

Ref. 1040/PB-A/PC/2019/03

Date: 22.05.19

To,

The Nodal Officer,
Department of Forest,
Ranchi, Jharkhand.

Subject:- Regarding replying of EDS generated from Nodal officer , Forest Department Ranchi, Jharkhand on dated 20.05.2019 for our Forest Diversion Proposal of Pakri Barwadih North-West Quarry (PB-A) Coal Block of M/s NTPC Ltd and proposal no. FP/JH/MIN/38798/2019

Dear Sir,

As mentioned in above subject , reply to Essential Detail Sought (EDS) raised by nodal Officer, Forest Department ,Ranchi, Jharkhand on dated 20.05.2019 is as follow:-

S.No	Essential Detail Sought (EDS) on 20.05.2019	Reply
1	B.2.4 Please insert row in the table and mention safety zone area separately	Reply Enclosed as Annexure-I along with this covering letter
2	M.1.(a)- &(b) Please upload copy of reference letter 8-56/2009 FC dated 17.09.2010. Mentioning transfer of 20.692 ha.	Reply Enclosed as Annexure-II along with this covering letter

Kindly consider the same and issue the acceptance of the proposal.

Thanking You

Yours Faithfully,



Aseem Misra

AGM(Mining)

ANNEXURE - I

Essential Detail Sought (EDS) dated. 20 May 2019

B. 2.4 please insert row in the table and mention safety zone area separately.

Total area of Safety zone is 5.995 hectare excluding the Eastern boundary of the coal block. As per mining plan, eastern boundary is common for Pakri Barwadih NW block and Pakri Barwadih Western pit and there shall not be any barrier left between the quarries.

Breakup of the Safety zone is as follows:-

Component	Forest land (ha)	Non-Forest land (ha)
Safety Zone	1.23	4.765

Essential Detail Sought (EDS) dt. 20 May 2019

M.1 (a)-& (b) Please upload copy of reference letter 8-56/2009 FC dated 17.09.2010.

Mentioning transfer of 20.692 ha.

Regarding Urub village Forest land which was transferred to NTPC due to earlier diversion of 1026.438 hectare of PBCMP in which 20.692 hectare comprising of the plot numbers 9P, 10P, 12P, 13P, 85P, 94P and 105P of Khata no. 49 was transferred to us by Divisional Forest Officer Hazaribagh West Division is enclosed. The plot numbers mentioned in the land schedule submitted by us are existing in this list and here been highlighted

Acquired Forest Land of Urub Village

क्र. सं.	खाता नं.	प्लॉट नं.	पूर्ण / अंश	सर्वे रक्बा ए.	सर्वे दर्जा	अर्जित रक्बा ए.	अभियुक्ति
1	49	9p	अंश	22.50	जंगल	18.07	जंगल
2	49	10p	अंश	62.00	जंगल	7.02	जंगल
3	49	12p	अंश	86.00	जंगल	4.72	जंगल
4	49	13p	अंश	41.70	जंगल	4.21	जंगल
5	49	85p	अंश	28.50	जंगल	9.10	जंगल
6	49	94p	अंश	15.40	जंगल	7.20	जंगल
7	49	105p	अंश	15.00	जंगल	0.81	जंगल
कुल				271.10		51.13	

Plot No	Acquired Area In Acre	Acquired Area In Ha	Remarks
9p	18.07	7.3126	Forest plot already transferred to PBCMP vide earlier proposal for transfer of forest land of PB
10p	7.02	2.8408	
12p	4.72	1.9101	
13p	4.21	1.7037	
85p	9.10	3.6826	
94p	7.20	2.9137	
105p	0.81	0.3277	
Total	51.13	20.6925	

F. No. 8-56/2009 - FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510
Dated: 11th May, 2010

To

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: Diversion of 1026.438 ha of forest land for coal mining from Pakribarwadih Project in favour of M/s. NTPC in Hazaribagh West Forest Division in Hazaribagh district of Jharkhand.

Sir,

I am directed to refer to the State Government's letter no. 3/VanBhumi-75/2009/2458/VP dated 06.08.2009 on the subject mentioned above seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980, and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the recommendations of the Forest Advisory Committee for diversion of 1026.438 ha of forest land for coal mining from Pakribarwadih Project in favour of M/s NTPC in Hazaribagh West Forest Division in Hazaribagh district of Jharkhand subject to fulfillment of the following conditions:

1. (i) The Compensatory Afforestation (CA) will be raised and maintained over double the degraded forest land i.e. $1026.438 \times 2 = 2053$ ha at the cost of User Agency.
- (ii) The User Agency will submit the details of area identified for Compensatory Afforestation on SOI toposheet of 1:50,000 scale.
- (iii) The User Agency shall transfer the cost (incorporating the current wage structure) of raising and maintaining Compensatory Afforestation to the Adhoc CAMPA through State Forest Department.
2. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgement of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
3. The User Agency shall furnish an undertaking to pay the additional NPV, if so

determined, as per the final decision of Hon'ble Supreme Court of India.

4. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in account number CA 1587 of Corporation Bank, Block-11, CGO Complex, Phase-1, Lodhi Road, New Delhi - 110 510.
5. The following activities shall be undertaken by the User Agency under supervision of the State Forest Department at the project cost:
 - * (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - * (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - * (iii) Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
6. The User Agency will ensure the dumping of OB as per the plan and will submit the duly approved phased Reclamation plan along with the compliance report.
- * 7. The user agency will take up programme for at least 50 m greenbelt along the sides of the Pakwa nallah and Dumuhani nallah from the initial years under the supervision of the State Forest department.
- * 8. The coal evacuation will be done through high speed conveyer of 20 meter width running at a height sufficient to allow all tall wild animals including elephants. The installation of such system will be undertaken under the supervision of the CWLW of the State.
9. The User agency will undertake comprehensive soil conservation measures at the project cost.
- * 10. The period of diversion under this approval shall be twenty (20) years or coterminous with the mining lease subject to possession of valid lease by User Agency under the MMDR Act, 1957.
11. The State Govt. to review the proposed rehabilitation policy to reconsider the R&R issues of landless people in the light of the R&R policy of Orissa with respect to landless and also compare with the draft R&R of the Govt. of India. The revised R&R package should be submitted along with compliance report.
- * 12. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State.
- * 13. The forest land shall not be used for any purpose other than that specified in the proposal.

14. No labour camps shall be set up inside the forest area.
15. The user agency shall provide fuel wood preferably alternate fuel to the labourers working at the site to avoid damage / felling of trees.
16. The user agency will obtain Environmental clearance and any other clearances required for such project before the final approval.
17. The user agency will obtain the clearance under the provisions of ST&OTFD (Recognition of Forest Rights) Act, 2006 before the final approval and will submit certificate towards the settlement of all claims and rights over the proposed forest land under the Act, along with the compliance report, as per the advisory dated 03.08.2009 issued by MoEF.
18. Any other condition that the CCF (Central), Regional Office, Bhubaneswar, may impose from time to time for protection and improvement of flora and fauna in the forest area, shall also be applicable.
19. The forest land thus diverted shall be non-transferable. Whenever the forest land is not required, it shall be surrendered to the State Forest Department under intimation to this Ministry.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the Central Government shall consider the handing over of forest land for non-forest purposes under section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

(C.D. Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Jharkhand, Ranchi.
3. The Chief conservator of Forest (Central), Eastern Regional Office, Bhubaneswar.
- ✓ 4. User Agency for information.
5. Monitoring cell.
6. Guard File.

(C.D. Singh)

Sr. Assistant Inspector General of Forests

F. No. 8-56/2009-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510.
Dated: 17th September, 2010

To

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub:- Diversion of 1026.438 ha of forest land for coal mining from Pakribarwadih Project in favour of M/s. NTPC in Hazaribagh West Forest Division in Hazaribagh district of Jharkhand.

Sir,

I am directed to refer to the State Govt. letter no. 3/VanBhumi-75/2009/2458/VP dated 06.08.2009 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act, in-principle approval was granted vide this Ministry's letter of even number dated 11.05.2010 subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter no. dated 16.08.2010, approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 1026.438 ha of forest land for coal mining from Pakribarwadih Project in favour of M/s. NTPC in Hazaribagh West Forest Division in Hazaribagh district of Jharkhand subject to fulfillment of the following conditions:

1. Legal status of forest land shall remain unchanged.
2.
 - a Compensatory afforestation shall be raised and maintained by the State Forest Department at the project cost.
 - b Fencing, protection and regeneration of the safety zone area shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost.
 - c Wherever possible and technically feasible, the User Agency shall undertake afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.

MM

*Further
... ..*

3. Following activities shall be undertaken by the User Agency under the supervision of the State Forest Department at the project cost:
 - (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - (iii) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
 - (iv) The areas shall be reclaimed keeping in view the international practice of stabilizing the dumps by grading / benching so that angles of repose (normally less than 28 at any given place) are maintained.
 - (v) The top soil management plan should be strictly adhered to.
4. The forest land shall not be used for any purpose other than that specified in the proposal.
5. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
6. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986.
7. The user agency will make arrangement for free supply of coal to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
8. The user agency will take up programme for at least 50 m greenbelt along the sides of the Pakwa nallah and Dumuhani nallah from the initial years under the supervision of the State Forest department.
9. The coal evacuation will be done through high speed conveyer of 20 meter width running at a height sufficient to allow all tall wild animals including elephants. The installation of such system will be undertaken under the supervision of the CWLW of the State.
10. The State Govt. to implement the rehabilitation policy of the State with respect to landless as submitted with the compliance report.
11. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State.
12. The forest land shall not be used for any purpose other than that specified in the

proposal.

