felling. This needs clarification and the factual position needs submission.	<p>The proposed forest land 80.77 Ha was diverted vide MoEF Order F.No. 8-123/2003-FC dated 08.11.2005 for 8 years. During this diversion period a safety zone of 2.63 Ha had been kept as per the condition no.vi. Due to this reason good vegetation cover is present over the safety zone area of the 80.77 Ha forest land. Other than that, mining activities have been stopped since October 2013, so as bushes and other vegetations are came up on the benches of the 80.77 Ha forest land. It can be verified by the following facts:</p> <p>a. The Divisional Forest Officer has inspected the site on 06.04.2018 and 24.12.2018. Part II was prepared on the basis of the field visit dated 06.04.2018 in which Canopy density was mentioned as NIL. However, during the Site Inspection held on 24.12.2018, trees found in the Safety Zone of 80.77 Ha were counted for felling and reported in the Site Inspection Report dated 26.02.2019. As per the site</p>

96-P-28
 आवक लिपिक
 मुख्य वनसंरक्षक चंद्रपुर वन
 यांचे कार्यालय

17/09/2024
 आवक लिपिक
 विभागीय वन अधिकारी
 चंद्रपुर वन विभाग चंद्रपुर

inspection report dated 26.02.2019, the Canopy Density was given as 0.1 (Eco-Value Class III). Species-wise list of trees to be felled also given in Online Part II in which 45 number of different trees and 48 number of Bamboo was given. **Copy of the Online Part II and Revised Site Inspection Report of DFO-Chandrapur Forest Division enclosed as Annexure II.**

- b. As per the Site Inspection Report of Chief Conservator of Forests, Chandrapur Circle dated 10.01.2019, 27 number of trees below girth size 60 cm, 18 number of trees with more than 60 cm girth size and 48 number of Bamboo totaled up to 93 trees are proposed for felling. **Copy of Site Inspection Report of CCF-Chandrapur Circle enclosed as Annexure III.**
- c. It is pertinent to mention here that in Site Inspection Report DFO dtd. 27th March 2024 it is categorically mentioned that there are 45 different trees & 48 Bamboos in the proposed area. **Copy of the Site Inspection Report and Details of trees enclosed as Annexure IV.**

3

The mining plan for 80.77 ha forest land for. renewal submitted with the proposal is of year 2007. Therefore, the validity and the relevance of the same shall be examined and revised and updated mining plan along with progressive mine closure plan shall be submitted accordingly. The state shall also ensure that the land use plan / component wise breakup of the area in the proposal is commensurate with the approved mining plan. A comparative analysis of the same shall also be submitted.

It is herewith submitted that the land use pattern of subject 80.77 Ha Forest land is not affected / changed due to the revision of mining plan for expansion of mine. The renewal of forest clearance of 80.77 Ha Forest land was submitted based on the approved Mining Plan of 29th May 2007. Later, it was revised in 21st February 2017. The proposed 80.77 Ha was proposed for coal extraction and reclamation in both of these Mining Plans.

Land Use Plan / Component wise break-up of the area in the proposal i.e., 80.77 Ha is same with approved mining plan.

Comparative Analysis

Details	As per Mining Plan 2007	As per Mining Plan 2017
Use of 80.77 Ha Forest Land	Mining (Coal Extraction & Reclamation)	Mining (Coal Extraction & Reclamation)
Safety Zone of 80.77 Ha	Coal Extraction	Coal Extraction
EC	3.00 MTPA	3.00 MTPA

As per the above comparative analysis, total area of the project in 2007 is 1598.22 Ha including the 411.68 Ha additional land is proposed for acquisition. Later, 410.96 Ha acquired u/s 9(i) of CBA (A&D) 1957 vide SO No.2922 dated 25.11.2010 which makes the total area of the project as 1597.50 Ha. Hence, there is no changes in the usage of 80.77 Ha Forest land due to revision of Mining Plan. **(Copy of Board Approval of Revised Project Report and Progressive Mine Closure Plan is enclosed as Annexure V and Revised Mining Plan is enclosed herewith as Separate Booklet as requested).**

