

F. No. 8-46/2017-FC
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

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

Dated: ^{14.6.}May, 2018

To,

The Principal Secretary (Forests),
Government of Chhattisgarh,
Raipur.

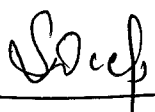
Sub: Proposal for prospecting of coal for use of 1745.883 ha of forest land of Kente Extension coal block in favour of Rajyasthan Rajya Vidyut Utpadan Nigam Limited for exploration of coal reserves by undertaking 153 boreholes of 4" dia in Suguja District in the State of Chhattisgarh.

Sir,

I am directed to refer to the Government of Chhattisgarh's letter No. F-5-44/2017/10-2 dated 07.07.2017 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC), *In-principle/Stage-I* approval was granted vide this Ministry's letter of even number dated 19.12.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

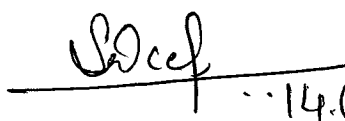
In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide their letters no. Bhu-Praband/Khanij/331-228/937 dated 27.03.2018 and No. Bhu-Praband/Khanij/331-228/1500 dated 11.05.2018, *Stage-II/Final approval* of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for use of 1745.883 ha of forest land of Kente Extension coal block in favour of Rajyasthan Rajya Vidyut Utpadan Nigam Limited for exploration of coal reserves by undertaking 153 boreholes of 4" dia in Suguja District in the State of Chhattisgarh, subject to following conditions:

- (i) The User Agency shall be allowed exploratory drilling of a maximum of 153 bore holes of 4" diameter over 1745.883 ha of forest land.
- (ii) State Government shall ensure that the Biodiversity Assessment Study may be conducted through ICFRE Dehradun in consultation with Wildlife institute of India Dehradun for the whole Hasdeo- Arand coalfields comprising of Tara, Parsa, Parsa East, Kante to be funded by M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RVUNL). The study is to be awarded by State Government by associating the Indian Council of Forestry Research and Education (ICFRE), Dehradun and Wildlife Institute of India (WII) Dehradun and Integrated Wildlife Management Plan (IWMP) will be prepared and conservation area will be identified and mitigation measures will be recommended by the expert committee. The cost of study and cost of


14.6.18

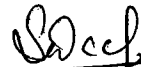
implementation of recommendations shall be borne by M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL). The report will be submitted within two years.

- (iii) The State Government may note that the permission for prospecting of coal in forest area does not assure any subsequent right to M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL) to claim permission under Section 2(ii) of FCA 1980 for mining of coal and fresh proposal for diversion under section 2(ii) of FC Act for mining will be considered on merit based on the report of the expert committee so constituted to study the biodiversity in the area, by FAC on the recommendations of the State Government, existing guidelines and policy for coal mining and the standard procedure for diversion of forest land for coal mining shall be followed in such case.
- (iv) The State Government shall ensure that no tree/ vegetation shall be allowed to be removed /felled during prospecting and no forest area will be diverted for road.
- (v) State Government shall ensure that the compensatory afforestation shall be raised over 12.40 ha. in identified revenue forest land and at-least 1000 plants per hectare (6.12125 hectares x 1000 = 6200 plants) shall be planted over identified said land in pits of size 0.6m x 0.6m x 0.6m filled with imported soils and manure, and maintained thereafter as per prescription of working plan by State Forest Department from the funds of Rs.74,42,753/- deposited by the user agency in the account of Adhoc-CAMPA;
- (vi) The State Government shall ensure that the State Forest Department shall carry out soil and moisture conservation (SMC) activities from the funds of Rs.18,60,688/- deposited in the account of Adhoc-CAMPA;
- (vii) **The approval for prospecting shall be subject to the outcome of the Civil Appeal No. 4395 of 2014 in the matter of Rajasthan Rajya Vidyut Utpadan Nigam Ltd vs. Sudiep Shrivastava pending before the Hon'ble Supreme Court;**
- (viii) The State Government shall ensure that the non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record;
- (ix) The State Government shall ensure that the activities to be undertaken by the user agency within the forest land for prospecting shall not result in felling of any tree;
- (x) The State Government shall ensure that the samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose;
- (xi) The State Government shall ensure that the user agency shall take all possible measures to minimize noise during prospecting operations and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concern State Forest Department ;
- (xii) The State Government ensure that the State Forest Department shall deploy adequate staff to supervise the activities to be undertaken by the user agency to prevent any damage to the flora (especially the fresh regeneration), fauna and also to prevent felling of trees during drilling of holes and movement of equipment;
- (xiii) The State Government shall ensure that after completion of the prospecting all bore holes shall be completely filled up and the ground restored back to its original position ;


14.6.18

- (xiv) The State Government shall ensure that no new road / permanent path in the forest area will be constructed during transportation of bore drilling machine / rigs etc.
- (xv) The State Government may note that this permission shall, in no way, confer any rights to the project proponents or any other agency for grant of approval under the Forest (Conservation) Act, 1980 for diversion of forest land for any other non-forestry use of the said forest land
- (xvi) The State Government ensure and the user agency shall comply with any other condition that the concern Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xvii) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.


Yours faithfully,


(Sandeep Sharma) 14.6.18

Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Chhattisgarh, Raipur.
2. The Addl. PCCF (Central), Regional Office, Nagpur
3. The Nodal Officer (FCA), O/o PCCF, Government of Chhattisgarh, Raipur.
4. User Agency.
5. Monitoring Cell of Forest Conservation, MoEF&CC, New Delhi.
6. Guard File.


(Sandeep Sharma) 14.6.18

Assistant Inspector General of Forests (FC)