

**AGENDA ITEM NO.**

**File No. 8-56/2014-FC)**

**Sub: Diversion of 776.20 hecatres of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project – regarding.**

1. The Government of Andhra Pradesh vide their letter dated 12<sup>th</sup> November 2013 submitted the above mentioned proposal seeking prior approval of the Central Government under the section-2 of the Forest (Conservation) Act, 1980.
2. As per the details provided in the proposal, out of the total 776.20 hectares of forest land proposed to be diverted, 536.54 hectares is required for Quarry (including safe distance, bund, inspection road, drain transmission lines etc.), 210.54 hectares is required for dump yard (including safe distance, toe wall, drain *etc.*), 3.69 hectares is required for settling tanks, 22.12 hectares is required for coal handling plant & coal yard, 3.31 hectares is required for diversion of a public road and transmission line. **Detailed justification along with full details of alternatives examined to avoid diversion of 210.54 hectares of forest land required for dump yard, a non-site specific activities have not been provided in the proposal;**
3. In view of the above, it is proposed that proposal may be submitted to the FAC for its examination and appropriated recommendation. Fact sheet is also enclosed.

**File No. 8-56/2014-FC)**

1. Government of Andhra Pradesh vide their letter dated 12<sup>th</sup> November 2013 submitted a proposal to obtain prior approval of the Central Government, in terms of the section-2 of the Forest (Conservation) Act, 1980 for diversion of 776.20 hecatres of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project.
2. Details indicated in the proposal submitted by the Government of Andhra Pradesh are as below:

**FACT SHEET**

1.	<b>Name of the Proposal</b>	Diversion of 776.20 hecatres of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project.
2	<b>Location:</b>	
	State	Andhra Pradesh
	District	Khammam
3.	<b>Particular of Forest</b>	
(i)	Name of Forest Division	Khammam
(ii)	Area of Forest land proposed for Diversion	776.20 hectares
(iii)	Legal Status of Forest land	Reserved Forests
(iv)	Density of Vegetation	0.40

(v)	Species-wise and diameter class wise enumeration of trees	Forest land proposed to be diverted contains 3,24,958 trees. Girth-class-wise distribution of these trees is as below: Upto 30 cm: 2,47,332 trees, 31 cm -45 cm- 64408 trees, 46 cm – 60 cm- 10,375 trees, above 60 cm- 2,843 trees.
3.	Brief note on vulnerability of forest land to erosion	The area proposed is vulnerable to erosion. Because many small nalas (River lets) are passing through the proposed area which include first order, second order and third order nalas. Because of thick vegetation, gullies are not formed but other types of erosion of splash erosion, Rill erosion are noticed in the area. Most of the erosion is noticed due to surface –run off as the top soil is sandy loam which is prone for erosion. There is need for soil moisture conservations measures to protect the area from erosion.
4.	Approximate distance of proposed site for diversion from boundary of forest	On southern side and part in eastern side coincides with the boundary line of Lankapalli RF and falling in Compt. No. 166,167, 168 & 184 of Lankapalli R.F.
5.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.	Not a part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
6.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	Yes, schedule-I animals of four-horned antelope ( <i>Tetracerosquadricornis</i> ), and Python ( <i>Genus python</i> ) (part-II) are common in the proposed area.
7.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
8.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project.	Yes, it is unavoidable and bare minimum for the project.