4	Total area of the mining lease has not been found updated in the Part-I of the application form of the proposal.	As deliberated in earlier point No. 5, the total proposed area involves 1597.50 Ha including 275.25 Ha forest land as per the revised mining plan / Project Report approved in 2017. However, the updation of area in Part-I of Parivesh 1.0 is not allowed.
5	The State Govt. shall submit the status of Mine lease validity along with the relevant details.	<p>The subject forest land 80.77 Ha was acquired under CBA (A&D) Act 1957. Hence, mining lease from the State Government is not applicable. It can be seen vide the clarification issued by the Ministry of Coal vide letter F.No.43015/28/2017-LAIR (Vol.II) dated 11th December 2019,</p> <p>QUOTE</p> <p>"Since the subject land was acquired under the CBA (A&D) Act, 1957 and vests absolutely in the Government Company, neither the execution of mining lease with the State Government is required as per statute nor there is any necessity as it was not along with the Mineral Concessions Rules, 1960 does not apply over the land / rights acquired under CBA (AD) Act 1957."</p> <p>UNQUOTE</p> <p>(Copy of the letter from Ministry of Coal is enclosed as Annexure VI)</p>
6	Proposal for 80.77 ha of forest land has been approved by the MoEF & CC, New Delhi vide letter No.8-123/2003-FC dated 08.11.2005 for 8 years i.e. till 2013. In this regard, date on which the mining was stopped in the 80.77 ha forest land along with present status of land needs submission.	<p>Stage II approval vide letter No.8-123/2003-FC dated 08.11.2005 mentioned validity for 8 years i.e. 7th Nov 2013. Accordingly mining activities on 80.77 Ha was stopped on 30th October 2013. Range Forest Officer-Chandrapur Forest Range, Divisional Forest Officer-Chandrapur Forest Division, Chief Conservator of Forests-Chandrapur Circle had been made site inspections to the proposed area during the forest clearance and wildlife clearance proposals of 80.77 Ha and adjacent 121.58 Ha Forest Lands.</p> <p>It can be ascertained by the latest Site Inspection Reports of Divisional Forest Officer, Chandrapur Forest Division has on dated 27.03.2024 and Chief Conservator of Forest on dated 09.05.2024 for wildlife clearance of same 80.77 Ha Forest Land. As per the Site Inspection Reports, it is confirmed that the 80.77 Ha Forest Land was not used for mining activities after the expiry of the Forest Clearance. (Copy of the Site Inspection Reports of the Divisional Forest Officer enclosed as Annexure IV and Chief Conservator of Forests is enclosed as Annexure VII).</p>
7	Cost benefit analysis has been carried out on the old NPV rates. The same needs to be revisited and required to be submitted as per the format prescribed in the consolidated Handbook of Guidelines issued by the Ministry on dated 29.12.2023.	<p>Cost Benefit Analysis has been prepared considering revised NPV rates as per format prescribed in the Handbook Guidelines issued by the Ministry on dated 29.12.2023,</p> <p>(Copy of the Revised Cost Benefit Analysis enclosed as Annexure VIII)</p>
8	The details of mineral evacuation plan along with supporting maps/ KML file and involvement of forest land, if any,	1. At present coal mining is carried out in the Sector V (Non-Forest) of the Durgapur OC Project. The extracted Coal (Mineral) is being transported from

