

Ministry of Environment & Forests
Govt. of India

NO.8-298/87-FC

86-1
दूरभाष :
Telephone :
तार :
Telegram : PARYAVARAN,
NEW DELHI

पर्यावरण भवन, सी. जी. ओ. कॉम्प्लेक्स,
PARYAVARAN BHAWAN, C.G.O. COMPLEX
लोदी रोड, नई दिल्ली-110003
LODI ROAD, NEW DELHI-110003

30th July, 1990

To

The Secretary (Forest),
Govt. of Uttar Pradesh,
Lucknow.

Sub: Transfer of 1305 ha. of forest land to Northern Coal Field Ltd. for
Dudichuha & Kharia Coal Projects, Mirzapur (Sonebhadra) district.

Sir,

I am directed to refer to your letter NO.4849/14-3-929/87 dated 3.10.87 on the above subject seeking prior approval of the Central Govt. in accordance with Section 2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Govt. under Section 3 of the aforesaid Act.

After careful consideration of the proposal of the State Government and on the basis of the recommendations of the above mentioned Advisory Committee, the Central Govt. hereby conveys its approval under Section 2 of the Forest (Conservation) Act, 1980 for transfer of 1305 ha. of forest land to Northern Coal Field Ltd. for Dudichuha & Kharia Coal Projects, Mirzapur (Sonebhadra) district subject to following conditions:

1. The legal status of the land will remain unchanged.

2. The mined over area will be reclaimed after mining is over at the cost of the project as per the scheme submitted by project authority.

3. The compensatory afforestation will be raised over 1555.59 ha. of non-forest area as identified in Kanpur, Pratapgarh and Sultanpur districts under Social Forestry Programme at the cost of the project. The area so identified will be notified as protected forest before handing over the area being diverted by this order. 4 Rehabilitation of the oustees families will be done as per the scheme submitted by the State Govt. at the cost of the project. 5. In order that labour and staff while working on the project in the forest area may not cause destruction to the forest area for meeting their fuelwood needs, the user agency will establish fuelwood depot and will provide the fuelwood to them free of cost.

6. NO explosives should be allowed to be stored in the forest area.

7. The condition/safe guard imposed by the Department of Environment of this Ministry, while clearing the project, are to be strictly followed.

8. The details of forest area to be diverted for various works of the projects is as follow:

	Kharia Project	Dudichuha Project
a) Mining	703.0	352.0 ha.
b) Storing of minerals	NIL	5.0 ha.
c) Dumping of overbenden	47.0	127.0 ha.
d) Storing tools/machines	NIL	NIL

...2/-

Khadia ProjectDudhichuha Project

e) Construction of building,
Power station, Workshop etc.

NIL

15.0 ha.

f) Township/Colony

NIL

NIL

g) Construction of road/
roadway/Railway line/Power line

NIL

39.0 ha.

h) Environment

NIL

17.0 ha.

Total

750.0

555.0 ha.

Yours faithfully,

(Khazan Singh)

Asstt. Inspector General of Forest.

Copy to:

1. PCCF, Govt. of Uttar Pradesh, Lucknow.
2. CCF (Central) Regional Office, Lucknow.
3. ✓ Nodal officer (Sh.K. Prasad) 17-Rana Pratap Marg, Lucknow.
4. Regional Office (HQ)
5. Guard file.

(Khazan Singh)
A.

File No. 8-85/2005-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Dated 14th September, 2010

To

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

Sub: Diversion of 180.00 ha of forest land for Khadia Project of Northern Coalfields Limited (NCL) in Sidhi District of Madhya Pradesh.

Sir,

I am directed to refer to Government of Madhya Pradesh's letter No. F-1/371/05/2005/10-11/2537 dated 29.09.2005 on the above mentioned subject wherein prior approval of the Central Government for diversion of 180.00 ha of forest land for Khadia Project of Northern Coalfields Limited (NCL) in Sidhi District of Madhya Pradesh, 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 by the Central Government under Section-3 of the said Act, in-principle/stage-I approval for the said diversion was granted vide this Ministry's letter of even number dated 08.06.2009 read with corrigendum dated 18.06.2009, 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.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. F-1/371/05/10-11/91 dated 12.01.2010 and No. F-1/371/05/10-11/1985 dated 02.06.2010, final/stage-II approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 180.00 ha of forest land for Khadia Project of Northern Coalfields Limited (NCL) in Sidhi District of Madhya Pradesh, subject to fulfillment of the following conditions:-

- (i) Legal status of forest land shall remain unchanged.
- (ii) Compensatory afforestation shall be raised and maintained over degraded forest twice in extent to the forest land diverted (i.e. over $2 \times 180 = 360$ ha.).
- (iii) The User Agency shall create, fence and maintain a proper safety zone around the mining area.
- (iv) The State Government shall protect and regenerate safety zone area, and afforest degraded forest elsewhere, one and half time in extent to area of the safety zone.
- (v) Wherever possible and technically feasible, the User Agency shall in consultation with the State Forest Department, afforest blanks within the lease area, as well as

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along the roads outside the lease area diverted under this approval, at the project cost.

