



सत्यमेव जयते  
महाराष्ट्र शासन

**Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

**Office of The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

0712-2556916

Email: apccfnodal@mahaforest@gov.in

Speed Post/Email

No. Desk-17/Nodal/Chandrapur/11403/1112/21-22  
Nagpur – 440 001 Dated 24/09/2021.

To,  
Shri. Sandeep Sharma,  
Asst. Inspector General of Forests,  
Ministry of Environment, Forests and Climate Change,  
(Forest Conservation Division)  
Indira Paryavaran Bhavan, Jor Bagh Road,  
Aliganj, New Delhi 110 003.

**Sub:** Diversion of 193.19 ha forest land for under ground mining of coal for Mahakali Colliery  
in favour of Western Coalfields Limited in Chandrapur District of Maharashtra State-  
Regarding.

Ref: 1. Ministry of Environment, Forests and Climate Change (Forest Conservation Division)  
Govt. of India letter no. F. No. 8-34/2007-FC, dt.22.06.2020.  
2. Chief Conservator of Forests (T) Chandrapur's letter no. Desk-3(1)/Land/CR-34/21-22/  
561, dtd.08.09.2021.

The Govt. of India vide letter under reference 1 has accorded State-1/ in principle Approval for diversion of 193.19 ha forest land on the subject mentioned above with condition to submit compliance of 1 to 26 conditions. Accordingly the User Agency has submitted their compliance to Divisional Forest Officer (T) Chandrapur Division, Chandrapur with copy to this office vide letter no. WCL/Chandrapur/Kshe.Ma.Pra/ 2021-22/Yo/Ra/164, dtd.17.08.2021. The same is submitted by Chief Conservator of Forests (T) Chandrapur to this office vide letter under reference 2. The details of conditions and remarks of the User Agency are as follows:-

Sr.No.	Condition	Compliance
(i)	Legal status of the diverted forest land shall remain unchanged.	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 1.</b>
(ii)	Action shall be initiated against the official under section 3A and 3B of FCA 1980. State Government shall provide the name of the official of WCL who allowed the mining under their jurisdiction in the forest area without prior permission of Government of India under FCA 1980. State Government shall provide the name prior to Stage II approval to regional office and regional office shall initiate the legal proceedings	The user agency has been submitted compliance report in this regard. This office agrees with user agency's compliance report and detailed information attached on <b>Page No. 2 to 8.</b>



(iii)	User agency shall pay for penal CA over double the area in violation of FC 1980. CA shall be carried over degraded forest area. A detail CA scheme and cost estimate shall be submitted. The amount shall be deposited in Ad hoc CAMPA.	<p>The user agency has been deposited Rs. 6,87,27,189/- for PCA in CAMPA through e-challan vide EFT No. 54568, on 02/08/2021 with UTR NO. SBINR52021080235573842 attached herewith <b>Page No. 5 to 8.</b></p> <p>94.14 ha. Penal CA proposed on degraded forest in Central Chanda Forest Division, Chandrapur. Details as follows;</p> <table><tr><th>Range</th><th>Beat</th><th>C.No.</th><th>Area</th></tr><tr><td>Wansadi</td><td>Bakhardi</td><td>192</td><td>29.14</td></tr><tr><td>Wansadi</td><td>Bakhardi</td><td>194</td><td>20.00</td></tr><tr><td>Wansadi</td><td>Rupapeth</td><td>186</td><td>20.00</td></tr><tr><td>Wansadi</td><td>Pardi</td><td>182</td><td>20.00</td></tr><tr><td>Ballarshah</td><td>Itoli-2</td><td>507</td><td>5.00</td></tr><tr><td colspan="3">Total :-</td><td>94.14</td></tr></table> <p>Suitability Certificate of Deputy Conservator of Forests, Central Chanda Division, Chandrapur and details CA scheme with Map and KML submitted herewith <b>Page No. 66 to 105.</b></p>	Range	Beat	C.No.	Area	Wansadi	Bakhardi	192	29.14	Wansadi	Bakhardi	194	20.00	Wansadi	Rupapeth	186	20.00	Wansadi	Pardi	182	20.00	Ballarshah	Itoli-2	507	5.00	Total :-			94.14
Range	Beat	C.No.	Area																											
Wansadi	Bakhardi	192	29.14																											
Wansadi	Bakhardi	194	20.00																											
Wansadi	Rupapeth	186	20.00																											
Wansadi	Pardi	182	20.00																											
Ballarshah	Itoli-2	507	5.00																											
Total :-			94.14																											
(iv)	State Government shall submit FCA proposal for regularization Zudpi land, allotted for rehabilitation of the residents of Siddharth Nagar in 1988 as per simplified procedure for diversion of Zudpi land conveyed to Govt. of Maharashtra.	User Agency also Written a letter and requested the District Collector, Chandrapur to take necessary action on this subject vide letter no. WCL/CHA/AGM/PLG/REV/1663, dated 05 <sup>th</sup> Aug 2019. As per the simplified procedure for disforestation of Zudpi Jungle area, proposals should be moved Tahsil as a unit. The process is already initiated by Collector, Chandrapur.																												
(v)	State Government shall take action for the violation as per the guideline F.No.11-42/2007 FC dated 29.01.2018 issued by MoEF&CC.	The user agency has been submitted compliance report in this regard. This office agrees with user agency's compliance report and detailed information attached on <b>Page No. 9 to 20.</b>																												
(vi)	This in-principle approval will be effective after the payment of NPV and other outstanding dues, if any, with WCL in CAMPA account;	<p>The User Agency already made payment toward NPV of Rs. 9,68,29,280/- (Rupees Nine Crore Sixty Eight Lakhs Twenty Nine Thousand and Two Hundred Eighty only) during the Temporary Working Permission granted vide F.No. 8082/2005-FC, dated 23/11/2005.</p> <p>(a) NPV for this Underground Mine is not applicable.</p> <p>(b) As it is an underground mining CA is not applicable.</p> <p>The user agency has been deposited Rs. 6,87,27,189/- for PCA in CAMPA through e-challan vide EFT No. 54568, on 02/08/2021 with UTR NO. SBINR52021080235573842 attached herewith <b>Page No. 5 to 8.</b></p>																												



