

## PART - IV

( to be filled by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks, (While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon)	Specific recommendations of Principal Chief Conservator of Forests (Hoff) M.S. Nagpur enclosed on page No. 59A to 59F
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4/2/18

Addl. Principal Chief Conservator of Forests  
And Nodal officer  
Maharashtra State, Nagpur

**Proposal for diversion of 36.98 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for Hindusthan Lalpeth (Expansion) Opencast project at Reserve Forest Compartment No. 485 in Chandrapur Forest Division**

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

- 1) The proposal is for diversion of 36.98 ha. forest land area for Hindusthan Lalpeth (Expansion) Opencast project at Reserve Forest Compartment No. 485 in Chandrapur Division. The area statement is shown as under-

Sr. No.	Item	Divison	Comptt. No.	Area (in ha.)	Legal Status
1.	a) Hindusthan Lalpeth Opencast (Expansion)	Chandrapur	485	34.43	Reserve Forest
	b) Transportation, Roads and 11 KV H.T. Line				
2.	Safety zone	Chandrapur	485	2.55	
	Total			36.98	

The proposal for Hindusthan Lalpeth (Expansion) Opencast project has been initiated by Area General Manager WCL, Chandrapur Area. Government of India, Ministry of Coal, New Delhi has approved Hindusthan Lalpeth (Expansion) Opencast project in their notification under section 9 (1) of Coal Bearing Act (A&D) Act 1957 vide S.O. No.22 dated 28/12/1983. Ministry of Environment & Forest, Government of India vide letter No. F.No. 8-11/95-FC, dated 8/5/2001 had approved proposal for diversion of 72.22 ha. (24.87 ha for opencast mining, 42.30 ha for underground mining and 5.05 ha of safety zone) of forest land for Hindusthan Lalpeth Opencast mining project in favour of M/s WCL in Chandrapur district of Maharashtra. Total lease area for the project is 311.66 ha (72.22 ha forest land + 22.80 ha. non forest land (deforested area) + 216.64 ha non forest land).

At present, out of 24.87 ha of forest land approved for opencast mining, opencast mining was done in about 18.65 ha forest land and backfilled. Mining operation in 6.22 ha balance forest area shall be carried out. Out of 42.30 ha forest land approved for underground mining, underground mining in 21.63 ha forest land has been done and 20.67 ha forest land is virgin area.



The present proposal is for diversion of 36.98 ha for surface right for Opencast mining, includes 20.67 ha virgin forest land, 14.37 ha forest area out of 21.63 ha mined out forest land and 1.94 ha out of 5.05 ha safety zone which was approved by Government of India on 8/5/2001 for underground mining (42.30 ha for underground mining and 5.05 ha for safety zone) but is now proposed for Opencast mining. The total forest area 36.98 ha proposed for diversion includes 34.43 ha for surface right for Opencast mining and 2.55 ha for safety zone. The details are as under:-

Sr. no	Forest land approved mining for underground by Government of India letter dt. 8/5/2001. (ha)	Forest area mined out from underground mining (ha)	Forest area left virgin	Forest approved for safety zone (ha)	Forest land proposed for diversion for surface right for Opencast mining from mined out forest area (ha)	Forest virgin area proposed for Opencast mining (ha)	Forest area proposed from safety zone	Total proposed forest land for diversion (ha)
A	B	C	D	E	F	G	H	I= (F+G+H)
1	42.30	21.63	20.67	5.05	11.82	20.67	1.94	34.43
	<b>Safety Zone</b>				2.55	-	-	2.55
	<b>Total forest area</b>				14.37	20.67	1.94	36.98

The Hindusthan Lalpeth (Expansion) Opencast project is located in Lalpeth geological block in Chandrapur district of Maharashtra State. The proposed area lies in the dip side of southern part of existing Hindusthan Lalpeth Open Cast mine. The Coal block is demarcated on the survey of India Topo sheet No-56 M/5 having Latitude  $19^{\circ} 53' 35''$  to  $19^{\circ} 54' 04''$  and Longitude  $79^{\circ} 18' 04''$  to  $79^{\circ} 19' 30''$ . At present Hindusthan Lalpeth Opencast project is supplying coal mainly to Chandrapur Super Thermal Power Station of Maharashtra State, which caters to the need of power supply in Vidarbha and other parts of the Maharashtra State. To run the power plant and to meet the growing demand of power, it is essential to keep Hindusthan Lalpeth (Expansion) Opencast Project running smoothly by diverting 36.980 ha for opencast mining. The project report of existing Hindusthan Lalpeth Opencast mine is prepared by CMPDIL Nagpur and duly approved by Competent Authority vide letter No WCL/CHA/AGM/PLG/REV/123 dated 10/1/2013.

