

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: November, 2023

To,

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

Subject: Subject: Diversion of 151.095 ha forest land including 142.075 ha forest land in Forest Compartment No. RF-827 & RF-828 of Burhar Range of South Shahdol Forest Division and 9.020 ha Revenue forest land under various Khasra's for Bikram Coal Block Open cast & underground Coal Mining Project in favour of M/s Birla Corporation Limited under Shahdol District of Madhya Pradesh State (Online No. FP/MP/MIN/49537/2020) - regarding.

Madam/Sir,

Please refer to a representation dated 06.11.2023 received from the user agency on the above mentioned subject. The copy of same is enclosed and is self-explanatory.

In this regard, the Government of Madhya Pradesh is requested to furnish the comments for further necessary action.

Yours sincerely,

Encl: As Above

Signed by

Suneet Bhardwaj

Date: 30-11-2023 14:42:10

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest Government of Madhya Pradesh, Bhopal;
4. User Agency.



Birla Corporation Limited

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Mumbai 400 020 India

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Ref: BCL/Bikram/MoEF/31/2023

Date: 06/11/2023

To,

The Inspector General of Forests,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhawan, Jorbag, New Delhi -110003

Kind Attn: Sh. Ramesh Pandey Sab,

Sub: Seeking Clarification regarding handing over of 33.92 ha NFL for CA purpose State Forest Deptt with respect to Bikram Coal mine of M/s. Birla Corporation Limited.

Ref: 1. Agenda No. 2 of Minutes of meeting of FAC held on 11.09.2023 wrt forest diversion of Bikram Coal Mine of M/s. Birla Corporation Limited.

2. Letter no. 8-34/2021 dated 21.09.2023 from DIG (Forests), FC division, MoEF & CC to PS (Forests), Govt. of MP

R/Sir,

Subject to the afore mentioned subject & references, out of 36.430 ha non forest private land offered for compensatory afforestation against forest diversion proposal of Bikram coal mine, 2.51 ha of the non-forest land was found overlapped as per DSS analysis in the FAC meeting on 11th September 2023.

Forest Advisory Committee accepted the revised NFL proposal subject to the condition that the state Govt. shall either get the boundaries of the forest corrected on DSS plate form before stage –II approval or provide other non-forest land equivalent to the area overlapping with forest boundary as per DSS analysis for Compensatory Afforestation.

With backdrop of above facts, while M/s Birla Corporation limited is in process of providing alternate 2.51 ha NFL for CA purpose, we seek clarification that meanwhile weather the balance of the land ie 36.430 ha—2.51ha =33.92 ha NFL, which is found OK on DSS plate form may be handed over to state forest department .

Submitted for seeking your kind clarification and consideration so that the process for handing over of the NFL, which is found OK on DSS Analysis, to State forest deptt for CA should be initiated to save considerable time.

Yours Faithfully,

For, Birla Corporation Limited

Authorized Signatory

Cc: APCCF (Land management) & Nodal Officer (FC Act), Madhya Pradesh

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

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi – 110003
Dated: 21st September, 2023

To,

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

Subject: Diversion of 151.095 ha forest land including 142.075 ha forest land in Forest Compartment No. RF-827 & RF-828 of Burhar Range of South Shahdol Forest Division and 9.020 ha Revenue forest land under various Khasra's for Bikram Coal Block Open cast & underground Coal Mining Project in favour of M/s Birla Corporation Limited under Shahdol District of Madhya Pradesh State (Online No. FP/MP/MIN/49537/2020) - regarding.

Madam/Sir,

I am directed to refer to Government of Madhya Pradesh's letter No. F-1/829/2021/10-11/251 dated 17.01.2023 on the above mentioned subject wherein it has been requested for change of compensatory Afforestation area in terms of in-principle approved subject cited proposal and to say that the said request was placed before the Advisory Committee (AC) in its meeting held on 11.09.2023. The minutes of the meeting of the AC may kindly be seen at www.parivesh.nic.in.

After detailed deliberation on the matter, the Committee recommended to accept the revised Non Forest Land provided for Compensatory Afforestation subject to the condition that the State Govt. shall either get the boundaries of forest corrected on the DSS platform before Stage-II approval or provide other non-forest land equivalent to the area overlapping with forest boundary as per DSS analysis for Compensatory Afforestation.

This issues with the approval of competent authority.

Yours sincerely,

Signed by
Surabhi Rai (Surabhi Rai)
Deputy Inspector General of Forests
Date: 21-09-2023 17:27:35

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal.
3. The Nodal Officer (FCA), Department of Forest, Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.

26.12.2008 for Ghorawari Opencast Coal Mine Project keeping in view the Stage-I approval for 68.704 ha forest land.

- xv. The Mining plan is submitted for Ghorawari Opencast Coal Mine. However, reflection of the presently proposed 14 ha area for open cast mining in the mining plan has not been found available. Moreover, vital project components like safety zone, external dump, infrastructure, approach road etc. and their reference in the mining plan has not been found available.

