

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

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj
New Delhi – 110003
Dated:23-06-2025

To

The Additional Chief Secretary (Forests)
Government of West Bengal,
Department of Forests,
Aranya Bhavan (1st Floor),
Block-LA-10A, Sector-III, Salt Lake City,
Kolkata - 700098

Sub: Proposal for seeking prior approval of the Central Government under Section 2(1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 338.74 ha of forest land for Coal Mining in Barjora (North) Coal Mine Block in favour of West Bengal Power Development Corporation Limited (WBPDC), Bankura District, West Bengal (Online Proposal No. FP/WB/MIN/43000/2019)-reg.

Madam/Sir,

I am directed to refer to the Government of West Bengal proposal no. FP/WB/MIN/43000/2019 uploaded on 17.10.2023 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and additional information submitted vide letter no. 1078/8 dated 17.05.2024 and letter No. letter no. 395-FR/O/L/10T-107/23 dated 21.01.2025 as sought by the Ministry and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section - 3 of the aforesaid Adhiniyam.

2. After careful examination of the proposal of the Government of West Bengal and on the basis of the recommendations of the Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords '***in-principle***' approval under Section – 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 338.74 ha of forest land for Coal Mining in Barjora (North) Coal Mine Block in favour of West Bengal Power Development Corporation Limited (WBPDC), Bankura District, West Bengal subject to the fulfillment of the following conditions:

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

2. Compensatory Afforestation:

- a. The compensatory afforestation over non-forest land, equal in extent to the forest land being diverted i.e. 338.88 ha, shall be raised by the State

Forest Department at the project and afforestation works shall start within two years from the date of grant of final approval;

- b. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation as per the approved CA Scheme at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal;
- c. The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the final approval and it shall be notified by the State Government as PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, as the case may be, before handing over the forest land to the User Agency;
- d. The cost of survey, demarcation and erection of permanent pillars, if required on the identified CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- e. User agency either himself 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 0.40), if any, located in the area within 100 meter from outer perimeter of the mining lease. The plan for plantation and SMC activities will be prepared and submitted to MoEF &CC before final approval;

3. NPV:

- a. The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being 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 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 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned;
- b. 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 NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

4. *Considering the biodiversity richness of the area, 'in-principle' approval is granted for the entire 338.74 ha, with final approval to be restricted to 50% in the first phase. Approval for the second phase should be sought from the Central Government upon satisfactory compliance. Mining shall proceed as per the approved mining plan.*

5. *The user agency shall be encouraged to undertake reclamation activities in already mined-out areas. Approval for the remaining portion will be considered in the second phase based on the progress of reclamation.*
6. *Wherever possible, the User Agency should carry out the transplantation of young Sal trees and other unique or valuable species to reclaimed areas, under the supervision of the State Forest Department, in order to preserve the local germplasm.*
7. *Given the ecological value of the proposed area, the SFD and user agency may collaboratively work on reclamation of the mined-out areas through Other Effective Area Based Conservation Measures (OECM), in line with MoEF&CC guidelines (2022). Reputed institutions may be engaged for this purpose, at the user agency's expense.*
8. *The State Government may revise the Wildlife Conservation Plan in consultation with the Wildlife Institute of India to include the site-specific interventions; the species-specific conservation measures and scientifically designed protocols;*
9. *The overburden (OB) in mined-out areas appears to have reached a height suitable for reclamation. The sub-committee observed rill and gully formation in parts of the OB. To prevent further degradation and leaching, it is recommended that the SFD and user agency jointly stabilise the OB using grasses, soil-binding plants, and seed balls during the monsoon. Techniques such as garland drains may be used to trap silt and nutrient runoff.*
10. *As the proposed diversion area falls under the Wildlife Overlapping Working Circle, the Wildlife conservation plan should also include enrichment measures for fauna-preferred plant species, particularly those favoured by elephants.*
11. *Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);*
12. *The KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the e-Green watch portal along with GPS Ids and all other requisite details prior to final approval;*
13. *Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department :*
 - a. *Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three years with effect from the issue of final approval in accordance with the approved Plan 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° ;
- 14. State Government shall ensure that the project authority needs to take up works for construction and cleaning of garland drains, stabilizing retaining walls, proper terracing of OB dumps and checking gully formation resulting in biolosion;
- 15. State Government shall ensure that plants which are having lowest translocation factor can be preferred under afforestation on the OB dumps and fruit trees to be avoided in planting during biological stabilization of OB dumps;
- 16. State Government shall ensure prevention of fall of wild animals into mining pit by fencing the open pit area;
- 17. State Government shall ensure that the angle of repose in OB dumps to be maintained to ensure stability and safety;
- 18. State Government shall ensure that vetiver grass can be planted at the lower reaches of the dump to bind the soil and prevent soil erosion giving better stability to the dump
- 19. **Safety Zone Management:** Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
 - a. User agency shall ensure demarcation of safety zone (7.5-meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the. State Forest Department;
 - b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department;
 - d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
- 20. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
- 21. The User Agency shall prepare a list of existing village tanks and other water

bodies with GPS co-ordinates located within five km from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed approved plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF & CC before final approval;

22. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
23. Trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of concerned DFO;
24. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
25. 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 as per the provisions of the Rules 11 (7) Van (Sanrakshan Evam Samvardhan) Rules, 2023 ;
26. 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 as per the approved mining 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, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. 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 concern DDGF (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
27. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner;
28. 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 time to time and the Rules framed there-under;
29. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
30. No labour camp shall be established on the forest land and 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;

31. 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 coordinates;
32. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal except the change in land use allowed on the forest land vide Ministry's guideline dated 26.12.2024;
33. 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;
34. No damage to the flora and fauna of the adjoining area shall be caused;
35. 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 regularly;
36. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and
37. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) including the complete compliance of the FRA, 2006 as per the Rules 11 (7) of the VSES Rules 2023 pertaining to this project, if any, for the time being in force, as applicable to the project;
38. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications Issued Under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023;
39. The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

Sd/

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. PCCF (HoFF), State Forest Department, Government of West Bengal, Kolkata.
2. PCCF & Nodal Officer (FCA), O/o PCCF, State Forest Department, Government of West Bengal, Kolkata.
3. DDGF (Central), Regional Office of MoEF&CC at Bhubaneswar.
4. Sub-Office, Kolkata.
5. User Agency.
6. Monitoring Cell, FC Division, MoEF&CC, New Delhi
7. Guard File.