- (vi) Following activities shall be undertaken by the User Agency at the project cost:
- (a) A detailed plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - (b) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
 - (d) 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.
 - (e) The top soil management plan should be strictly adhered to.
- (vii) Additional amount of the NPV of the diverted additional forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Government from the User Agency.
- (viii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (ix) The detailed assessment of the proposal after 3 years of implementation shall be done by Regional Office at the User Agency's cost from a reputed institution.
- (x) Concurrent reclamation with minimum felling of trees shall be done by the User Agency so that impact is minimal.
- (xi) The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986.
- (xii) The user agency will make arrangement for free supply of coal or LPG refills to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
- (xiii) The period of permission for lease under the Forest (Conservation) Act, 1980 will be for 20 years subject to possession of valid lease by User Agency under the MMDR Act, 1957.
- (xiv) 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 and back bearings and distance from pillar to pillar.
- (xv) Mining/reclamation schedule shall be implemented by the user agency at their cost as per Environmental Management Plan / Phased programme.
- (xvi) The User Agency shall take up afforestation and soil moisture conservations works inside the forest area in 100 m. radius from the permitted lease area in consultation with the forest department. Wherever the forest density is less than 0.4, gap plantation should be taken-up.

14/07/2015

- (xvii) The User Agency shall also take up study on soil erosion / soil flow from the over-burden areas with the help of GIS in consultation with the forest department.
- (xviii) The User Agency shall take up the de-silting of the village tanks within five km area from the mine lease boundary so as to mitigate the impact of siltation of such tanks whenever required.
- (xix) All other conditions under different rules, regulations and guidelines including environmental clearance and rehabilitation of tribal and other forest dweller shall be complied with.
- (xx) Any other condition that the State Government of Madhya Pradesh or the Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office, Bhopal may impose from time to time in the interest of conservation, protection or development of forests.

Yours faithfully,

14/09/2012

(H. C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal.
2. The Nodal Officer, Forest Department, Government of Madhya Pradesh, Bhopal.
3. The CCF(Central), Regional Office, Bhopal.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

14/09/2012

(H. C. Chaudhary)

Assistant Inspector General of Forests

*Received
D. 3-11/11
Adm. Cell
New Del*

*Issued
16/9/2012*

F. No. 8 – 58/2005-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi-110 003

Dated: 13th August, 2007

To

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

Sub: Diversion of 378.935 ha. of forest land for Bina Extension Open-Cast Mining project for coal in favour of M/S. Northern Coal Fields Limited in District Sidhi, Madhya Pradesh

Sir,

I am directed to refer to your letter No. F-1 / 368 / 05 / 10-11 / 1345 dated 31.05.2005 on the above mentioned subject, wherein the above proposal for diversion of **378.935 ha.** of forest land for Bina Extension Open-Cast Mining project for coal in favour of M/S. Northern Coal Fields Limited in District Sidhi, Madhya Pradesh was submitted seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980.

2. After careful consideration of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, the Central Government granted in-principle approval to the said proposal under Section-2 of the Forest (Conservation) Act, 1980, on 18.07.2006. The request of the User Agency, that the Condition No 1 of the order dated 18.07.2006 may be changed suitably incorporating therein raising Compensatory Afforestation over double degraded forest land as is applicable to Central Government Public Undertaking, was placed before the Forest Advisory Committee in its meeting held on 27.09.2006. The Forest Advisory Committee recommended to change the Condition No. 1 of the order dated 18.07.2006 as follows:- **“ The Compensatory Afforestation shall be raised and maintained over the degraded forest land double in extent to the area broken after 1980, at the cost of the User Agency.”**

3. A compliance report has been received from the Nodal Officer (FC), Madhya Pradesh, vide letter No. F-1/368/05/10-11/460 dated 21.02.2007. After considering the proposal and compliance of the stipulated conditions by the State Government, the Central Government hereby grants approval, under the Forest (Conservation) Act, 1980, for **diversion of 378.935 ha. of forest land** for Bina Extension Open-Cast Mining project for coal in favour of M/S. Northern Coal Fields Limited in District Sidhi, Madhya Pradesh, subject to fulfilment of following conditions :-

1. Legal status of the forest land shall remain unchanged.
2. The Compensatory Afforestation shall be raised and maintained over degraded forest land double in extent to the area broken after 1980, by the User Agency at the Project Cost.

3. The State Government shall charge the Net Present Value 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 30.10.2002 and 01.08.2003 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 in this regard.
4. The State Government shall deposit NPV and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in Account No. CA 1579 of Corporation Bank, Block-11, Ground Floor, CGO Complex, Phase-1, Lodhi Road, New Delhi-110003.
5. Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency.
6. The User Agency shall create, fence and maintain a proper safety zone around the mining area. The User Agency shall deposit funds with the Forest Department for the creation, protection and regeneration of the safety zone area, and also shall bear the cost of afforestation over one and a half time of the safety zone area in degraded forest elsewhere.
7. Phased reclamation of the mine shall be carried out by the User Agency as per the approved Reclamation Plan at the Project Cost.
8. Rehabilitation and resettlement of the displaced persons shall be carried out by the User Agency as per the R & R plan submitted for the purpose.
9. Demarcation of the area shall be done on ground at the project cost using four feet high RCC pillars with serial numbers, forward and back bearings and distances from pillar to pillar.
10. Trees shall be felled only when it becomes necessary and that should be done under strict supervision of the State Forest Department.
11. No labor camps shall be established on the forest land.
12. Sufficient firewood shall be provided by the User Agency to the laborers at the project cost after purchase from the State Forest Department/Forest Development Corporation.
13. The forest land shall not be used for any purpose other than that specified in the proposal.
14. The User Agency shall ensure that there should be no damage to the wildlife in the area.
15. All other standard conditions stipulated for Mining Projects shall be complied with by the User Agency.

Yours faithfully,

(A.K. Joshi)

Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal
2. The Nodal Officer, Office of the PCCF, Government of Madhya Pradesh, Bhopal
3. The Chief Conservator of Forests (Central), Regional Office, Lucknow
4. User Agency
5. RO (HQ), New Delhi/ Monitoring Cell / FC Div.
6. Guard file.

(A.K. Joshi)

Assistant Inspector General of Forests