5 **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer (FCA), Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Dy. DGF (Central), RO, Bhopal and Nodal Officer (FCA), Government of Madhya Pradesh the Committee deferred the proposal for diversion of 14.00 ha Reserved Forest land for Bharat Open Cast Coal Mine Phase-II and sought the following details:

- i. The State shall submit the justification for submitting the proposals for open cast mining in piecemeal.
- ii. As per DSS analysis of the KML file submitted with the proposal, the forest area within the mining lease has been found to be 150.453 ha. The DSS cell has used the boundary of forest available on State Forest website for analysis purpose. The State shall therefore recheck the forest area involved and take necessary action for the correction of forest area involved or for the correction of the forest boundary available on the website of the State Forest department.
- iii. The copy of approved mining plan under which the 19.5 ha area was worked by way of open cast mining shall be provided.
- iv. The State Govt. shall submit approved Mining plan involving details of presently proposed 14.00 ha area showing vital project components like safety zone, external dump, infrastructure, approach road etc.
- v. The purpose wise breakup of the 14 ha area involved in the instant proposal shall be submitted.
- vi. The 19.5 ha mined out area has not been reclaimed so far. The justification for not reclaiming the same along with the reclamation plan which was supposed to be implemented shall be submitted.
- vii. The State shall submit point-wise status of the compliance of the conditions stipulated in the approvals accorded earlier along with the justification for non-compliance of the stipulated conditions.

Agenda No. 2

F. No. 8-34/2021-FC

Subject: Diversion of 151.095 ha forest land including 142.075 ha forest land in Forest Compartment No. RF-827 & RF-828 of Burhar Range of South Shahdol Forest Division and 9.020 ha Revenue forest land under various Khasra's for Bikram Coal Block Open cast & underground Coal Mining Project in favour of M/s Birla Corporation Limited under Shahdol District of Madhya Pradesh State (Online No. FP/MP/MIN/49537/2020) - regarding.

1. The agenda item was considered by the AC in its meeting held on 11.09.2023. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Bhopal and Nodal Officer (FCA), Government of Madhya Pradesh attended the meeting. They had participated in the deliberation.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F1/829/2021/10- 11/4243 dated 20.12.2021 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 on the above mentioned subject.
 - ii. The above mentioned proposal was discussed in Forest Advisory Committee in its meeting held on 31.03.2022 wherein the said proposal was recommended.
 - iii. xviii. The proposal was accorded Stage-I approval by the Ministry vide letter number dated 21.04.2022 subject to certain conditions including the condition regarding CA land.
 - iv. Originally the Compensatory afforestation was proposed on only 114.617 ha of non-forest land (i.e. 55.811 ha in District Shehdol, 22.376 ha in District Rewa and 36.430 ha in District Sagar) as out of total area 151.095 ha proposed for diversion only 114.372 ha forest land will be used for open cast mining.
 - v. The Government of Madhya Pradesh vide their letter No. F1/829/2021/10-11/1790 dated 23.05.2022 submitted that the user agency has requested that due to some reasons that they are not able to transfer the proposed CA land of 36.430 ha area in District Sagar in favour of the State Forest Department and has requested for change of compensatory Afforestation area (Non Forest land - 36.430 ha) at Village Dighawani, District Chhindwara (earlier proposed CA area of 36.430 ha (NFL) at Village Lakshmanpura, District Sagar).
 - vi. The DFO, Chhindwara vide their letter dated 27.04.2022 informed that the proposed 36.430 ha non forest CA land at Village Dighawani, District Chhindwara is suitable for plantation.
 - vii. The Member Secretary informed the committee that on examination of the said request of State Government regarding change of compensatory Afforestation certain shortfalls was noticed and same was communicated to the State Government as well as Regional Office, Bhopal was requested to submit the Site Inspection Report of the 36.430 ha non-forest land vide Ministry letter dated 01.06.2022 and in this reference the RO, Bhopal vide their letter dated 29.06.2022 has submitted the Site Inspection Report of proposed CA site. Thereafter the Ministry vide letter dated 27.07.2022 requested the State Govt. and IRO, Bhopal to provide information in view of Ministry guideline issued vide letter no. 11-423/2011-FC dated 13.07.2021.
 - viii. The Member Secretary informed the committee that the State Government vide their letter dated 17.01.2023 has submitted that the user agency has requested that the proposed 36.430 ha non forest CA land at Village Dighawani, District Chhindwara is being received by Rawanwada Colliery as lease under the Nationalization Act 1973 and therefore the said land cannot be transferred to the Forest Department for Compensatory Afforestation and requested that the 36.185