	shall be intimated. The State Shall also clarify how the requirement of electricity & water will be met by the user agency.	<p>the Coal face to the Coal Stock Yard through 60T Dumpers in Haul Road and then transported to the Coal Handling Plant (CHP) by Tippers using the Coal Transportation Road. Later, it is supplied to Chandrapur Super Thermal Power Station through Aerial Rope Conveyor system. All these details have been marked in the google map and KML file. (Copy of the Map as Annexure IX and KML file enclosed in a Pen Drive). Coal extracted from the 80.77 Ha shall be dispatched to MAHAGENCO following the same route as above.</p> <p>2. Electricity is being supplied by the Maharashtra State Electricity Distribution Company Limited (MAHADISCOM) to WCL. Water requirement for the project is being met through Mine Water which is utilized for industrial as well as domestic needs of the project. The project has obtained NOC from Central Ground Water Authority for the same. (Copy of the NOC from CGWA enclosed as Annexure X)</p>
9	The user agency has informed that the 80.77 ha forest land in the instant proposal will be utilized for dumping of overburden removed from the approved forest area of 121.58 ha forest land. However, reason behind such non-site-specific utilization of proposed forest land under renewal has not been given. Further, instead of just furnishing mining, complete component details of the proposed forest land shall be updated in the Part-I form along with component wise KML file/ maps needs submission.	As per Part I submitted along with the proposal, it is clearly stated that the 80.77 Ha Forest Land is required for Mining Operation for Extraction of Coal. As per the revised mining plan also 80.77 Ha Forest Land will not be used for dumping of overburden removed from the approved forest land area of 121.58 Ha. Instead, 80.77 Ha will be used for coal mining and reclamation. At present, approximately 46.10 Ha area out of 80.77 Ha is bearing coal. This area will be used for Coal Extraction and remaining area will be used for movement of men, machineries and other mining operations. At the end of mining operations, 80.77 Ha will be reclaimed as per the approved mining plan. Complete component details of the proposed forest are updated in Part I. A map showing the component-wise break-up of forest land is enclosed as Annexure XI and KML file is submitted in the Pen Drive.
10	Complete & updated compliance report of the approval granted by the Ministry vide its letter No 8-123/2003-FC dated 8/11/2005 has not been submitted with the proposal. The same requires submission.	Status of Compliance of the conditions is submitted along with Form B - Part I of the online proposal. However, Complete & Updated Compliance Report with latest status enclosed herewith as Annexure XII .
11	It is observed that the user agency is obtaining the approvals under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 of the forest land within the lease in piecemeal manner. The State Govt. may offer their comments in this regard.	338.85 Ha Forest Land was acquired for Durgapur Block vide CBA S.O.No.450E dated 04.08.1979. Forest Clearances obtained as per requirement of the project since then. Forestry Clearance of all the patches have been obtained before the year 2005-06. Later, 121.58 Ha Forest Land was acquired vide CBA Notification S.O.No.2922 dated 25.11.2010. Hence, approval of the same obtained later period. It is humbly submitted that mining is a progressive and site-specific activity. Forest clearances obtained from MoEF & CC as and when required for mining.

12

It has been reported by the State Govt. that the user agency has obtained forest clearance vide various letter references of the Ministry and each of them is having different forest area within the Durgapur Mine. In this regard, a tabular data along with Map/KML file showing the total Mining lease area, Forest land approved, validity of approvals granted under Van Adhiniyam, 1980 vis-à-vis validity of lease, land surrendered & reclaimed under each approval shall be submitted.

Tabular Forest Land approved, Validity of approvals, Land Surrendered & Reclaimed is given below:

Sr. No.	Area in Ha	Approval Letter No. & Date	Validity of approval	Land Surrendered & Reclaimed
1	40.46	FLD/3679/1453-F3 dated 23.05.1980	Nil	Land being utilized for mining purpose i.e., backfilling and temporary infrastructure
2	172.54 (Reduced to 136.54)	8-35/2001-FC (Vol.I) dated 19.09.2006	20 Years	36.00 Ha Surrendered to State Forest Dept.
3	80.77	8-123/2003-FC dated 08.11.2005	08 Years	Mined out. Renewal of FC under progress
4	121.58	8-84-2014-FC dated 22.12.2021	Co-terminus with Mining Lease	Mining to be carried out

(Copy of Forest Clearances enclosed as Annexure XIII)

Validity of Lease: All of the above forest lands are acquired vide Coal Bearing Areas (A&D) Act 1957 vide SO No.450E dated 04.08.19079 and S.O No.2922 dated 25.11.2010. It can be clarified vide the clarification issued by the Ministry of Coal vide letter F.No.43015/28/2017-LAIR (Vol.II) dated 11th December 2019,

QUOTE

"Since the subject land was acquired under the CBA (A&D) Act, 1957 and vests absolutely in the Government Company, neither the execution of mining lease with the State Government is required as per statute nor there is any necessity as it was not along with the Mineral Concessions Rules, 1960 does not apply over the land / rights acquired under CBA (AD) Act 1957."

UNQUOTE

Copy of the CBA Notifications enclosed as Annexure XXII.

A map showing the total mine lease area of the Durgapur OC Project with all the forest land patches enclosed as Annexure XIV and KML file with above details is submitted in a pen drive.

13

The State Govt. shall inform whether the approval of safety zone has been obtained or otherwise.

80.77 Ha Forest land was diverted vide MoEF letter 8-123/2003-FC dated 08.11.2005. During this diversion as per the MoEF guideline and directives of the State Forest Department 2.63 Ha area all along the Forest Land was kept as safety zone within the 80.77 Ha Forest Land.

