

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: As per E-sign

To,

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Subject: 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 455.1108 ha of forest land for Pachwara South Coal Block project in favour of M/s Neyveli Uttar Pradesh Power Ltd. (NUPPL), District Dumka, Jharkhand State (Online No. FP/JH/MIN/59823/2020) –regarding.

Madam/Sir,

I am directed to refer to the representation dated 14.01.2025 received from the User agency wherein it has been requested for amendment of the condition no. (ii) (a) and ii (b) of Stage-I approval dated 18.09.2024 (**Copy enclosed**) in reference to Ministry guideline dated 17.12.2024.

The State Govt is requested to examine the said representation of user agency and take necessary action. In this regard the guideline dated 17.12.2024 (**Copy enclosed**) may also be perused.

Signed by
Dheeraj Mittal

Yours sincerely,

Encl. As Above

Date: 17-01-2025 18:16:25

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests

Copy to:

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



NEYVELI UTTAR PRADESH POWER LIMITED
(A JOINT VENTURE OF NLC INDIA LTD. and UP RAJYA VIDYUT UTPADAN NIGAM LTD.)
OFFICE OF THE GENERAL MANAGER/PROJECT HEAD
PACHWARA SOUTH COAL MINE PROJECT,
Shanta Bhavan, Behind SBI Bank, LIC Colony
DUMKA- 814 101, JHARKHAND, INDIA,
CIN: U40300UP2012GOI053569 GSTIN: 09AAECN3221F1Z8
E-Mail: pachwara.south@nlcindia.in, TEL: 06434-236147.



Lr No. NUPPL/PSCB/GM/CA/2025/01/09

Date: 14.01.2025

To,

Director General of Forests (DG),
MoEF & CC,
Government of India,
Indra Paryavaran Bhavan,
Jor Bagh Road, New Delhi.

Sub:	Pachwara South Coal Block, M/s Neyveli Uttar Pradesh Power Limited – Request for amendment in Stage –I FC condition and implementation of Compensatory Afforestation schemes of an area of 910.23 Ha in double degraded forest land of Forest department in place of Non-Forest land as mentioned in point number ii (a) & ii (b) of specific conditions of In Principal/Stage-I approval.
Ref:	1. Allotment order 13016/26/2004-CA-I/CA-III(Pt) (Vol.II), Dated 03.10.2016. 2. In Principle approval of Forest Clearance Stage –I. (Proposal No. FP/JH/MIN/59823/2020) 3. Letter from MoEF & CC, GoI; Dated : 17.12.2024

Dear Sir,

1. Pachwara South Coal Block is the southernmost part of the Pachwara Coalfield in Dumka District, Jharkhand. Pachwara-Chirudih Sector lies in the western part of Pachwara basin. The Block is allotted to Neyveli Uttar Pradesh Power Ltd. (NUPPL)- a joint venture of NLC India Limited and Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited vide, allotment order no 13016/26/2004-CA-I/CA-III(Pt) (Vol.II), Dated 03.10.2016 from MoC, GOI. [Ref-1]
2. The total project area is conceptualized same with the allotted coal block area and which comes to about 714.8553 Ha. As per land records, about 455.1108 Ha falls under Government forest category and remaining 259.7445 Ha. falls under non forest category. Hence, Forest Diversion for 455.1108 Ha of forest land is required as per the FC Act' 1980.
3. A non – Linear Forest Application for diversion of 455.1108 Ha of Forest land for Pachwara South Coal Block was applied on 20.11.2020 through the PARIVESH portal (Proposal No. FP/JH/MIN/59823/2020). As per FC Act 1980, Central PSU, State PSU and other Government firm are permitted for Compensatory Afforestation activities in the double degraded forest land, dully allotted through suitability certificate of the forest land by Forest department of the concerned region.