- ha non-forest land is identified in Barha-Village, Majhgawan-Tehsil in Satna District for CA in two patches bearing area 10.558 ha and 25.627 ha for Compensatory Afforestation.
- ix. The Member Secretary informed the committee that the RO, Bhopal vide their letter dated 27.06.2023 submitted the Site Inspection Report of newly proposed CA site wherein it has been reported that:
 - a. The 36.185 ha non-forest land is identified in Barha-Village, Majhgawan-Tehsil in Satna District for CA in two patches bearing area 10.558 ha and 25.627 ha.
 - b. In one patch of CA having area 10.558 ha a large portion of the area was found to be covered with MDF. Only about 6.00 ha was found to be vacant and suitable for plantation. It was estimated that about 6000 plants could be planted in this patch.
 - c. In another patch of CA having area 25.627 ha only about 3.00 ha area was found to be vacant and suitable for taking up plantation. So, a total of about 3000 plants could be planted.
 - d. Taking into consideration both the patches a total of 9000 plants could be planted. Therefore, $36185 - 9000 = 27185$ no. of plants should be planted in Degraded Reserve/ Protected Forest area. For the same the State Govt. needs to identify a suitable area in RF/ PF for plantation of about 27,185 plants and submit the same along with KML file.
 - e. Both the patches proposed for CA are clearly outside the forest compartment boundaries.
 - f. Further it has been recommended that the proposed CA land in two patches having a total area of 36.185 ha is suitable for compensatory afforestation provided the State Govt. submits a suitable additional CA area on DFL for planting 27,185 no. of plant
 - x. The Member Secretary informed the committee that as per recommendation of RO, Bhopal in their Site Inspection Report the Ministry vide letter dated 29.08.2023 requested the State Govt. that the details of suitable additional CA areas on DFL for planting 27,185 no. of plants along with KML files may be submitted for further consideration of the proposal. Also the State Govt. was requested to intimate whether any action in being taken by them to correct the online digital boundary of the forest area, as the boundary available on the DSS portal which has been found overlapping with NFL has been provided by the state only.
 - xi. The Member Secretary informed the committee that the State Govt. of Madhya Pradesh vide their letter dated 31.08.2023 provided a KML file of degraded forest patch for CA in compartment No P-268, Singhpur Range of Satna District comprising an area of 40 ha and also submitted that all the digitized boundaries will be modified by the IT Wing of Madhya Pradesh Forest Department and sent to FSI soon.
 - xii. The AC observed that as per the boundaries available on DSS platform, an area of approximately 2.51 ha provided for Compensatory Afforestation is overlapping with the forest boundary. In this regard the State has clarified that the area proposed for CA is NFL and does not overlap with the forest area. Further, it has been mentioned that the matter is being taken up with the FSI for correction of the same

on DSS platform. The Committee however also observed that the boundaries available on the DSS platform are also provided by the State Government and same needs to be corrected to ensure that the area proposed for CA is outside the boundaries of Forest.

5. Decision of the Advisory Committee:The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer (FCA), Government of Madhya Pradesh. After going through the facts of the proposal the committee recommended to accept the revised NFL provided for Compensatory Afforestation subject to the condition that the State Govt. shall either get the boundaries of forest corrected on the DSS platform before Stage-II approval or provide other non-forest land equivalent to the area overlapping with forest boundary as per DSS analysis for Compensatory Afforestation.

Agenda No. 3

File No.4-TNC067/2020-CHN/part

Subject: Renewal of lease for diversion of 40 ha of forest land for Vainu Bappu Observatory in Kavalur Indian Institute of Astrophysics in Jawadi Hills in Tirupathur Forest Division in Vellore District in favour of the Administrative Officer, Indian Institute of Astrophysics, Bangalore (FP/TN/Others/37766/2018) - regarding.

1. The Government of Tamil Nadu vide their letter dated 07.09.2020 submitted the above subject proposal to concerned Regional Office of this Ministry for seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980.
2. The said proposal has been considered by Advisory Committee (AC) in its meeting held on 11.09.2023.
3. The Nodal Officer (FCA), Government of Tamil Nadu and the Dy. Inspector General of Forest (C), Regional Office, Chennai were present in the meeting.
4. Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the Advisory Committee for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
5. The Advisory Committee (AC) after through deliberation and discussion observed that:
 - i. 1. It is reported by the Regional Office of this Ministry, Chennai that as per G.O. Ms. No. 1759, Food and Agriculture Department dated 05.05.1965, an extent of 40 acres of Forest land at Kavalur in Inner Jawadhi RF, North Arcot District (Now Vellore District) was ordered to be placed at the disposal of Government of India for the establishment of field Astrophysical observatory by the India Meteorological Department subject to certain conditions. In G.O. Ms. No. 3069 of Agriculture Department dated 21.10.1970, the lease period was extended for further period of five years. During expansion of activities in the observatory, especially when establishing 2.34 m optical telescope, the Institute had acquired additional forest land of 60 acres during 1976. In the G.O. Ms. No. 676, Forest & Fisheries Department dated 21.05.1980 orders were issued placing 100 acres of forest land at Kavalur in the Jawadhi hills in the possession of the Indian Institute of