	If no, recommended area item-wise with details of alternatives examined.	
9.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No work in violation of F.C. Act has been carried out.
10.	Details of compensatory afforestation scheme	<p>Compensatory afforestation is proposed to be raised in non-forest land identified in Warangal Division (204.04 hecatres + 63.143 hecatres), Anantapur Division (501.027 hectares), Bhadrachalam (North) Division (8.00 hectares). Warangal</p> <p>Detailed scheme for creation and maintenance of compensatory afforestation have been prepared. Details of the same are as below:</p> <p><b>(i) Warangal (N) Division (204.04 Ha.,)</b>  The C.A Scheme submitted by the Warangal (N) Division is enclosed which envisages to treat the non forest areas Under the following treatment models (i) Stump planting ,(ii) Hill Afforestation by Teak, (iii) Semi-mechanical, (iv).N.T.F.P</p> <p>The CA Scheme is enclosed to the proposals which is. for the period of 10 years The Divisional Forest Officer, Warangal (North) Division is the project implementation authority . Total Financial outlay for Compensatory Afforestation Scheme is Rs.412.506 lakhs.</p> <p><b>(ii) Ananthapur Division (501.027 Ha)</b>  The C.A. Scheme submitted by the' Ananthapur Division is enclosed which envisages to treat the non forest areas under the following treatment models (i) Soil and Moisture conservation works; (ii) Agave plantations, (iii) Gap plantations, (iv) Dry stone wall constructions.</p> <p>The C.A Scheme is enclosed to the proposals which is for the period of 7 years. The Divisional Forest Officer, Anantapur Division is the project implementation authority.</p> <p>Total Financial outlay for Compensatory</p>

		<p>Afforestation Scheme is RS.755.210 lakhs. (iii) Bhadrachalam (North) Division (8.00 Ha.)</p> <p>The C.A Scheme submitted by the Bhadrachalam (N) Division is enclosed which envisages to treat the non forest areas under the following treatment models (i) Pit cum planting method plantations, (ii) NTFP plantations, (iii) Eucalyptus plantations, (iv) SMC works (Soil and Moisture works).</p> <p>The C.A Scheme is enclosed to the proposals which is for the period of 7 years . The Divisional" Forest Officer, Bhadrachalam (North) Division is the project Implementation authority Total Financial outlay for Compensatory Afforestation Scheme is Rs. 33.00 lakhs .</p> <p><b>(iv) Warangal (North) Division (63.143 Ha)</b></p> <p>The C.A. scheme submitted by the Warangal (North) Division is enclosed which envisages to treat the non-forest areas under the following treatment modesl-i) Stump lanting, (ii) Barren Hill Afforestation, (iii) Semi mechanical method planting.</p> <p>The C.A scheme is enclosed to the proposals which is for the period of 7 years. The Divisional Forest Officer, Warangal (North) is the project implementation authority. Total financial outlay for Compensatory Afforestation Scheme is Rs. 132.447 lakhs</p>
11.	Recommendations	
	DFO	Recommended subject to compliance of all the conditions of the Forest (Conservation) Act, 1980 provisions duly reducing the project period to 30 years.
	CF	<p>Due to increased population day by day, the consumption of coal is required in huge quantities in future. For production of Thermal Power also, the coal is essentially required in huge quantities which alternatively helps for national development.</p> <p>In view of the above, it is recommended for diversion of (776.20) hectares forest area for coal mine of JVR OCP-II Project of SCC Ltd.</p>
	PCCF	Recommended project period to be limited to 20 years.
	State Govt.	Recommended

3. The following additional information pertaining to the said proposal have been indicated in the said communication received from the Government of Andhra Pradesh:

- (i) The Singareni Collieries Company limited (SCCL) is a Government Company jointly owned by Government of Andhra Pradesh and Government of India. It is the only Coal producing company in the South India and meeting the coal requirements of various industries located in South India. The activities of SCCL are spread over in Khammam, Warangal, Karimnagar and Adilabad Districts.
- (ii) The SCCL is presently having 30 coal mining leases spread over in the above four districts. In these sanctioned mining leases, SCCL is operating 36 'underground mines and 140pencast mines to produce around 43.50 million tones of coal in 2008-09.
- (iii) The details relating to Forest land already diverted in Kothagudem area, their current use, details of reclamation, plantation carried out so far, environmental and biological engineering measures taken etc. are furnished in the' statement enclosed with the proposal (Annexure - I, IA & IB).
- (iv) In order to meet the ever increasing demand for coal and to achieve the targets fixed by the Government of India, the SCCL has embarked upon large scale expansion of coal mining to increase coal production.
- (v) JVR OCR-II mine is one of the new project identified in Sattupalli Forest Range of Khammam Forest Division. This project area is situated towards South West side of existing JVR OCP - I Mine (formerly named as Sattupailli OCP-I). For the proposed JVR OC II mine, the total land requirement is about 1409.81 Ha, of which 788.22 Ha is forest land. Out of 788.22 Ha, of forest land, 12.02 Ha is part of 244.02 Ha already diverted for JVR OC- I (formerly called as Sattupalli OCP-I) vide MoEFIr.No. 8-129/2003-FC, dt.02.02.05.
- (vi) The present application is for diversion of balance forest land of 776.20 Ha (788.22 Ha.-12.02 Ha.) in Comp N.166 (Part), 167' (Part), 168 (Part) & 184 (Part) of Lankapalli Reserved Forest, Sattupalli Range of Khammam Division. Out of 776.20 Ha. of forest area, 772.89 Ha area is required for mining and its allied activities and the balance 3.31 Ha. is required for diversion of road as right of way.
- (vii) The JVR OCP - II mine is planned to produce 4.00 Million Tonnes of Coal per annum with a capital out lay of 493.48 crores and has a life of 55years including pre - construction period. The estimated reserves of JVR OC - II mine is 195.05 Million Tonnes, of which 161.82 Million Tonnes are located in forest land. The nation will be benefited by achieving increased coal production by exploiting coal reserves of the project and also gets benefited financially by the way of Royalty, Excise Duty, Sales Tax and Electricity supply continuously. Further, this project will also contribute benefit to the society by way of increased direct and indirect employment resources resultant improvement in standard of living and rise in per capita income of the population of surrounding villages of this area.
- (viii) The following physical features are existing in the area proposed for diversion, which are to be diverted/shifted.
  - (a) Transmission line (Over Head Power Transmission Lines) to a length of 974 Mtrs, belonging to AP TRANSCO.

- (b) Road to a length of 3.85 Kms, belonging to R&B.
- (ix) The following course of action is proposed to divert/shift the above.
- (a) **Shifting of over head power transmission lines:**
- One O.H. Transmission line supply power to Kommepalli Village & surrounding fields is passing along the road to a length of 974 Mtrs in forest land. This is to be shifted along the proposed road to be diverted, having a length of about 3.31 KM connecting the existing O.H Transmission line.
- (b) **Diversion of Existing Road:**
- One road leading to Choudavaram from main road between V.M. Banjar to Sattupalli, via Kommepalli village is partly falling within the proposed mine boundary. This will be diverted to outside the mine boundary and connected to the existing road towards west of Kommepalli village. A new road to be laid for this purpose is about 3.31 Km.
- (x) Regarding justification for locating the project in forest area, it has been stated that, the Coal reserves are available in forest land, which is site specific.
- (xi) Cost Benefit Ratio is 1:17.30.
- (xii) Employment likely to be generated is 1068 persons - direct employment & 5340 persons - Indirect employment.
- (xiii) Purpose-wise break-up of requirement of forest' land is as follows:

Sl. No.	Purpose	Forest Land		Non-Forest Land	
		To be diverted	Already diverted	To be acquired	Total
1	Quarry (including safe distance, bund, inspection Road, Drain Transmission Lines etc.	536.54	12.02	271.22	819.78
2	Dump yard (including safe distance, Toe wall, Drain etc.	210.54		252.27	462.81
3	Settling Tanks	3.69		1.00	4.69
4	CHP & Coal yard	22.12			22.12
5	Mine service Buildings & Coal Stock Yard.			22.52	22.52
6	Magazine			6.94	6.94

7	Diversion of Public Road	3.31		0.88	4.19
8	Belt Conveyor&: Railway siding			16.76	16.76
9	Colony			50.00	50.00
	Total	<b>776.20</b>	<b>12.02</b>	<b>621.59</b>	<b>1409.81</b>