(vii)	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 the 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.	The user agency has been submitted compliance report in this regard. This office agrees with user agency's compliance report and detailed information attached on <b>Page No. 21 to 27.</b>
(viii)	The User Agency shall pay the additional amount of NPV, if so determined as per the final decision of the Hon'ble Supreme Court of India.	The user agency agreed. An undertaking has been submitted by the User Agency is enclosed as <b>Page No. 28.</b>
(ix)	The user agency should ensure that the compensatory levies / CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	The user agency has been deposited Rs. 6,87,27,189/- for PCA in CAMPA through e-challan vide EFT No. 54568, on 02/08/2021 with UTR NO. SBINR52021080235573842 attached herewith <b>Page No. 5 to 8.</b>
(x)	The Forest clearance will be for a period co terminus with the lease period specified in the lease agreement. The State Government will submit the lease agreement document specified in the lease agreement.	The user agency submitted the current mining lease agreement document herewith enclosed as <b>Page No. 29 to 48.</b> As per the lease agreement lease period starts from 06.09.2011 for 20 years which means lease is valid till 05.09.2031.
(xi)	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 <del>implementation thereof</del> shall be submitted to the Nodal Officer, Forest (Conservation) Act 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 Addl. Pr. Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.	The user agency given justification that Reclamation is not applicable for Underground Mining. This office agrees with user agencies compliance report.
(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. <del>The said R&amp;R Plan</del> will be monitored by the State Government / Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;	This is an underground coal mine project. Therefore no displacement of persons or families involves in this project. Hence this condition in not applicable for this project.
(xiii)	The user agency is consultation with the State Government shall create and maintain alternate habitat / home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests	This is an underground coal mine project. Hence, no tree felling is involved. Hence, this condition in not applicable for this project.



	artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	
(xiv)	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.	The boundary of the mining lease has been demarcated by the user agency and submitted map showing boundary pillars attached on <b>Page No. 49</b> .
(xv)	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act 1986, if required.	The user agency submitted the Environment Clearance copy attached herewith <b>Page No. 50 to 54</b> .
(xvi)	Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	This is an underground coal mine project. No tree felling involve in this proposal.
(xvii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 55</b> .
(xviii)	No labour camp shall be established on the forest land.	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 56</b> .
(xix)	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;	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 57</b> .
(xx)	The State Govt. and the user agency shall ensure 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 preferably within five years from the date of approval of Stage-II Clearance.	The user agency stating that this is an underground mining project. As such no siltation of village tanks and other water bodies will occur due to mining operations. However, User Agency submitted an undertaking against this condition attached herewith <b>Page No. 58</b> .
(xxi)	The forest land shall not be used for any purpose other than that specified in the proposal and the said forest land shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 59</b> .
(xxii)	No damage to the flora and fauna of the adjoining area shall be caused.	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 60</b> .
(xxiii)	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.	Complied by the User Agency. Original FRA Certificate and Copy of English Translation have been submitted by DFO, Chandrapur to CCF, Chandrapur vide letter No. Desk-5/Survey/Land/2127, dated 07 <sup>th</sup> Dec. 2017 and CCF, Chandrapur submitted to APCCF & Nodal Officer, Nagpur vide letter No. 1557, dated 10/01/2017 and APCCF & Nodal Officer, Nagpur submitted to AIG of Forest (FC), MOEF, New Delhi vide letter No. Desk-17/Nodal Cell/17-1/ID-11403/



		2400, dated 08/01/2018. Copy of forward letter Enclosed as <b>Page No. 61 to 62.</b>
(xxiv)	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;	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 63.</b>
(xxv)	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	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 64.</b>
(xxvi)	The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to this project.	The user agency agreed and an undertaking has been submitted by the User Agency attached herewith <b>Page No. 65.</b>

The copy of letter from the User Agency dtd.17.08.2021 is enclosed for ready reference.

Encl: As above

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests And Nodal Officer  
Maharashtra State, Nagpur

Copy submitted to the Chief Conservator of Forests (T) Chandrapur with reference to their letter under reference 2 for favour of information.

Copy submitted with compliments to Area General Manager, WCL Chandrapur Area, Po. Babupeth, Chandrapur with reference to their letter dtd.17.08.2021 for favour of information.