

F. No. 8-112/2006-FC (vol.)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: 17th January, 2015

To,
The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Sub: Diversion of additional 19,500 hectares of forest land to M/s Western Coalfields Limited in Kanhan area for open cast mining in Compartment No. 454 C.F.D. under West Chhindwara Division.

Sir,

I am directed to refer to the Government of Madhya Pradesh's letter No. F-1/406/06/10-11/1567 dated 30.06.2008 on the above mentioned subject, on the above mentioned subject, wherein prior approval of the Central Government for the diversion of additional 19,500 hectares of forest land to M/s Western Coalfields Limited in Kanhan area for open cast mining in Compartment No. 454 C.F.D. under West Chhindwara Division, was sought, in accordance with section-2 of 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 under the Forest (Conservation) Act, 1980 for diversion of the said forest land was accorded vide this Ministry's letter of even number dated 7th November 2013, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the stage-I approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide letters No. F-1/406/2006/10-11/2927 dated 5th November 2014 and User Agency's letter No. WCL/KAN/AGM/SUR//2014-291 dated 24th December 2014 approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 19,500 hectares of forest land to M/s Western Coalfields Limited in Kanhan area for open cast mining in Compartment No. 454 C.F.D. under West Chhindwara Division, subject to fulfillment of the following conditions:


- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) State Forest Department shall create and maintain from funds realised from the user agency the compensatory afforestation over the degraded forest land double in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from the funds to be provided by the user agency;
- (iii) Following activities shall be undertaken by the User Agency at the project cost:
 - (a) Implement the plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;


2/1/15

उपक्षेत्रीय प्रबंधक
घोरावादी उपक्षेत्र

क्षेत्रीय महा प्रबंधक
वे. को. लि. कन्हान क्षेत्र

- (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour;
 - (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28°; and
 - (e) Strict adherence to the prescribed top soil management.
- (iv) The State Government shall realise from the user agency the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to this Ministry;
- (v) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (vi) State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining) from funds already realised from the user agency;
- (vii) State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone from funds already realised from the user agency;
- (viii) For evacuation of the coal to be extracted from the forest land proposed for diversion, the user agency shall not seek diversion of any additional forest land;
- (ix) The user agency shall contribute on proportionate basis the amount required for implementation of the plans to be prepared by the NTCA for rejuvenation and restocking of the viable corridor and the mitigative measures to eliminate/minimize the adverse impacts of the transportation of the coal to be extracted from the Pench-Kanhan coalfield on the viable corridor;
- (x) For the purpose of apportioning the cost to be recovered from the user agency for rejuvenation and restocking of the migratory corridor and to implement the mitigative measures to eliminate/minimize the adverse impacts of the transportation of the coal on the said migratory corridor, in case of open cast mining the entire area of lease may be taken into account. In case of underground mining project, half of the area of the mining lease may be taken into account to calculate the amount to be recovered from the user agency;
- (xi) The Chief Wildlife Warden, Government of Madhya Pradesh shall monitor the implementation of mitigative measures against the impact of project on wildlife.
- (xii) The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years;
- (xiii) State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease from funds already realised from the user agency;


उपक्षेत्रीय प्रबंधक
घोरावादी उपक्षेत्र


क्षेत्रीय जल प्रबंधक
वे. को. लि. कन्हान क्षेत्र

- (xiv) User agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required;
- (xv) The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Western Zone), Bhopal. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xvi) No labour camp shall be established on the forest land;
- (xvii) User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xviii) Boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxi) User agency shall submit annual report on compliance to conditions stipulated in this approval to State Government and concerned Regional Office of this Ministry;
- (xxii) User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

(H.C. Chaudhary)
Director

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal.
2. The Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh, Bhopal.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Western Zone), Bhopal.
4. User Agency:
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

(H.C. Chaudhary)
Director

उपक्षेत्रीय प्रबंधक
घोरावादी उपक्षेत्र

क्षेत्रीय सहायक प्रबंधक
वे. को. लि. कन्हाम क्षेत्र



"Under Jurisdiction of Nagpur Court Only"

वेस्टर्न कोलफील्ड्स लिमिटेड

WESTERN COALFIELDS LIMITED

(A Govt. of India Enterprise)

O/O THE AREA GENERAL MANAGER

KANHAN AREA, PO - DUNGARIA

DISE, CHINDWARA (MP) 480003

Fax 07160-231 001

E-mail: cgmkan@gmail.com

URL: http://westerncoalfields.in

पञ्जी अर्गीलस मेल स्टेट सिमिन लाइन्स नगपुर 480003

REGD OFFICE: Coal Estate, Civil Lines Nagpur - 480001

सदस्य के- वेकोलि/ महप्र/ कन्हान/ वन/ 1950/ 2014- 66

दिनांक 27.06.2014

प्रति,

श्रीमान वन मण्डलाधिकारी महोदय,

पश्चिम (सामान्य) वन मंडल, छिंदवाड़ा (म.प्र.) ।

विषय:- छिंदवाड़ा जिले के दमुआ वन परिक्षेत्र, जामई गारादेई ब्लॉक के कक्षा क्रमांक 454 सी.एफ.डी में से 1950 हेक्टेयर वनभूमि खुली खदान हेतु वेस्टर्न कोलफील्ड्स लिमिटेड कन्हान क्षेत्र के दातला उपक्षेत्र हेतु उपयोग पर लेने बाबद पालन-प्रतिवेदन ।