- (xiv) There is no habitation in the Forest Land applied for diversion. However, in the adjacent non-forest land (required for this project), one village namely Kommepalli consisting of 120 (23 ST + 97 Non-ST) families are existing which are to be shifted. As the SCCL is a Government Company, Rehabilitation & Resettlement plan will be implemented as per the R&R policy of State Government. The Government of Andhra Pradesh vide GO Rt.No.238, dt.19.07.2008 has appointed the Joint Collector, Khammam District as Administrator for the purpose of Resettlement & Rehabilitation of the project affected families of the JVR OCP - II project coming up at Sattupalli area of Khammam District.
- (xv) Environmental Clearance is required under Environment Protection Act & will be obtained.
- (xvi) The Conservator of Forests, Khammam has informed that due to existing and proposed OC Mine of SCCL around Sathupalli township, a lot of ecological imbalance is going to take place in the surrounding area, hence the DFO has proposed an additional condition to raise plantation and carry out SMC works in 776.20 Ha., in addition to normal C.A. Scheme for this additional plantation and SMC works in 776.20 Ha has been prepared with a financial outlay of Rs.330.00 lakhs.
- (xvii) Further, the Conservator of Forests, Khammam vide letter, dt. 10.12.2012 has informed that that the SCCL has requested to recommend the proposal to GOI with a condition to take up enrichment plantation in an area of 214.23 hectares which is used as dumping yard for the over burden (OB). The area of 214.23 Ha includes 210.54 Ha used for dump yard (including safe distance, road, toe wall, drain etc.) and 3.69 hectares used as settling tanks. As per the request of the U.A., considering it as a special case, enrichment plantation is proposed in an equivalent area *i.e.* 214.23 Ha in the adjoining R.F. to mitigate the environmental impact by the mining in the vicinity. Further, the cost of enrichment plantation proposed in the adjoining R.F. is worked out with an financial out lay of Rs. 2,10,72,903/-
- (xviii) The Conservator of Forests , Khammam vide his letter dated 22.05.2014 has furnished required certificates/documents (a to h) under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, as per the guidelines issued vide MoEFLr. No. 11-9/98-FC (pt.) dated 03.08.2009, which is enclosed in the proposal.

4. The forest land proposed to be diverted has been inspected by the Regional Office (South Eastern Zone), Chennai. Additional information pertaining to the proposal available in the site inspection report submitted by the Regional Office (South Eastern Zone), Chennai vide their letter dated 11<sup>th</sup> September 2014 are as below:

- (i) Site inspection of the project was done by Shri K.S. Reddy, Addl. Principal Chief Conservator of Forests (Central), Regional Office (South Eastern Zone), Chennai on 03.07.2014. The Chief General Manager, SCCL, Kothagudem and General Manager (Estates), SCCL, General Manager (Environment), SCCL, Adviser (Forestry), SCCL and local forest staff were present during the inspection. Based on the site inspection and discussions held with the officials of SCCL and Forest Department, and perusal of records pertaining to the project, the report is submitted, as under: -
- (ii) The Singareni Collieries Company Limited (SCCL) is currently operating JVR OCP-I Mine with an annual production capacity of 2.5 Million Tonnes. The production from the existing mine is mainly meeting the coal requirement for Kothagudem Thermal Power Station of Telangana State. This Mine is spread over in an area of 244.02 Ha. in Lankapalli Forest Block and 148.00 Ha. of Non-forest land. This Mine is likely to get exhausted within next two years. SCCL has obtained FC clearance for the adjoining 136.5 Ha. of Lankapalli RF Block. This Mine is likely to last up to three years.
- (iii) The SCCL has now applied for Mining Lease under MMDR Act for an extent of 1300.69 Ha. in the name of JVR OCP-II. Of the 1300.69 Ha., 776.20 Ha. is Forest land in Lankapalli Forest Block contiguous to the existing Forest area under mining and the remaining is Non-forest land. SCCL have submitted proposal for diversion of 776.20 Ha. of forest land in Lankapalli R.F., Sathupalli Range of Khammam Forest Division vide their application dated 16.8.2008.
- (iv) SCCL requested for grant of lease for 55 years. But, the State Government has recommended for grant of lease for 30 years. The estimated coal reserves in this Mine are 195.05 Million Tonnes of which 161.82 Million tonnes are reported to be located in forest land applied for diversion. The Project is expected to provide direct employment to about 1068 persons. Estimated Annual production is 5 million tonnes of coal. The SCCL has been granted status of CPSU for the purpose of CA vide MoEF letter No.11-423/2011-FC, dated 31.1.2013. Therefore, Forest Dept. identified double extent of degraded forest land and prepared CA Scheme for a financial outlay of Rs.3832.30 lakhs which works to Rs.2.46 lakhs per Ha.
- (v) The proposed area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor etc. There are no protected archaeological Heritage sites/Defence Establishment or any other important monument is located in the area. There are no protected areas situated within 10 kms area within project site.
- (vi) The Hamlet by name Kommepalli is situated in the proposed Non-forest land for the mine. There are 120 house holds in the hamlet. It is reported that none of these families have agricultural lands in this area. SCCL has acquired 38 Acres of land near Lankapalli village which is at a distance of 8 kms. from the current village to

