



Yazdani

International (P) Ltd.

Steering success, anchoring credibility

15/10/2023

To

Dy. Conservator of Forests ( T ) Pandharkawada

**Subject-** Diversion of 146.996 ha. forest land for Integrated Coal Mining Including post mine reclamation in Marki- Mangali II coal block in Yavatmal District of Maharashtra State in favour of M/s Yazdani International Private Limited (Online No. FP/MH/MIN/145510/2021):-

**Compliances from User Agency**

**Reference:** 8-22/2023-FC DATED 31/8/2023 FROM Forest Division of Ministry of Environment, Forest and Climate Change.

Dear sir,

With reference to above, please find para wise compliances from user agency along with relevant enclosures for kind perusal and further action.

Sr. No	Observation	Compliance
1	As per DSS analysis, it has been found that an incorrect KML file of the forest land proposed for diversion has been uploaded online as it is falling in the Uttar Pradesh State. Therefore, the correct KML file of forest land proposed for diversion shall be uploaded online.	Correct and updated KML with all properties has been up-loaded on Parivesh Portal.
2	Satellite imagery shows that the plantation work has been carried out in proposed forest land for diversion. The state shall submit the details of the plantations carried out.	Plantation of 9600 sapling was undertaken in Mukutban Round Beat Bhendala in compartment number 20 B on 12 ha land . Undertaking to bear the cost of these plantation is enclosed.
3	The Mining Lease (ML) Boundary needs to be verified on ground because part of the earthen dam is coming under the ML boundary.	There is no earthen dam within lease hold boundary. However, there is old mine pit filled with water created due to mining by prior allottee as mentioned in the approved mining plan.
4	The DFO, Pandharkawada in their Site Inspection report informed that the project dose not requires R&R plan. However, satellite imagery shows the presence of Agriculture land within the Mining lease boundary. This need clarification.	Since there is no habitation coming in lease boundary, no displacement is involved . Mining lease , however involves 155.01 ha tenancy/agriculture land , out of which 62.59 ha land has been vested with the company which was purchased/ under agreement through direct negotiations by earlier allottee. Remaining private tenancy land

		would be acquired preferably through direct negotiations or under the provision of RFCT LRR 2013. R&R Plan for procurement of private tenancy land under RFCTLARR 2013 is enclosed in <b>appendix 1</b>
5	Satellite imagery shows mined out area within and outside the lease boundary along with the Tailing pond. This needs clarification.	Yes, this mine was in operation and prior allottee extracted 0.1MT up to year 2014 creating mine pit within lease hold area and small external OB dumping outside the lease area as is seen in satellite imagery. This has already mentioned in <b>approved mining plan</b> .
6	As per the DSS analysis, an earthen dam is situated near the proposed mining area. Further, some seasonal nallah also flows through the proposed site for which the provisions of conservation and protection measures have not been suggested by the State. Therefore, comments of the water resource department on the proposed measures and impact of the project on the hydrological regimes are required to be submitted.	<p>There is no earthen dam near proposed mining area but it is mine pit excavated by prior allottee which is now converted into small void filled with water.</p> <p>There is one seasonal nalha within mine lease. It is planned to divert this nalha as per approved mining plan. Flood Study Report containing proposed measures and impact of the project on the hydrological regimes is prepared and submitted to competent authority in the State. Approval of competent authority would be submitted before final approval. Undertaking to this effect is furnished in annexure 1.</p>
7	As per DSS analysis, the total area of CA proposed on the Non-Forest land is found to be 129.871 ha. against the present proposal. It has been mentioned that a 15% rebate in CA land is application. However, the proposal submitted is being processed as per Forest (Conservation) Rules, 2003 therefore the rebate as claimed is not applicable in the case. The KML file of NFL equivalent to area proposed for diversion along with DGPS Map & Survey of India Topo sheet map shall be Submitted/uploaded online.	KML file of 148.41 ha non -forest land along with DGPS map and Survey of India Toposheet is submitted herewith in a CD.
8	The Site suitability of CA land shall be ascertained as per the Ministry guideline dated 13/07/2022	Site suitability for CA land has been ascertained as per the ministry's guidelines dated 13/7/2022.
9	<p>The CA scheme has been prepared for non forest land area of 146.996 ha. where as 148.4123 ha area of the non forest land has been taken against present diversion proposal.</p> <p>Further, the State Govt. reported that the actual plantation will be carried out in the</p>	<p>Area proposed for diversion is 146.996 ha and accordingly scheme is prepared for CA on equivalent land though the area for CA is acquired bit more to cover the procurement of full survey numbers for which suitability of the CA land has been obtained for 148.4123 ha to cover full area of <b>gut</b> number</p>