सन्दर्भ:- 1) श्रीमान मुख्य वन संरक्षक (भू. प्रबंध), ग०प्र० शासन, भोपाल का पृष्ठांकन क्रमांक

एफ-1/406/03/10-11/740 भोपाल, दिनांक 23.02.2012.

2) आपका पत्र क्रमांक : मा.वि / 11431 छिंदवाड़ा दिनांक 13.03.2012

3) पत्र क्र- 1004 दिनांक- 30.04/ 03.05.2012 ।

महोदय,

भारत सरकार के ज्ञापन क्रमांक FC/8-112/2006-FC(VOL) दिनांक 30.01.2012 एवं सदरित पत्र क्रमांक एफ-1/406/03/10-11/740 भोपाल, दिनांक 23.02.2012 एवं दमुआ वन परिक्षेत्र, जामई गारादेई ब्लॉक में विद्यत कक्षा क्रमांक 454 सी.एफ.डी में से 1950 हेक्टेयर वनभूमि खुली खदान हेतु निम्नलिखित शर्तों पर औद्योगिक स्वीकृति प्रदान की गई है ।

स्वीकृति पत्र में उल्लेखित शर्तों का पालन करने हेतु अवलोकक संस्थान वर्चनबद्ध है ।

S.NO	CONDITIONS	COMPLAINT
1	Legal status of the diverted forest land shall remain unchanged	The diverted forest land will remain unchanged.
2	Compensatory afforestation over the degraded forest land double in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from the funds to be provided by the user agency.	Fund of C.A is already deposited on 01.10.2013. Concerned to State Forest Department
3	The user Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department.	Fund of Compensatory Afforestation (i.e. Rs- 1,17,61,000.00) is already deposited on 01.10.2013
4	Following activities shall be undertaken by the user agency at the project cost:- (A) A plan containing appropriate mitigative measures to minimize soil erosion, choking of streams shall be prepared and implemented. (B) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate Area within the mining leases to arrest soil erosion. (C) Construction of check dams, retention toe walls to arrest sliding down of the excavated material along the contour. (D) Stabilize the overburden dumps by appropriate grading, benching so as to ensure that angles of repose at any given place is less than 28° and (E) Strict adherence to the prescribed top soil management	Agreed Agreed Agreed Agreed Agreed
5	The State Government shall charge the Net Present Value (NPV) of the forest area diverted under this proposal from the user agency as per the orders of the Hon'ble Supreme Court of India dated 28-03-2008, 24-04-2008 and 9/5/2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter no. 5-3/2007-FC dated 05/02/2009 in this regard.	The NPV amount is adjusted in previously paid NPV amount of 68.704 Hect proposal vide letter no-842/2007-FC (Vol.) dtd. 29.08.2013
6	At the time of payment of the Net Present Value (NPV), at the present rate, the user Agency shall furnish an undertaking to pay the additional amount of Rs. 1,17,61,000.00	

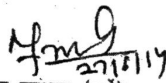
**उपक्षेत्रीय प्रबंधक
घोरावाडी उपक्षेत्र**

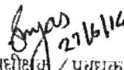
**क्षेत्रीय मध्य प्रबंधक
वे. को. लि. कन्हान क्षेत्र**

