

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 515.32 ha of forest land for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand (Online No. FP/JH/MIN/147316/2021)–regarding.

Madam/Sir,

I am directed to refer to the Government of Jharkhand's letter No. Van Bhumi- 29/2024-3474/V.P. dated 30.08.2024 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that after examination of said proposal the following information is required to be submitted by the state:-

- i. There are discrepancies in the land use pattern given in online Part-I and those given in approved mining plan. Given land use pattern is not as commensurate with the approved mining plan. The State shall ensure that the proposed landuse is commensurate with the mining plan. A comparative analysis of the landuse proposed vis-a-vis that in the mining plan shall be accordingly submitted.
- ii. The user agency in their justification reported that the mining plan has been approved for 1467.42 ha land whereas the land use details has been furnished by the user agency for an area of 1026.08 ha only. The factual details in this regard needs submission.
- iii. As per the component wise break-up mentioned in the online Part-I of the proposal, out of 515.32 ha forest land requirement, 352.10 ha forest land is required for Temporary OB Dump & Garland drain & 3.1 ha forest land is for Infrastructure, Settling Pond & Stack Yard which is a Non-site specific

activity. The justification for using such huge area for Non-site specific activities and reason behind not proposing/ shifting them on the Non-forest land needs submission. The state shall explore to shift the non-site specific activities on non-forest land.

- iv. As Schedule-I species have been reported in the area and DFO also mentioned the fragmentation of wildlife habitat, comments of PCCF (Wildlife) and CWLW Jharkhand on the likely impact of the project on the movement of wildlife in general and elephant in particular needs to be furnished by the State. Further, comments may also be furnished on the adequacy of mitigation measures like Site Specific Wildlife Management Plan or Comprehensive Integrated Wildlife Management proposed for the area.
- v. It has been reported that the mining operations could severely compromise the water resources and potentially lead to a water crisis in the future and undermine the functional capacity of streams and cause irrevocable damage to the riverine ecosystem. Therefore, a comprehensive Catchment Area Treatment CAT Plan is essential to mitigate the adverse impacts of proposed mining.
- vi. As reported, there are 963 families are displaced due to this project. Therefore, State Government shall submit the status of the R&R Plan in this regard.
- vii. In online Part-II, it has been reported that the proposed forest land is prone to erosion. Therefore, mitigation measures in this regard needs submission.
- viii. Since the area has elephant movement, therefore the cases of the Human Elephant conflicts in the district needs to be looked into, for which deaths of human and elephants in last five years to be provided. Loss of property and crop damage and compensation given and pending should also be provided.
- ix. The user agency in their justification reported that in the initial phase, 727.24 Ha shall be utilized for Mining, 12.24 Ha shall be for top soil preservation, 7.85 Ha for safety zone, 10.21 Ha for haulage road in mining, 5.58 Ha for road diversion, 35.7 Ha for Mine end infra, 7.58 Ha for garland drain and 219.68 shall be undisturbed considering the presence of coal in Underground mining method. The balance coal bearing area of 440 Ha shall be utilised for extraction of coal in the second phase as per the condition mentioned in the approved mining plan, presently earmarked for temporary OB dump, which shall be re-handled before commencement of mining in this area. However, the mineable reserve in the 440 ha land has not been given. Further, the status of land (forest & Non-forest land) involved in the first phase of mining comprising 727.24 ha land needs submission along with supporting maps, kml etc.

- x. It may be clarified whether the 219.68 ha land which has been proposed to be kept as undisturbed area will be utilized for mining or otherwise.
- xi. It has been reported that the mineable reserve of the Banhardih Coal Mine (1467.42 ha) is 270.81 Million Tons out of which the extraction of 250.50 Million Tonnes of Coal is envisaged from the quarriable area of 727.24 ha for 30 years of mining period. Hence, reason behind keeping the balance 740.18 ha area of land in the project/ lease needs clarification. Further, the proposed land use details along with legal status of land involved in the 727.24 ha & 740.18 ha area needs submission.
- xii. The user agency in online Part-I reported the method of mining as Opencast whereas in their justification reported 219.68 ha area shall be used for underground mining. Therefore, the method of mining in the project needs clarification and if the method of mining is underground in that case, approved copy of 3-D subsidence prediction plan/report needs submission.
- xiii. The copy of approved muck disposal plan shall be submitted.
- xiv. A map along with KML file's showing the component wise/ purpose wise utilization of the proposed forest land, including the components proposed to be undertaken on the Non-forest land shall be uploaded on PARIVESH.
- xv. The proposed area is a part of the catchment area of Nawatoli nala and other rivulets(tributary of Auranga River). Further, it has been mentioned by the DFO that with the advent of open cast mining operation in the area, many streams arising from the adjoining hills and forests will be compromised in entirety and entire fragile ecosystem can get adversely affected by water crisis a few years down the line. A detailed justification by the State for the instant proposal in view of above needs submission.
- xvi. As per DSS analysis, the proposed forest land is having presence of tanks/ reservoir and seasonal nallah. Therefore, the State shall submit the detail of mitigation measures in this regard along with the NoC/permission from the concerned department.
- xvii. As per DSS analysis Shape file/ KML file of Forest land proposed for diversion is found 503.568 Ha (software calculated) instead of 515.32 ha as per the online proposal. Therefore, correct KML file of the proposed forest land shall be uploaded/ updated.
- xviii. The satellite imagery shows the presence of Agriculture land, Settlements, Construction of new Road, plantation work and numerous earthen dam/ ponds within the forest land proposed for diversion. This needs clarification.
- xix. As per the DSS analysis, most of the proposed CA patches are affected with the encroachment of Agriculture land and having dense forest cover and seasonal nallah passing through them and in some of the proposed CA

patches plantation work has already been carried out. Therefore, the State Govt. shall propose the CA sites which are suitable for plantation and are free from all sorts of encroachment and encumbrances.