	<p>degraded forest land. However, CA scheme has been prepared with a model of 1111 plants/ha. Therefore, this variation needs to be relooked and a completed corrected CA scheme shall be submitted.</p>	<p>As per para 8c of the report, Government of Maharashtra recommended that actual plantation can be taken up over degraded forest near the area proposed for diversion as area proposed for CA has tree cover. (Undertaking enclosed in <b>annexure 2</b>)</p> <p>Degraded forest land required for CA is being identified in the division as per the directives of the State Government.</p>
10	<p>Details of degraded forest land identified for planting saplings which could not be planted in the Very Dense Forest &amp; Medium Dense Forest of area of 84 ha of the proposed Non-forest land for CA, has not been provided by the State. The same needs to be submitted along with the afforestation scheme, KML file and Suitability certificate..</p>	<p>Degraded forest land required for plantation of sapling which could not be planted on 84 ha. VDF and MDF of non forest land identified for CA is being identified in the division as per the directives of the State Government. Details of degraded forest land along with the KML, suitability and ten year's CA scheme would be submitted before final approval as per the recommendation of State Government Para 8c ( <b>annexure 2</b>)</p> <p>Degraded forest land comprising an area of 155 ha is being identified in the division in consultation with DCF (T) Pandharkawada</p>
11	<p>KML. files indicating the different component's of the project have not been submitted and the same have not been mentioned in Part-I of the proposal. The same needs to be submitted/ uploaded conspicuously depicting the various projects components vis-à-vis total lease area.</p>	<p>KML. files indicating the different component's is submitted herewith in a CD.</p>
12	<p>The KML file of 7.5 meter safety zone area has not been uploaded and the safety zone area details are not mentioned in the component wise breakup in online Part- I which needs submission.</p>	<p>Note on safety zone of 7.5 meter forest and non forest lease boundary is provided in <b>annexure 3</b> and KML uploaded online Part I now.</p>
13	<p>KML. files and afforestation scheme of the degraded forest land, proposed for afforestation in lieu of 1.5 times the area of safety zone has not been submitted. The same needs to be submitted along with the afforestation scheme and suitability certificate.</p>	<p>Degraded forest land equivalent to 1.5 times the safety zone area will be submitted along with its suitability and KML file along with the scheme of plantation of 146.996 ha degraded area as per the recommendations of State Government in para 8C. Undertaking to this effect is provided in <b>appendix 3</b></p> <p>Degraded forest land comprising an area of 155 ha is being identified in this regard in consultation with DCF (T) Pandharkawada</p>

14	Cost benefit analysis indicating the CB ratio of 1:119.562 has been submitted which appears to be exorbitantly high. The same needs to be revisited and required to be submitted as per the format prescribed in the FCA , 1980 Handbook of guidelines dated 28.03.2019 keeping in view the revised rates of NPV dated 06.01.2022	CB analysis has been revisited in the light of prescribed format and current NPV and has been revised and provided in <b>appendix 4</b>
15	Given the density of 0.4 to 0.6 of the proposed forest area of 146.996 ha. number of project affected trees reported as 1,13,425 appears to have been estimated on lower side. The same needs to be reconfirmed by the State.	Trees marking and counting were carried out by the FDCM authority as well as Range Officer Mukutban. Accordingly, species wise and girth wise report on the enumeration of trees have been furnished in the Part-II form. The report is on actual ground condition.
16	The DFO, Pandharkawada in their Site inspection report informed that out of 146.996 ha forest land proposed for diversion, 60.392 ha. is under possession of Forest Department Corporation of Maharashtra(FDCM). Therefore, details of the work carried out by the FDCM on the proposed diversion area along with their NOC shall be submitted.	Note on Plantation on forest land in possession of FDCM along with their NOC is enclosed as <b>appendix 5</b>
17	Details of coal evacuation plan and how the requirements of water and electricity will be met by the user agency shall be submitted. The details of additional forest land required for the same shall also be submitted.	Note on details of coal evacuation plan including transportation along with the requirements of water and electricity is furnished in <b>appendix 6</b> . There will be no need for additional forest land required on this cause.
18	The State Govt. shall submit the status of Mine lease validity along with the relevant details.	Mine lease will be executed after stage I clearance as per communication from GOM <b>appendix 7</b> It is pertinent to elaborate that the coal block Marki Mangli was auctioned by Government of India under Coal Mines (Special Provisions) Act 2015 and Coal Mine (Special Provisions ) Rules 2014. YIPL is successful bidder and GOI allotted the mine lease
19	Keeping in view the fact that the proposed area is having the presence of Schedule-I species and further it has been mentioned by the State that "the proposed forest land for diversion is covered under approved tiger conservation plan of Tadoba Andhari tiger reserve. In this regards, Section 38-O(g) in the	Proposal for wild life clearance under section 38((o))((g) has already been cleared by State Board of Wildlife as communicated by PCCF (WL) Government of Maharashtra ( Translated copy is enclosed) Status of proposal is furnished in <b>appendix 8</b> .

