

I/49692/2023

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: 01st August, 2023

To,

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

Subject: Proposal for diversion of 101.00 ha of forest land for Parej East Opencast mining project in favour of M/s CCL in Hazaribagh district, Jharkhand (Online No. FP/JH/MIN/36228/2018)- regarding.

Madam/Sir,

I am directed to refer to the State Government of Jharkhand's letter No. Van Bhumi-11/2023 V.P. dated 27.06.2023 on the above subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that after examination of said proposal revealed the following shortcomings:

- i. The Ministry granted approval to 45.04 Ha of forest land on 28.04.1993 and 7.1 ha of forest land on 17.07.2008. Status of compliance of the conditions stipulated in the said approvals is required to be furnished by the State. Further, the justification for submitting the proposals in piecemeal shall also be submitted.
- ii. Status of reclamation measures undertaken by the user agency in their lease area in case of earlier approvals as per the Progressive Mine Closure Plans and gaps if any, shall be intimated by the State. Further, in case of instant proposal, the details of proposed reclamation/back-filled area at the end of mine life has not been given in the project report. The same needs submission.
- iii. The area proposed for OB dump in purpose wise breakup is a non-site specific activity, for which the State shall explore the possibilities to use the non-forest land or the already mined out areas.
- iv. Mining Plan has not been submitted with the proposal. Duly approved Mining Plan for entire lease area along with the progressive mining closure plan shall be furnished by the State.
- v. The State Govt. shall clarify whether the Green Zone proposed in the proposal is different from the Safety Zone or otherwise. Detail of safety zone of the mining leases for raising afforestation needs to be submitted along with complete detail of supporting attributes such as afforestation scheme, suitability certificate, KML files, etc.
- vi. The KML file of earlier diverted 45.04 ha and 7.1 ha of forest land shall be furnished.
- vii. Details of coal evacuation plan and involvement of forest land, if any, shall be intimated.
- viii. The details of the validity of the entire mining lease along with detailed chronology of approvals of the mining lease shall be submitted.
- ix. The State Govt. recommended the proposal subject to fulfillment of the Wildlife

Management plan at the cost of user agency. However, the copy of undertaking from the user agency has not been submitted. The same needs submission.

- x. Rehabilitation and Resettlement Plan (R&R Plan) policy of the year 2012 has been uploaded by the user agency in the online Part-I. However, approved copy of the same has not been found. The same needs submission.
- xi. The Cost Benefit (CB) analysis is required to be submitted as per the format prescribed in the FCA, 1980 Handbook of guidelines dated 28.03.2019 keeping in view the revised rates of NPV dated 06.01.2022. Further, actual cost of compensatory afforestation is required to be taken while calculating CB analysis.
- xii. Out of 101 ha proposed forest land for diversion, 11.75 ha is proposed for OB Dump and 9.58 ha is for Infrastructure (workshop, office, road, colony etc.). Thus, these are non-site specific activities. Therefore, the State Govt. may examine the alternatives and accommodate these activities on the nearby Non-Forest land.
- xiii. It has been reported that the 52.34 ha forest land is not to be utilized in the project. However, the reasons or justification for the same has not been provided. Therefore, the same needs clarification along with the KML file of the concerned area.
- xiv. The State Govt has reported that in patch no 3, 4, 7 & 12 some construction is seen in the 101 ha forest land proposed for diversion, because 55.20 ha GMJJ land and 1.57 Notified forest land is already broken at the time of FC application whereas in the Part-II form 'No' violation of the FCA has been reported. A detailed report in this regard needs submission.
- xv. The CF, Territorial Circle, Bokaro in his Site inspection reported that out of 98.29 ha GMJJ land 55.20 ha forest land was broken prior to the year 1996 and the user agency has deposited the NPV in compliance to the demand of DFO, Ramgarh vide letter dated 14.05.2016. Therefore, the copies of approval under the FCA 1980 for the 55.20 ha forest land needs submission.
- xvi. It may also be clarified that the Guideline issued by the Ministry vide its letter No. 11-73/2014-FC dated 13.05.2014 have been followed by the user agency for the 55.20 ha broken forest land or not.
- xvii. The State Govt. in Part-II reported that the proposed forest land is highly vulnerable to erosion. Therefore, mitigation measures in this regard needs submission.
- xviii. The KML files of 2.71 ha Protected Forest and 98.29 ha jungle-jhari land involved in the project shall be uploaded/ provided on the PARIVESH.
- xix. The KML files indicating different components of the project, including those proposed to be undertaken on non-forest land shall be submitted.
- xx. Satellite imagery shows that the user agency has done the mining in the past within the proposed 101 ha forest for diversion. It also appears that, the said area has been back-filled. In case the area has been back-filled, justification for seeking diversion at this stage needs submission along with a detailed report in this regard.
- xxi. Satellite imagery shows the presence of Houses, Roads, buildings, mined out area, villages etc. within the mining lease. This needs clarification.
- xxii. Bokaro Nadi is flowing adjacent to the proposed forest land for diversion and part of the River is coming under the Mining lease. Therefore, comments of the water resource department on the proposed measures and impact of the project on the hydrological regimes are required to be submitted.
- xxiii. The State has submitted that as per the revised land schedule the approved area is 399 ha, whereas the user agency has mentioned the same as 922.17 ha in the online Part-I. which needs correction. Moreover, the justification and details regarding reduction in the total mining lease area from 922.17 ha to 399 ha shall be submitted.

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- xxiv. DSS analysis reported the presence of 681.92 ha forest land in the 922.17 ha mining lease area out of which approval under the FCA, 1980 had already been taken for an area of 50.62 ha land and instant forest diversion proposal comprises an area of 101 ha. Therefore, the status of balance 530.30 ha Recorded forest (RF/PF) land along with kml files is required to be submitted including the status of revenue forest land (jungle jhari) if any located within the lease.
- xxv. DSS analysis revealed that the CA patches namely Compartment No. 523P, 113P, 198P, 629 are having encroachment of Agriculture land and presence of settlement etc. Further, in the compartment No. 301P, a construction of Road is going on. Therefore, the revised CA patches free from all sorts of encroachment & encumbrances shall be uploaded/ provided.
- xxvi. The legible copies of the Survey of India Toposheet map clearly showing the proposed CA sites shall be uploaded on the PARIVESH.
- xxvii. As per report "There is regular movement of herd of elephants in villages located within 10 km of the area propped for diversion i.e. Laiyo, Basantpur, Rauta, Pindra etc. Wide spread destruction of habitat of wild animal is common in mining areas. Blasting at mining site caused migration of animal from nearby areas. Therefore, it is suggested that a comprehensive wildlife management plan should be prepared". Therefore recommendation of CWLW along with the data of Human-Elephant conflict in the district and in the adjoining districts of last 3 years should also be provided.

In view of the above, the State Government is requested to submit the information/documents, as indicated above, for further consideration of the proposal in the Ministry.

Yours sincerely,

Signed by

Suneet Bhardwaj

Date: 01-08-2023 12:29:41

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

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