

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FOREST
PARIVARAN BHAVAN,
C.G.O. COMPLEX
LOCHI ROAD, NEW DELHI-110005.

No. 8-5/93-FC

Dated 20.11.1995

The Secretary (Forests),
Government of Uttar Pradesh,
LUCKNOW.

Sub: Diversion of 126.27 ha. of forest land for construction of
Ash disposal yard in RenuSagar Power Company on 10 years
lease in Sonbhadra District.

Sir,

I am directed to refer to your letter No.UO/231-14-2-1992-1/22 dated 14.12.92 on the above mentioned subject seeking prior approval of the Central Government in accordance with Section -2 of the Forest (Conservation) Act, 1980 and letter No.365/IIC-6 (Sonbhadra) dated 27.9.95 of Nodal Officer and Conservator of Forests, Forest Utilisation Circle, Uttar Pradesh, seeking reduction in the forest area being diverted from 126.27 ha. to 61.2348 ha.

After careful consideration of the proposal of the State Government, the Central Government hereby agrees in principle for diversion of 61.2348 ha. of forest land for construction of Ash disposal yard of RenuSagar Power Company on 10 year lease in Sonbhadra District, subject to fulfilment of following conditions-

- i) Immediate action should be taken for transfer and mutation of equivalent non-forest land in favour of State Forest Department.
- ii) The user agency will transfer the cost of compensatory afforestation (revised as on date to incorporate existing wage structure) in favour of the State Forest Department.
- iii) In addition, user agency will transfer the cost of compensatory afforestation over double degraded forest land in favour of the State Forest Department,
- iv) State Government will furnish a certificate that this forest area is outside the area acquired under Coal Bearing Areas Act, 1957.

For Hindalco Industries Limited

(Vivek Kumar)
Authorized Signatory

क्षेत्रीय वनाधिकारी
अनपरा रेंज

Contd..2/p

(एम०पी० सिंह)

प्रभागीय वनाधिकारी

रेणुकोट वन प्रभाग, रेणुकोट

After receipt of compliance report on the fulfilment of the above conditions from the State Government, formal approval will be issued in this regard under Section-2 of the Forest(Conservation) Act, 1980. Transfer of Forest land to user agency should not be effected by the State Government till formal orders approving diversion of forest land are issued by the Central Government.

This Ministry's earlier order of even number dated 22.8.94 is hereby cancelled.

Yours faithfully,

Sd/-
(A.N. SHARAN)
ASSTT. INSPECTOR GENERAL OF FORESTS

Copy to:

- 1- Principal Chief Conservator of Forests, Govt. of Uttar Pradesh, Lucknow.
- 2- Nodal Officer, Office of PCCF, Govt. of Uttar Pradesh, Lucknow.
- 3- The CCF (Central), Regional Office, Lucknow
- 4- RO(HO), New Delhi.
- 5- Guard File

Sd/-
(A.N. SHARAN)
ASSTT. INSPECTOR GENERAL OF FORESTS

विवेक / महोदय,
 नं. 2348 के अन्तर्गत क्षेत्र में वन भूभाग द्वारा
 लिया जा रहा है तथा क्षेत्र में वन भूभाग को
 धारण भी वही जमा होना है।
 61-2348 के अन्तर्गत क्षेत्र में वन भूभाग को
 धारण हेतु लागू धारण प्रभाग में जमा कर दिया जाता है।
 पहले यह प्रस्ताव 126-27 के तहत किन्तु रजिस्ट्रार क्षेत्र
 कोल विभाग क्षेत्र तथा क्षेत्र कारतमों के नाम से जमा
 यह प्रस्ताव धारण 61-2348 के अन्तर्गत जो नया निर्माण
 है तथा क्षेत्र में जमा कर दिया है।
 for Hindustan Industries Limited
 जोधपुरा प्रखण्ड।

(Vivek Kumar)

(एम०पी० सिंह)
 प्रभागीय वनाधिकारी
 रेणुकूट वन प्रभाग, रेणुकूट
 क्षेत्रीय वनाधिकारी
 अनपरा रेंज

8/1/97

F.No.8-05/1993-FC (Pt.)
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 110003,

Dated: 13th February, 2017

To,
The Principal Secretary (Forests),
Government of Uttar Pradesh,
Lucknow.

Sub: Renewal of 61.2348 ha (out of total 126.27 ha forests land granted under Forest (Conservation) Act, 1980) in Renukut Forest Division, Sonbhadra for the construction of Ash Disposal Yard in favour of Renusagar Power Company Limited.

Sir,

I am directed to refer to the State Government's letter No. 1377/14-2-2012 dated 5.07.2012 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 aforesaid Act.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *in-principle/ Stage-I* approval of the Central Government under the Forest (Conservation) Act, 1980 is hereby granted for renewal of 61.2348 ha (out of total 126.27 ha granted under FCA) forests land in Renukut Forest Division, Sonbhadra for the construction of Ash Disposal Yard in favour of Renusagar Power Company Limited subject to the following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, **if not already done**;
3. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 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. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
4. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
5. **The User agency shall pay NPV at the rate 20 per cent for each year since the violation of Forest (Conservation) Act 1980 has commenced.**
6. **User agency shall raise penal CA equivalent to the land utilized in violation of the provision of Forest (Conservation) Act 1980.**
7. 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 and Regulation) Act, 1957, as amended and the Rules framed there-under;

For Hindalco Industries Limited

(Vivek Kumar)
Authorized Signatory)

क्षेत्रीय वनाधिकारी
अनपरा रेंज
रेनुकूट वन प्रभाग
रेनुकूट-सो

(एम०पी० सिंह)
प्रभागीय वनाधिकारी
रेनुकूट वन प्रभाग, रेनुकूट

8. Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
9. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
10. No labour camp shall be established on the forest land;
11. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
12. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
13. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
14. The forest land shall not be used for any purpose other than that specified in the proposal;
15. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
16. No damage to the flora and fauna of the adjoining area shall be caused;
17. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
18. The user agency will abide by the applicable recommendations of the State Government;
19. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other 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 its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
20. The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
21. 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; and
22. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

Sd/-
(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests Government of Uttar Pradesh, Lucknow.
2. The Nodal Officer, Office of the PCCF, Government of Uttar Pradesh, Lucknow.
3. The Addl. PCCF (Central), Regional Office, Lucknow.
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi
6. - Guard file.

For Hindalco Industries Limited

(Vivek Kumar)
Authorized Signatory

क्षेत्रीय वनाधिकारी
अनपरा रेंज
रेनुकूट वन प्रभाग
रेनुकूट-सोनभद्र

(एम०पी० सिंह)
प्रभागीय वनाधिकारी
रेनुकूट वन प्रभाग, रेनुकूट

Sd/-
(Sandeep Sharma)

Assistant Inspector General of Forests (FC)