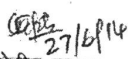
	All the funds received from the User agency under the project shall be transferred to Ad-hoc CAMPA in the saving bank A/c No.- 344902010105423 of Union Bank of India, Sunder Nagar, New Delhi- 110003.	All the funds are transferred by TTT except 10% paryavekshan shulk of Rs- 5,98,534.00 which is paid through cheque no.- 749781 dtd-26.06.2014.
8	The user agency shall obtain the environmental clearance as per the provisions of the environmental (Protection) Act, 1986, if required	Environmental Clearance is already obtained by the User Agency vide EC no.- J-11015/367/2008 IA (H/M) dtd- 26.12.2008
9	The user agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining) at the the project cost	The amount of Rs- 59,85,347.00 is already paid by J.I no- 140992 dtd- 27.06.2013.
10	The user agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone	Complied in Condition no.- 9.
11	For evacuation of the coal to be extracted from the forest land proposed for diversion, the user agency shall not seek diversion of any additional forest land.	No additional Forest land will be diverted for evacuation of coal.
12	The user agency shall contribute on proportionate basis the amount required for implementation of the plans to be prepared by the NTCA for rejuvenation and restocking of the viable corridor and the mitigative measures to eliminate/ minimize the adverse impacts of the transportation of the coal to be extracted from the Pench Kanhan Coalfields on the viable corridor.	Agreed to contribute the proportionate amount required for implementation of the plans to be prepared by the NTCA for Kanhan Area.
13	For the purpose of apportioning the cost to be recovered from the user agency for rejuvenation and restocking of the migratory corridor and to implement the mitigative measures to eliminate/ minimize the adverse impacts of the transportation of the coal on the said migratory corridor in case of open cast mining the entire area of lease may be taken into account. In case of underground mining project, half of the area of the mining lease may be taken into account to calculate the amount to be recovered from the user agency	Shall be agreed as per directives of State Forest Department.
14	The chief Wildlife Warden, Government of Madhya Pradesh shall monitor the implementation of mitigative measures against the impact of project on wildlife	Shall be agreed as per directives of State Forest Department.
15	The period of diversion of the forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and minerals (Development & Regulating) Act, 1957, or rules framed there under, subject to maximum period of 30 years	Agreed.
16	User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenation the degraded open forests (having crown density less than 0.4) if any, located in the area within 100m. from other perimeter of the mining lease	Amount of Rs- 5,98,534.00 is already paid vide cheque no.- 749781 dtd 26.06.2014.
17	The user agency shall undertake de-silting of the village tanks and other water bodies located within five Kms. from the mine lease boundary so as to mitigate the impact of siltation of such tanks/ water bodies, whenever required	Agreed.
18	The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh and the Chief Conservator of Forest (Central), Ministry of Environment & Forests, Regional Office (Western Zone), Bhopal. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed	<p>उपक्षेत्रीय प्रबंधक घोरावादी उपक्षेत्र</p> <p>क्षेत्रीय मत्स्य प्रबंधक वे. को. लि. कन्हान क्षेत्र</p> <p>Agreed</p>
19	No labour camp shall be established on the forest land.	Presently there is no labour camp established on the forest land.

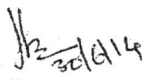
20	The user agency shall provide firewood preferably alternate fuel to the laborers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest Areas.	Agreed.
21	The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.	The boundary of the mining lease and safety zone shall be demarcated on ground by erecting four feet high reinforced cement concrete pillars with its serial number, forward and back bearing and distance from pillar to pillar as per Survey Forest Department.
22	The forest land shall not be used for any purpose other than that specified in the proposal.	Agreed that the forest land will be used only as per the proposal.
23	The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter no. 11-0 1998-1 Crp) dated 03 08 2009, in support thereof.	Concerned to State Forest Department.
24	Any other condition that the Eastern Regional Office of this Ministry, Bhopal may stipulate, from time to time, in the interest of conservation, protection and development of forest & wildlife and	Agreed.
25	The User Agency and the State Government shall ensure compliance to provisions of the all acts, Rules, Regulation and Guidelines, for the time being in force, as applicable to the project.	Agreed.

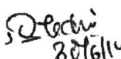
अतः उपरोक्तानुसार जल्दी का पालन करने हेतु सख्खान पूर्णरूपेण बताना चाहते हैं ।
सलमन वचनपत्र ।

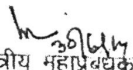

उप प्रबंधक (सर्वे)
घोड़ावाड़ी कॉलरी नं. 2


खान अधीक्षक / प्रबंधक
घोड़ावाड़ी कॉलरी नं. 2

भवदीय

उपक्षेत्रीय प्रबंधक
दातला उप क्षेत्र


क्षेत्रीय सर्वेक्षण अधिकारी
वे.को.लि., कन्हान क्षेत्र


क्षेत्रीय योजना अधिकारी
वे.को.लि., कन्हान क्षेत्र


क्षेत्रीय महाप्रबंधक
वे.को.लि., कन्हान क्षेत्र

प्रतिलिपि:-

मुख्य वन संरक्षक, छिंदवाड़ा वृत्त ।
अधिवारी कार्यपालक, एस ई सी एल, कॉल परिसर, भोपाल ।
श्रीमान महाप्रबंधक (भू-स), वे.को.लि., नागपुर ।
क्षेत्रीय महाप्रबंधक, कन्हान क्षेत्र ।
क्षेत्रीय योजना अधिकारी, कन्हान क्षेत्र ।
उपक्षेत्रीय प्रबंधक, दातला उपक्षेत्र ।

क्षेत्रीय महा प्रबंधक
वे. को. लि. कन्हान क्षेत्र

उपक्षेत्रीय प्रबंधक
घोरावाड़ी उपक्षेत्र

क्षेत्रीय महा प्रबंधक
वे. को. लि. कन्हान क्षेत्र