- 2) Rehabilitation Action plan prepared by CMPDI, Nagpur is enclosed with mining plan.
- 3) The area belongs to Eco-value class-III of Open Forest category.
- 4) The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that no alternate alignment is possible and the forest land required is the barest minimum.
- 5) There are 79 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-



Tree Girth in Cm.										
15-30	31-45	46-60	61-75	76-90	91-105	106-120	121-135	136-150	Above 150	Total
2	12	14	17	17	10	5	1	1	0	79


- 6) Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that the proposed project is beyond 10 km from the boundary of the Protected Area.
- 7) Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that proposed project is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance.
- 8) The project has been accorded environmental clearance with conditions stipulated by Government of India vide its letter No. J-11015 /93/2005-IA, II (M), Dated 14/7/2006.
- 9) The User Agency has submitted Mining Plan approved by CMPDIL Nagpur and mine reclamation plan.
- 10) The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur, has certified that non forest area covered under the project is not acquired under the Maharashtra Private Forest (Acquisition) Act, 1975 by application of section 35 of Indian Forest Act 1927 is not recognized as deemed reserved Forest nor it has been identified as "Forest" as envisaged in the interim order given by the Hon'ble Supreme Court, dated 12/12/1996.
- 11) There is no violation of Forest (Conservation) Act 1980, as certified by Divisional Forest Officer, Chandrapur Forest Division, Chandrapur.
- 12) The User Agency has given an undertaking to defray the cost of Net Present Value.
- 13) User Agency has agreed to defray the cost of compensatory afforestation upto 73.96 ha. degraded forest land.
- 14) The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has given the suitability certificate for 73.96 ha. in degraded forest land of (i) Area 25.00 ha. in Comptt. No. 13 in Warora range, Warora taluka, Chandrapur district (ii) 23.96 ha. in Comptt. No.518 in Chandrapur range, Taluka Chandrapur and Chandrapur district (iii) 25.00 ha. in Comptt. No.1534 in Savali Range Savali Taluka Dist. Chandrapur which are proposed for compensatory afforestation in lieu of forest land required for the project of Hindusthan Lalpeth (Expansion) Opencast mining project at Reserve Forest Compartment No. 485 in Chandrapur Division and it is contiguous to forest area and suitable for afforestation. The area is free from encroachment and encumbrances.
- 15) The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that certificate of the Collector under the Schedule Tribes and Other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 is under process and shall be submitted before final approval.



**In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions.**

- i) The legal status of the land required will remain unchanged.
- ii) Compensatory afforestation will be raised at the cost of User Agency on degraded forest land (73.96 ha) of a) Area 25.00 ha in Comptt. No. 13 in Warora range, Warora taluka, Chandrapur district, b) Area 23.96 ha. in Comptt. No.518 in Chandrapur range, Chandrapur taluk and district, c) Area 25.00 ha. in Comptt. No.1534 in Saoli range, Saoli taluk, Chandrapur district.
- iii) The Agency will pay the cost of survey, demarcation and erection of the permanent pillars on the compensatory afforestation land project land made available by the Agency.
- iv) Construction of temporary dwelling / hutments etc. for labors will not be allowed in the forest areas.
- v) Adequate precautions shall be taken to safeguard the adjoining areas from explosives and it shall not be stored in the forest area.
- vi) The User Agency will dump the overburden on the revenue land or on adjacent private land owned by agency as per their undertaking and forest land will not be used for dumping.
- vii) Ministry to the Mines and Minerals (Development & Regulation) Amendment Ordinance, 2015 promulgated by the Central Government on 12<sup>th</sup> January 2015 and informed that as per the Ordinance, there would be no renewal of any Mining Leases in future. All Mining Leases to be granted in future would have tenure of 50 years vide Ministry of Environment, Forests and Climate Change, Government of India letter No. F.No.11-51/2015-FC, dated 1/4/2015.
- viii) The User Agency shall pay Rs. 50 lakhs for Wildlife Mitigation purpose as per the recommendation of Chief Conservator of Forests (Territorial) Chandrapur, plan for which will be approved by Principal Chief Conservator of Forests (Wildlife) Maharashtra State, Nagpur.
- ix) The User Agency will defray the additional / revised cost of Net Present Value of Forest land as per the latest Guideline of Government of India.
- x) A safety zone of 7.5 meter will be maintained around mining lease site. Fencing, protection and regeneration of the safety zone area (7.5 meter strip all along the outer boundary of the mining lease area) where feasible, shall be done at the project cost.
- xi) The User Agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area) and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPs coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
- xii) In case of mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads be properly fenced by the user agency at the project cost to protect the vegetation/ regeneration activities in the safety zone.