IG(FC)

AIG(CDM)

ADG (FC)

2
12-1-2025



NEYVELI UTTAR PRADESH POWER LIMITED
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4. On 15.04.2022, Compensatory Afforestation scheme of 910.23 Ha along with complete set of documents was submitted to DFO, Dumka for further processing. The FC proposal after getting scrutinized at various Forest departmental levels was finally submitted to Nodal Ranchi on 13.05.2022. The proposal subsequently got approval by State and forwarded to MoEF & CC, GoI.
5. The forest diversion proposal of Pachwara South Coal Block was accepted by the MoEF & CC and placed before the Forest Appraisal Committee member on 27.08.2024. On 18.09.2024, Vide letter no.- **8-37/2022-FC; dated 18.09.2024** cited in reference (2) above, the Central Government hereby accorded the “**In-principle/Stage-I**” approval [Ref 2] under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of **455.1108 ha** of forest land for **Pachwara South Coal Block project in favour of M/s Neyveli Uttar Pradsh Power Ltd. (NUPPL)**, District Dumka, Jharkhand with specific conditions which has to be furnished as Stage – I compliance for getting Stage – II Forest approval in favour of Pachwara South Coal Block.
6. The specific condition stipulated in the point ii(a) and ii(b) In-Principal/ Stage – I approval regarding CA land states that, Pachwara South Coal Block of M/s NUPPL has to provide
 - “ii (a) Details (i.e. KML file, SOI topo sheet, DGPS map, approved CA Scheme, site suitability certificate etc.) of **non-forest land** equal in extant to the forest land being proposed for diversion including the area for safety zone/green belt shall be submitted by the State Government along with the compliance report of the Stage-I approval”.
 - ii (b) The non-forest land to be identified shall be transferred and mutated in favour of the State Forest Department and shall also be notified as RF/PF under IFA, 1927 or any state /local act before granting the Stage-II approval.”
7. Pertaining to the conditions mentioned in para 6 above, M/s NUPPL would like to draw your attention towards the MoEF & CC circular dated 17.12.2024 citing the provisions related to raising of compensatory afforestation, as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024, have been reviewed by the Ministry and after due deliberations, the Central Government, in accordance with the provisions of section 3C of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 hereby issues the clarifications.
The point number v (a) of circular states “With regards to the applicability of the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024 in respect of proposals of the Central Agencies/PSUs and captive coal blocks of the State PSUs which were granted ‘in-principle’ approval stipulating CA over non-forest land, the following clarification is given in this regard:



NEYVELI UTTAR PRADESH POWER LIMITED
(A JOINT VENTURE OF NLC INDIA LTD. and UP RAJYA VIDYUT UTPADAN NIGAM LTD.)

OFFICE OF THE GENERAL MANAGER/PROJECT HEAD
PACHWARA SOUTH COAL MINE PROJECT,
Shanta Bhavan, Behind SBI Bank, LIC Colony
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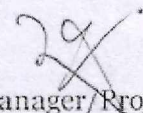


- a) *Proposals, which were submitted by the States/UTs before notification of Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, along with the proposal of raising CA over degraded forest land (DFL) and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), shall be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL in lieu of NFL. The Central Government will consider and grant final approval in such cases stipulating CA over DFL. [Ref – 3].*
8. Currently, Phase 1 of the Pachwara South Coal Block development is nearing completion. The Ministry of Environment, Forest, and Climate Change (MoEF&CC), **GRANTED** Environmental Clearance in favour of Pachwara South Coal Block on 23.09.2024. We wish to bring to your attention that the Pachwara South Coal Block project has reached an advanced stage towards commencement of mining activities, albeit with delays in its timeline. The project is on fast track set forth in achieving the production of coal by March, 2025. Further delays may impact the commissioning schedule of the **Ghatampur Thermal Power Project, Kanpur**, which is dependent on Pachwara South Coal Block for fossil fuel.
9. Therefore, we respectfully request for an amendment in the point number ii(a) and ii(b) of In Principal/Stage-I approval of Pachwara South Coal Block for requirement of 455.1108 Ha of NFL, referring the clause mentioned in para 7. Furthermore, M/s NUPPL seeks permission to use double degraded forest land for Compensatory Afforestation citing the MoEF & CC circular dated 17.12.2024, thereby avoiding any additional delay in project commissioning.

Thank for your attention in this matter. We look forward for your kind consideration.

Thanking you.

Yours faithfully,
For Neyveli Uttar Pradesh Power Ltd.


General Manager/Project Head,
PSCMP, NUPPL.