- xx. As per the DSS analysis, out of 1095.056 ha forest land proposed for CA, 222 ha of land is characterized with Moderately Dense Forest. Therefore the suitable areas having appropriate density are required for raising the compensatory Afforestation. The updated KML file of CA area with maps and scheme shall be uploaded on PARIVESH.
- xxi. The land use details at the end of mine life as per the approved mining shall be submitted/ uploaded.
- xxii. It has been reported in online Part-II that major part of the area proposed for diversion lies in Rehabilitation cum Plantation Working Circle. Therefore, the details of work/ activities carried out by the State Forest Department in the proposed forest land needs submission and an undertaking from the user agency to bear such cost may also be submitted.
- xxiii. Four mega coal projects (Upcoming mines at Chakla-12 km & Rajbar-0.5 km; and operational mines at Sikni-0.2 km & Tubed-5.5 km) are very close to this proposed mining site. Therefore, it is very important to consider the complete landscape and cumulative impact of these mining operations at every step of decision making and planning. The State shall examine the matter and give its considered view and justification on the same. A map indicating above mentioned mines with their relative distances shall also be submitted.
- xxiv. PUVNL has informed that the forest land of 352.1 Ha which is to be used for temporary OB dump & garland drain area will be further used for mining in future once the OB dump will be used in filling up the mined-out area. Detailed survey and exploration for 1049.00 ha out of 1467.42 ha area of mining lease area is already completed and further detailed exploration of remaining 418.42 ha area is ongoing. However, it is not clear as to how much forest land is involved in the 418.72 ha area where survey and exploration is yet to be done.
- xxv. It has been reported that the forest area of proposed mining site is very rich in terms of floral and faunal biodiversity with an ecologically significant gene-pool. Therefore, a sincere effort is needed to preserve the germplasm of the area by conducting a thorough biodiversity and ethno botanical study. The state shall submit its comments on the same along with the status of any such study being conducted.
- xxvi. The DFO Latehar has recommended the proposal subject to certain specific conditions. The point-wise comments of the State and the User agency in this regard shall be submitted.

- xxvii. Keeping in view the para 7.8(i) of the comprehensive guidelines the State shall justify the necessity of opening new mining lease. All the details as per para 7.8 shall be submitted.
- xxviii. The elephant movement has been reported in the proposed area, therefore the State Govt. shall inform whether the proposed area falls in any Elephant Corridor or Elephant Reserve.
- xxix. The State Govt. shall inform whether there is any encroachment on proposed area (forest land) or any plantation done in past over the proposed forest land for diversion.
- xxx. Given the density of 0.55 of the proposed forest area of 515.32 ha, number of project affected trees reported as 114229 which seems to have been estimated to be on lower side. The State Govt. shall examine and recheck the number of trees getting affected and also intimate the method adopted for assessment of trees.
- xxxi. Mode of mineral/ coal transportation route and how the requirement of electricity and water will be met has not been given in the proposal. The state shall therefore submit the detailed mineral evacuation plan along with the details as to how the requirement of electricity and water would be met. The detail of additional forest land required for the purpose (if any) shall also be submitted.
- xxxii. The State Govt. shall provide the details of the User Agency being a CPSU/JV and justify the claim made by the User Agency for relaxation in raising the Compensatory Afforestation over Degraded Forest Land.
- xxxiii. The State Govt. shall inform whether the coal block is captive for the PSU or otherwise.
- xxxiv. The estimation of cost and benefit components has not been done properly as per prescribed format and all the parameters of cost have not been estimated. The cost benefit analysis needs to be done and submitted as per the format prescribed. Also the CB Analysis and justification with respect to productivity and methodology of mining (underground and then open cast) shall be submitted.
- xxxv. CA areas have been identified on DFL, however they are not free from encumbrances and old plantations have been done on them, this needs clarity especially if any plantation is done under CAMPA. The details shall be submitted by the State in this regard.
- xxxvi. The CF, Daltonganj recommended the proposal with a condition that Fifty percent 50% of the total Corporate Social Responsibility CSR fund specific to this project should be allocated for the development of wildlife and its habitat. The justification for seeking additional allocation of CSR fund for

development of wildlife and its habitat by the State from the user agency needs clarification keeping in view of the fact that the State Govt. has recommended the proposal subject to the fulfillment of the Wildlife Management Plan.

- cxvii. The site is important so far as ecological considerations are, specially wildlife/biodiversity and water security. Therefore NoC for diversion of water stream (if involved) shall be submitted.

Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal.

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

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.