As per the Stage I Condition No.iii issued by the MoEF, New Delhi vide letter no. 8-123/2003-FC dated 27.04.2004, "The User Agency shall raise and maintain a safety zone (including fencing, regeneration etc), taking

		<p>7.5 meters strip of the forest land all along the outer boundary of the mining lease area at the project cost". WCL has complied the condition by erecting pillars and maintaining the 7.5 Meters all along the 80.77 Ha Forest land admeasuring an area of 2.63 Ha. Remaining 78.14 Ha only used for mining purpose. Further, WCL has paid Rs.8,42,877/- towards Cost of regeneration of Safety Zone Area 2.63 ha and cost of fencing of Safety Zone area 3500 running meters in 2004. Copy of the details enclosed as Annexure XV.</p>
14	The user agency has not uploaded the component wise KML file along with KML file of the safety zone of the forest land proposed for renewal.	<p>Entire 80.77 Ha area will be used for mining purpose which includes extraction of coal from the benches, backfilling and reclamation, etc. The proposed 80.77 Ha Forest land is now clustered with adjacent 121.58 Ha Forest land. As per the Chapter No.7 - Point no.7.8.(iii)g of Consolidated Guideline of MoEF & CC dated 29th December 2023 (page no.89), a safety zone area admeasuring 3.18 Ha was allotted at the outer boundary of the cluster. Copy of the MoEF Guideline Page no.89 enclosed as Annexure XVI. Updated KML file is submitted in a Pen Drive for compliance.</p>
15	KML file of 162 ha degraded forest land earlier proposed for Compensatory afforestation (CA) shall be submitted.	<p>162.00 Ha degraded forest land has been used for Compensatory Afforestation purpose during the earlier diversion from 8th November 2005 to 07th November 2013. Rs.88,00,812/- rupees has been deposited for Compensatory Afforestation purpose. Details of payment enclosed herewith as Annexure XVII. State Forest Department requested to provide the KML files of the CA Land allotted against this diversion.</p>
16	As per the DSS, the proposed forest land for diversion is located at a distance of 1.89 Km from the Tadoba-Indravati Tiger Reserve. Further, the proposed forest land is located at a distance of 5.68 Km from the Tadoba-Indravati Tiger Corridor. The comments of the CWLW in this regard shall be submitted.	<p>CWLW has given his comments vide letter no. Desk-23(2)/WL/Survey/Pr.Kr.292/5236/2023-24 dated 14.02.2024. As directed by the PCCF, WCL has applied for Wildlife Clearance in Parivesh 2.0 Portal vide application number 463196 dated 27.02.2024. The proposal was deliberated on the meeting of Standing Committee on State Board of Wildlife, Maharashtra State on 12.08.2024. Wildlife Clearance was recommended by the State Board of Wildlife. Copy of the Minutes of Meeting dated 26.08.2024 enclosed as Annexure XVIII.</p>
17	The user agency has reported that the 40.46 ha area was already handed over by the Govt. of Maharashtra vide order No FLD/3679/1453-F3 dated 23.05.1980. However, the legal status of land, details of the land along with KML file has not been given. A detailed report in this regard shall be submitted.	<p>40.46 Ha Forest Land was handed over to WCL vide Revenue & Forest Department, Maharashtra State vide letter no. FLD/3679/ 1453-F3, dated 23-05-1980 (Before FC Act 1980). RS.5,72,000/- had been deposited to the Divisional Forest Officer on dated 27.03.1980 during the handing over. Legal Status of the Forest Land was still maintained as Forest. Copy of the ORDER from the Under Secretary, Revenue & Forest Dept., Maharashtra State and Payment details enclosed as Annexure XIX. State Forest Department requested for compliance. KML file is enclosed in the Pen Drive.</p>
18	The KML file of earlier approved CA along with the status of the CA	<p>162.00 Ha which is equivalent to double the area of diverted 80.77 Ha Forest land was already approved for</p>

