

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

Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi-110 003
Dated: 28 April, 2023

To,

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

Subject: Proposal for the non-forest use of 192.36 ha (Forest land – 57.29 ha and Jungle Jhari 135.07 ha) of forest land for Magadh East Opencast mining project in favour of M/s CCL, Chatra South, Jharkhand –reg.

Madam/Sir,

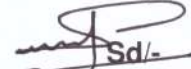
I am directed to refer to the State Government of Jharkhand's letter No. Van Bhumi-26/2022-862 V.P. dated 06.03.2023 on the above subject submitting information as sought vide Ministry's letter dated 07.12.2022 and to say that examination of said proposal in the Ministry revealed the following shortcomings:

- i. The KML file of 96.72 ha forest land which has been diverted earlier along with Mine lease boundary of Sanghamitra OCP and 13.04 ha approved forest land of Magadh OCP which is overlapping/included in the Sanghamitra OCP is required for detailed analysis of the proposal.
- ii. The justification for transferring the forest area from Magadh OCP to Sanghamitra OCP along with the details of approval obtained for the same shall be submitted.
- iii. The details of land-use as per approved mining plans of respective mining leases involved in the proposal shall be submitted. The State Govt shall ensure that the landuse proposed now is in conformity to the proposed landuse in the approved mining plans. A comparative analysis in this regard shall be submitted.
- iv. It has been observed that the user agency is applying for diversion of forest land within 1593.73 ha mining lease area in piecemeal. The complete KML file of the project area i.e. 1593.73 ha along with the status of approval and present landuse of forest land in the Sanghamitra OCP shall therefore be submitted. A justification for submitting part proposals shall also be provided.
- v. The KML file indicating various components as per proposed land use in the instant proposal shall also be submitted.
- vi. The State Govt has intimated that the compliance of the stipulated conditions by the User agency in case of earlier approvals is not up to the mark. In this regard, the details of the action taken by the State Govt for ensuring the compliance of the conditions shall be submitted.

- vii. The undertaking to bear the cost of implementation of wildlife management plan has not been submitted by the User agency which shall be provided..
- viii. The State has now reported the violation of FCA,1980. In this regard the detail of the forest area utilized for Non-forestry purpose without prior approval of the central govt. along with the time period of violation shall be submitted.
- ix. A report on action as taken by the State Forest Department against against the violation of Forest (Conservation) Act, 1980 shall be submitted.
- x. Detailed report including nature of violation, chronology, total area under the violation of the FCA,1980 along with Shape/KML file shall be submitted.
- xi. As per the information received, the condition no. 18 of the Stage-II approval dated 18.10.2010 for diversion of 96.72 ha forest land has not been complied, which needs justification Moreover, a copy of Wild life Management Plan approved by the CWLW shall be submitted.
- xii. The State Govt. shall clarify whether the Green Zone now proposed in the proposal is different from the Safety Zone or otherwise.
- xiii. The State Government shall furnish details of steps taken by the State Forest Department to rectify the lapses happened in the past regarding the implementation of WLMP of 96.72 ha proposal in the past.
- xiv. As reported by the State Govt. the settlements within the proposed area are old. In this regard the state shall intimate whether the settlements are encroachment or otherwise. The future plan to evict or rehabilitate as the case may be shall also be submitted.

In view of the above, the State Government is requested to submit the information/documents, as indicated above, for further necessary action in the matter.

Yours faithfully


Sd/-
(Suneet Bhardwaj) 28/04/23

Assistant Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Jharkhand, Ranchi;
2. The Regional Officer, Integrated Regional Office, Ranchi;
3. The Nodal Officer (FCA), Government of Jharkhand, Ranchi;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.