- xiii) Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under supervision of the Forest Department.
- xiv) Afforestation on degraded forest land, to be selected elsewhere, measuring one and a half time the area of forest land under safety zone shall also be at the project cost under the supervision of the State Forest Department
- xv) The user agency will defray the cost of Net Present Value of 36.98 ha. of forest land as per the latest Guideline of Government of India.
- xvi) The user agency shall submit the compliance of the Schedule Tribes and other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in format prescribed by Government of India vide letter dt.5/7/2013 before final approval.
- xvii) The area will be reclaimed as per approved Mining Plan and handed over back to the Forest Department.
- xviii) All extraction works will be done as per mining plan approved by the Government of India.
- xix) Rehabilitation shall be done as per the approved rehabilitation action plan prepared by CMPDI, Nagpur.
- xx) The User Agency will defray the cost of removal of 79 trees in the proposed area. However, minimum number of trees will be felled.
- xxi) The Forest area will be reclaimed during the currency of lease, and the area will be handed over to the Forest Department periodically.
- xxi) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

  
**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](mailto:apccfnodal@mahaforest.gov.in)

Sub:- Proposal for diversion of 36.98 ha Forest Land under  
Section - 2 of the Forest (Conservation) Act-1980 for  
Hindusthan Lalpeth (Expansion) Opencast project at  
Reserve Forest Compartment No. 485 in Chandrapur  
Forest Division

No. : Desk-17/NC/11.D- 1038 /15-16

Nagpur - 440 001, Dated : 04/09/2015

To,

The Secretary (Forests),  
Revenue & Forest Department,  
Mantralay, Mumbai-400032.

Area General Manager, WCL Chandrapur Area, Chandrapur has submitted the Proposal for diversion of 36.98 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for Hindusthan Lalpeth (Expansion) Opencast project at Reserve Forest Compartment No. 485 in Chandrapur Forest Division. The location of proposed area is as given below --

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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.

- 1) Prescribed form dated 10/01/2003.
- 2) Certificate regarding minimum demand of forest land for the project.
- 3) Area Statement,
- 4) Index map in suitable scale,
- 5) Rehabilitation Action plan prepared by CMPDI. Nagpur is enclosed with mining plan
- 6)  The area belongs to Eco-value class-III of Open Forest category.
- 7)  The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that no alternate alignment is possible and the forest land required is the barest minimum.



- 8) There are 79 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-

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- 18) The Divisional Forest Officer, Chandrapur Forest Division, Chandrapur has certified that certificate of the Collector under the Schedule Tribes and Other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 is under process and shall be submitted before final approval.

**In view of this, the proposal is recommended for approval under section 2 (ii) subject the following conditions.**

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- vii) Ministry to the Mines and Minerals (Development & Regulation) Amendment Ordinance, 2015 promulgated by the Central Government on 12<sup>th</sup> January 2015 and informed that as per the Ordinance, there would be no renewal of any Mining Leases in future. All Mining Leases to be granted in future would have tenure of 50 years vide Ministry of Environment, Forests and Climate Change, Government of India letter No. F.No.11-51/2015-FC, dated 1/4/2015.
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- xi) The User Agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area) and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPs coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.
- xii) In case of mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads be properly fenced by the user agency at the project cost to protect the vegetation/ regeneration activities in the safety zone.



- xvi) The user agency shall submit the compliance of the Schedule Tribes and other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in format prescribed by Government of India vide letter dt.5/7/2013 before final approval.
- xvii) The area will be reclaimed as per approved Mining Plan and handed over back to the Forest Department.
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- xx) The User Agency will defray the cost of removal of 79 trees in the proposed area. However, minimum number of trees will be felled.
- xxi) The Forest area will be reclaimed during the currency of lease, and the area will be handed over to the Forest Department periodically.
- xxi) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

It is therefore, requested that Government of India may kindly be moved for for diversion of 36.98 ha Forest Land under Section - 2 of the Forest (Conservation) Act-1980 for Hindusthan Lalpeth (Expansion) Opencast project at Reserve Forest Compartment No. 485 in Chandrapur Forest Division under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

*Hand*  
*4/9/15*  
Addl. Principal Chief Conservator of Forests  
& Nodal Officer,  
Maharashtra State, Nagpur. *4/9*

Copy to Chief Conservator of Forests (T), Chandrapur for information.  
Copy to Divisional Forests Officer, Chandrapur Division, Chandrapur for information.  
Copy to Area General Manager, WCL, Chandrapur Area, Chandrapur for information.