13. No labour camps shall be set up inside the forest area.
14. The user agency shall provide fuel wood preferably alternate fuel to the labourers working at the site to avoid damage / felling of trees.
15. The period of permission for lease under the Forest (Conservation) Act, 1980 will be for 20 years or co-terminus with the mining lease subject to possession of valid lease by User Agency under the MMDR Act, 1957.
16. Demarcation of mining lease area will be done on the ground at project cost using four feet high reinforced cement concrete pillars with serial numbers, forward & back bearings and distance from pillar to pillar.
17. Mining / reclamation schedule shall be implemented by the user agency at their cost as per Environmental Management Plan / phased reclamation programme. The annual report about the progress of reclamation should be submitted to the CCF (Central), Bhubaneswar.
18. The user agency shall also take up study on soil erosion / soil flow from the overburden areas with the help of GIS in consultation with the forest department.
19. The user agency shall take up the de-silting of the village tanks within five km area from the mine lease boundary as a Corporate's social responsibility so as to mitigate the impact of siltation of such tanks if any.
20. Any other condition that the Chief Conservator of Forests (Central), Regional Office, Bhubaneswar may impose from time to time in the interest of conservation, protection or development of forests.

Yours faithfully,

(C.D. Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests Government of Jharkhand, Ranchi.
2. The Nodal Officer, Office of the PCCF, Government of Jharkhand, Ranchi.
3. The Chief Conservator of Forest, Regional Office, Bhubaneswar.
4. User Agency for information.
5. Monitoring cell of the FC section
6. Guard file.

(C.D. Singh)

Sr. Assistant Inspector General of Forests

Division of 1026438 ha of Forest lands for Pakhbaradih

Coal Mining Project of NTPC Ltd. Annex. II

S.No	Village/Name	Plot No	Degradated Forest (ha)	Un-Degradated Forest (ha)	Ex-Reserve Forest (ha)	GM Jungle (ha)	TOTAL (ha)
1.	Unub/41	9	7.20	1.90	NIL	NIL	9.11
		10	25.09	NIL	NIL	NIL	25.09
		12	24.58	0.22	NIL	NIL	24.80
		13	15.81	1.07	NIL	NIL	16.88
		85	10.38	1.15	NIL	NIL	11.53
		94	4.05	2.19	NIL	NIL	6.23
		105	1.97	4.10	NIL	NIL	6.07
		216	NIL	NIL	NIL	0.04	0.04
		230	18.38	5.90	NIL	NIL	24.28
		238	NIL	NIL	NIL	0.07	0.07
		284	NIL	NIL	NIL	0.05	0.05
		342	3.09	0.59	NIL	NIL	3.68
		347	11.83	5.06	NIL	NIL	16.90
		517	NIL	NIL	NIL	6.07	6.07
		540	NIL	NIL	NIL	4.01	4.01
		619	NIL	NIL	NIL	1.28	1.28
		632	19.06	5.42	NIL	NIL	24.48
		TOTAL	151.46	27.59	NIL	11.52	190.57
		Itiz/47	4.05	1.62	NIL	NIL	5.67
		TOTAL	110	NIL	NIL	1.40	1.40
2.	TOTAL	3	4.05	1.62	NIL	NIL	5.67
		15	52.23	0.80	NIL	NIL	53.02
		20	24.68	11.54	NIL	NIL	36.22
3.	Chivadih/48	20	24.28	NIL	NIL	NIL	24.28

Remarks

Ref Ltr No 415 Dtd 28.03.2009 from O/o DC Hagaribagh.

Ref Ltr No 444 Dtd 20.03.2008 from O/o DC Hagaribagh
Ref Ltr No 1920 Dtd 27.12.2008 from O/o DC Hagaribagh

Ref Ltr No 444 Dtd 20/3/08, Ltr No 1840 Dtd 15/11/08 & Ltr No 140 Dtd 6/1/09 from O/o DC Hagaribagh
Ref Ltr No 140 Dtd 6/1/09 from O/o DC Hagaribagh
Ref Ltr No 444 Dtd 20/3/08 from O/o DC Hagaribagh.

Ref Ltr No. 336, Dtd 21/3/09, Ltr No 415 Dtd 28/3/09 from O/o DC Hagaribagh.

[Signature]

Regional Forest Officer
Hazaribagh West Division

[Signature]
Rajesh Nandan

[Signature]
Rajesh