	plantation and status of uploading of CA details on e-Green watch portal shall be submitted.	Compensatory Afforestation purpose during the earlier diversion. State Forest Department requested to provide the details and KML files of CA Land .
19	The DFO has written that no violation is there since area is yet to be broken, however since it is a case of renewal the statement of DFO does not seem coherent. This needs clarification.	<p>Divisional Forest Officer, Chandrapur Forest Division has submitted Part II along with the Proposal dated 19.03.2018 in which he has written against Sr.No.10 as "Total area broken up and Compensatory Afforestation not applicable the proposal for renewal of mining lease"</p> <p>Further, DFO "certified that there is no Violation of Forest (Conservation) Act, 1980 for Proposal for Renewal of 80.77 Ha Forest Land for WCL Durgapur Opencast Project. Under Chandrapur Forest Division, Distt. Chandrapur, as the work is yet to start" in the certificate dated 19.03.2018 (page no.____).</p> <p>It is herewith clarified that the mining activities on 80.77 Ha Forest Land was stopped since 30.10.2013 well before the validity of Stage-II FC of 80.77 Ha i.e. 7th Nov. 2013. Since then, no mining work is started in the forest land. Divisional Forest Officer, Chandrapur Forest Division requested to give his comments on the same.</p>
20	The mine is in proximity of buffer of Tadoba Tiger Reserve. Buffer of the ATR reserve is a legal entity and remains part of the ESZ. The status of ESZ and of tiger corridor shall be submitted.	The proposed 80.77 Ha Forest Land and the entire Mine Boundary of the Durgapur OC Project is not falling in the Buffer Zone or Eco-Sensitive Zone. As per the certificate issued by the Field Director, Tadoba Andhari Tiger Reserve dated 10.02.2012, the Durgapur Opencast Project is located at a distance of 1.00 km from the Buffer, 1.25 km from the Eco-Sensitive Zone and 12.25 km from the Core Zone of Tadoba Andhari Tiger Reserve. Eco-Sensitive Zone is not affected by diversion of this project. But, the 80.77 Ha area is located in forest compartment nos.400 & 401 is falling in the tiger corridor. As directed by the Principal Chief Conservator of Forests, Maharashtra State vide letter dated 14.02.2024, WCL has submitted a Wildlife Clearance Proposal with a proposal no. WL/MH/MIN/QRY/463196/2024 on 27.02.2024 in Parivesh 2.0 Portal. State Board of Wildlife Meeting held on 12.08.2024 has recommended the Wildlife Clearance Proposal. Copy of the Comments of PCCF (WL), Maharashtra State and SBWL Minutes of Meeting dated 26.08.2024 enclosed as Annexure XVII .
21	The details of the reclamation of mine and area handed over along with the status of vegetation on reclaimed area shall be submitted.	<p>Till date 36.00 Ha land area had been biologically reclaimed in this project. Apart from that, 35.81 Ha area had been Backfilled. As per the EMP Compliance report till date 13,41,924 plantations have been planted in the Backfilled areas, External OB Dumps, Plain lands etc. which cover 366.24 Ha of the total mine lease area. Copy of the latest EC Compliance Report dated 30.6.2024 enclosed as Annexure XX.</p> <p>36.00 Ha Forest Land was reclaimed and handed over to the State Forest Department as per Stage I Condition during the renewal of 172.54 Ha (Reduced to 136.54 Ha) forest clearance. Copy of the details of handing over enclosed as Annexure XXI.</p>

The details of the non-forest land involved in the mine shall be submitted.

Total area of Durgapur Opencast Project is 1597.50 Ha which was acquired through Coal Bearing Areas (A&D) Act 1957 and Land Acquisition Act 1894. 379.35 Ha Forest Land and 1218.15 Ha Non-Forest Land is located in the Mine Lease. Details of Forest & Non-Forest land in Durgapur Opencast Project is given below:

Sr. No.	Type of Acquisition	Forest	Non-Forest
1	CBA 450E dated 04.08.1979	257.77	727.29
2	CBA 2922 dated 25.11.2010	121.58	289.38
3	CBA 5664 dated 03.12.1985	0.00	13.90
4	CBA 3446 dated 16.09.1986	0.00	17.28
5	LA Awards 1988	0.00	170.30

Copy of relevant notifications enclosed as Annexure XXII.

The point-wise compliance report is hereby submitted for your kind perusal and for further needful action please.

Thanking you,

भवदीय,

Project Proponent / उपक्षेत्रीय प्रबंधक,
दुर्गापुर उपक्षेत्र, वेकोली, चंद्रपुर क्षेत्र

13/09/24

संलग्न:

As above – 5 sets

प्रतिलिपि:

1. अप्र प्रधान वनसंरक्षक व केंद्रस्थ अधिकारी, महाराष्ट्र राज्य, नागपूर
2. मुख्य वनसंरक्षक, चंद्रपुर वनवृत्त, चंद्रपुर
3. क्षेत्रीय महाप्रबंधक, चंद्रपुर क्षेत्र
4. महा प्रबंधक (भू/रा), वेकोली मुख्यालय, नागपूर
5. महा प्रबंधक (वन), वेकोली मुख्यालय, नागपूर
6. महा प्रबंधक (पर्यावरण), वेकोली मुख्यालय, नागपूर