

File No.8-62/1986-FC(Pt.)

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003
Dated: 16th October, 2020

To,

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

Sub: Renewal for diversion of 874.146 ha of Forest Land in favour of M/s. Northern Coalfields Limited (NCL) for Open Cast Mining of coal in Nigahi of District Singrauli in the State of Madhya Pradesh (Online proposal no. FP/MP/MIN/28571/2017) - reg.

Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests (Land Management) and the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh's letter No. F-1/FP/MP/MIN/28571/2017/10-11/2007 dated 07th July, 2018 on the above-mentioned subject, seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980. After careful examination of the proposal and recommendations made thereof by the Forest Advisory Committee (FAC) constituted under Section-3 of the said Act, '*in-principle*' approval was granted vide this Ministry's letter of even number dated 12.12.2018 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the '*in-principle*' approval and requested the Central Government to grant final approval to the proposal.

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 the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No. F-1/FP/MP/MIN/28571/2017/10-11/618 dated 13.02.2020, letter of even no. dated 30.06.2020 and their letter of even no. dated 03.09.2020 **final approval (Stage-II)** of the Central Government is hereby accords approval for renewal for diversion of 874.146 ha of Forest Land under Section -2(ii) of the Forest (Conservation) Act, 1980 in favour of M/s. Northern Coalfields Limited (NCL) for Open Cast Mining of coal in Nigahi of District Singrauli in the State of Madhya Pradesh, subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;


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- ii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector and as per relevant guidelines issued by the Ministry, before handing over of the land to the user agency;
- iii. The State Government shall ensure that the user agency will implement the following activities under the supervision of the State Forest Department at the project cost in consultation with the State Forest Department: -
 - a. Mitigative measures to minimize soil erosion and choking of stream shall be initiated and will be implemented within a period of three years with effect from the date of issue of Stage-II clearance in accordance with the approved Plan which is prepared in consultation with the State Forest Department;
 - b. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
 - c. Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28 degrees; and
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
 - v. The State Government and user agency shall monitor the mining induced subsidence and take appropriate mitigative measures to ensure that it remains within the permissible limit;
 - vi. The user agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;
 - vii. The User Agency either itself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip shall be kept within the mining lease or mining cluster, as applicable and such other areas as specified in the approved mining plan) at the project cost. Area of safety zone of a mining lease shall be a part of the total area of the mining lease;
 - viii. The period of diversion of the said forest land shall be co-terminus with the period of the mining lease granted under the Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder;
 - ix. User agency in consultation with the State Forest Department shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - x. 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;

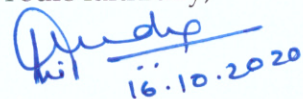

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- xi. User agency either itself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 meters from outer perimeter of the mining lease;
- xii. The User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;
- xiii. User agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh and the Deputy Director General (Central), Ministry of Environment, Forest and Climate Change, Regional Office, 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 Deputy Director General (Central) may direct that the mining activities to be suspended till such time, such reclamation activities are satisfactorily executed;
- xiv. The ground area over the mine shall not be allowed to be used for construction of residential buildings /labour camps or huts;
- xv. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on forest areas;
- xvi. The boundary of the diverted forest land, mining lease area and safety zone shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer;
- xvii. Forest land shall not be used for any purpose other than that specified in the proposal;
- xviii. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- xix. The change in the layout plan of the mining lease, if required, shall be done as prescribed in the comprehensive guidelines issued vide this Ministry File No.5-2/2017-FC dated 28th March, 2019;
- xx. 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;
- xxi. No damage to the flora and fauna of the adjoining area shall be caused;


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- xxii. 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;
- xxiii. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xxiv. The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry File No.5-2/2017-FC dated 28th March, 2019;
- xxv. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
- xxvi. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project;

Yours faithfully,



(Brijendra Swaroop)

Dy. Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests (HoFF), Government of Madhya Pradesh, Bhopal;
2. The Dy. Director General of Forests (Central), Regional Office (Western Zone), Bhopal;
3. The Nodal Officer, under the forest (Conservation) Act, 1980, Forest Department, Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading;
6. Guard File.