GOTTE RAMESH
General Manager/ Project Head
Pachwara South Coal Block
NUPPL, Dumka (Jharkhand)

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 110003
Dated: December, 2024

To

The Addl. Chief Secretaries of Forests/Principal Secretary (Forests),
All States Governments and Union territory Administrations

Sub: Streamlining of the approval process with regards to compensatory afforestation as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024 – reg.

Madam/Sir,

I am directed to refer to the above subject and to inform that based on the references received from the Ministry of Mines, and Ministry of Coal, the provisions related to raising of compensatory afforestation, as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024, have been reviewed by the Ministry and after due deliberations, the Central Government, in accordance with the provisions of section 3C of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 hereby issues the following clarifications:

- i. Provisions of Rule 14(1) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, provides that the non-forest land identified for raising Compensatory Afforestation (CA) is to be notified as Protected Forests before final approval (Stage-II) approval is granted by the Central Government. However, in cases where non-forest land identified for CA has been transferred and mutated in favour of the State Forest Department (SFD), the Central Government may accord final approval keeping in view the fact that provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 become applicable on such lands being entered as forest in government record/record of rights.
- ii. In such cases, referred in para (i) above, the non-forest land forest land proposed for CA, shall be notified as Protected Forest under section 29 of the Indian Forest Act, 1927 or local forest Act before handing over of forest land to the User Agency by the State Government. The Nodal Officer, after notification of such non-forest lands, shall upload a copy of said notification on the PARIVESH portal.
- iii. For the purpose of rule 13(4)(a) of the States or Union territory Administrations, having forest area more than 33% of their total geographical area, concerned State Government/UT Administration may authorise a suitable officer to issue certificate of non-availability of the suitable non-forest land for raising CA.
- iv. As per the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, projects of Central Government entities/CPSU and captive coal blocks of the State PSUs are eligible for raising CA over degraded forest land which will be double in extent of the forest land being diverted. Accordingly, the State Government/UT shall not insist for providing non-forest land as CA unless in cases wherein the Central Government

Agencies/CPSUs or State Government PSUs with captive coal blocks are forthcoming to provide non-forest land available with them as CA or the State Government/UT Administration is willing to provides non-forest land on such terms and condition which is agreed by the Central Government Agencies/CPSUs or State Government PSUs in case of captive coal blocks.

- v. With regards to the applicability of the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024 in respect of proposals of the Central Agencies/PSUs and captive coal blocks of the State PSUs which were granted 'in-principle' approval stipulating CA over non-forest land, the following clarification is given in this regard:
- a. Proposals, which were submitted by the States/UTs before notification of Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, along with the proposal of raising CA over degraded forest land (DFL) and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), shall be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL in lieu of NFL. The Central Government will consider and grant final approval in such cases stipulating CA over DFL.
 - b. Proposals, which were submitted by the States/UTs along with CA proposal over non-forest land and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), can also be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL provided the non-forest land proposed for CA is not transferred and mutated in favour of the State Forest Department. In such cases, the Central Government or its Regional Office, based on the request of the State/UT Government or user agency, shall amend the condition of in-principle approval to raise CA over DFL on a case to case basis and subsequently the User Agency shall submit the compliance of in-principle for the obtaining the 'final' approval.

In view of the above, the State Government and Union territory Administrations are requested to take into consideration the guidelines mentioned hereinabove while considering the proposals submitted under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

This issues with the approval of the competent authority.

Yours faithfully,

Signed by

Charan Jeet Singh

Date: 17-12-2024 13:56:41

(Charan Jeet Singh)
Scientist 'E'

Copy to:

1. Director, PMO, South Block, New Delhi
2. Secretary, Ministry of Mines /Coal /Steel/ Power/ Railways/ MoRT&H/ Defence/MHA
3. Secretary, Ministry of Defence, Government of India
4. Principal Chief Conservator of Forests & HoFF, All States Governments and Union territory Administrations
5. Dy Director General of Forests (Central) All Regional Offices of the MoEF&CC

6. Nodal Officers, dealing with the matters related to the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, All States Governments and Union territory Administrations
7. Head, NIC, MoEFCC for aligning the PARIVESH 2.0 as per above