	Wildlife (Protection) Act, 1972 ensure that the tiger reserves with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wild-Life and on the advice of the Tiger Conservation Authority", In this regard the State shall clarify whether the advice of NTCA in the instant case has been taken. The status of approved of NBWL shall also be submitted.	
20	The comments views of the CWLW conspicuously depicting the Mining impact on the surrounding landscape along with copies of the Tiger Conservation Plan shall be submitted.	Comprehensive Wild Life Conservation Plan prepared depicting the impacts of mining has been prepared as per TOR. Copy of the WL conservation plan with financial provision along with the comments/ approval of CWLW is submitted in <b>appendix 9</b>
21	In online Part-II the presence of rare/ endangered/ unique species of flora and fauna in the proposed forest land for diversion has been reported. The details in this regards shall be submitted.	Detail list of flora and fauna in core and buffer zone duly authenticated is furnished in <b>appendix 10 and uploaded</b>
22	In online Part-II the proposed forest land for diversion is reported to be vulnerable to the soil erosion and coal mining will create biotic pressure especially on the cattle. Therefore, soil moisture conservation plan addressing the mitigation measure for soil erosion needs submission.	Exiting forest land proposed for diversion is prone to erosion due to increased biotic pressure especially cattle. However, after the final approval of the forest diversion and before commencement of mining of coal, entire lease area would be fenced so that there will be no biotic pressure due to cattle.
23	The Government of Maharashtra vide their letter No. FLD-3223/CR-179f-10 dated 02.08.2023 forwarded the instant proposal as a fresh diversion proposal without any reference to the mining activities carried out by the earlier allotted to the extent of 0.1 million tonne as reported in MOM of SEIAA meeting held on 14.09.2022	As per the vesting order issued by GOI, and approved mining plan it is mentioned that mining was carried out prior allottee to the extent of 0.1 Million Tonne . However these mining was undertaken in non forest area. For the purpose of forest diversion, this is fresh proposal as no mining in forest land was undertaken by prior allottee. Prior allottee worked on non forest land after executing the lease excluding forest land . Prior allottee did not work in forest land.
24	Approved copy of the Mining plan along with the mine closure plan has not been submitted which is required to be submitted uploaded.	Approved copy of mining plan and mine closure plan is uploaded and placed in <b>appendix 11</b>
25	As per the TOR after exhaustion of mineral reserve, an area of 5 ha land is proposed to be	User agency propose to install solar park on non forest land. Undertaking to this effect is

	utilized for solar park. Comments of the state forest department in this regard needs submission.	submitted by User Agency in <b>annexure 4</b> . Detailed note on Solar Park is furnished.
26	The copy of the ownership proof of the proposed CA land on the Non forest land shows that only 40.6246 ha. land has been acquired by the user agency. Therefore, complete documents for the entire NFL proposed for CA land shall be submitted. The State shall also ensure that the area proposed for CA is free from all sort of encumbrances and under possession of the user agency. A certified translated copy of the documents/ ownership proof in Hindi or English shall be provided.	Detail note on the non forest land already acquired, under acquisition along with translated revenue record indicating the ownership proof is placed in <b>appendix 13</b> .

**Enclosed:**

1. All appendix with duly attested English translation wherever required.
2. All annexures/ undertaking

Submitted for kind perusal and processing and transmission for further action.

Regards



Ashok Kumar Pani  
 Authorised Signatory  
 YIPL Bhubaneswar  
 Date /15/10/2023