rehabilitate the Kommepalli villagers. The SCCL has agreed to rehabilitate the displaced persons as per the latest policy of the Government. Rest of the Non-forest land belongs to farmers of Kistaram village for whom compensation is proposed to be paid as per the new Land Acquisition Act.

- (vii) There are 3, 24,958 trees existing in the area proposed for diversion which works out 400 trees per hectare. Of these, 80,000 trees are above 30 cms. girth which works out to about 100 trees per Ha. Density of the crop in the area ranges from 0.2 to 0.5. The fauna reported in the area is Four Horned Antelope and python. Part of the area (153.25 Ha.) is with Forest Development Corporation in which Eucalyptus plantation has been raised. The JFM (VSS) Kistaram, Kommepalli, St. Kommepalli and Rejerla covering an extent of 186.62 Ha. The VSS have given consent for diversion of the land under VSS and SCCL has agreed to deposit the money for compensating the loss of VSS plantations as per the demand issued by the Forest Dept.
  - (viii) Regarding RoFR, the District Collector vide Rc.No. G/1793/2010 dated 27.4.2013 issued No Objection Certificate and confirmed that no rights have been recognised under RoFR Act since no eligible forest dwellers were found under RoFR Act, 2006. The District Collector further certified that no claims for grant of either individual rights or community purposes are pending in respect of 776.20 Ha. of Forest land applied for diversion.
  - (ix) Sathupalli Mandal Headquarter is situated at a distance of 5 kms from the Project site. This mining activity is bound to have adverse effect on the town. In the event of approval for the present proposal and starting of mining activity, SCCL will be required to take special and effective measures to prevent pollution to the Sathupalli town.
5. Addl. Principal Chief Conservator of Forests (Central), Regional Office (South Eastern Zone), Chennai recommended grant of approval under the Forest (Conservation) Act, 1980 for diversion of the said forest and subject to the following additional conditions:
- (i) The wildlife habitat and forest Improvement Plan for the mine area as well as the adjoining forest area upto 5 Kms. from the periphery of the mine shall be prepared within six months and shall be implemented at the cost of User Agency.
  - (ii) Special fire protection measures shall be carried out in the area as well as adjoining forest areas at the cost of the user agency.
  - (iii) Special measures shall be taken to ensure least pollution.
- 4. The proposal, along with the site inspection report received from the Regional Office, was considered by the FAC in its meeting held on 20<sup>th</sup> – 21<sup>st</sup> October, 2014 and the Committee, after detailed examination and discussion, recommended the proposal for diversion of 565.66 ha of forest land excluding 210.54 ha of forest land earmarked for dump yard subject to general, standard and additional condition (Pg 13-18/N). The FAC, while recommending the proposal for diversion of forest land, also recommended following:**

- (i) The State Government shall provide detailed justification along with full details of alternatives examined for diversion of 210.54 hectares of forest land for overburden dump. Decision on diversion of the said forest land will be taken after receipt of these details;
  - (ii) The period of validity of approval accorded under the Forest (Conservation) Act, 1980 for diversion of 12.02 hectares of forest land which is a part of 244.02 hectares of already diverted for phase –I of the JVR Opencast Project (formerly called as Sathupally OCP-I) vide this Ministry's letter No. 8-129/2003-FC, dated 2<sup>nd</sup> February 2005 shall be co-terminus with the period of validity of the approval proposed to be accorded under the FC Act for diversion of 565.66 hectares of forest land in phase-II of the JVR opencast project.
5. After obtaining the approval of the competent authority of the MoEF&CC, the proposal was accorded Stage-I approval by the Ministry on 10.12.2014 inter-alia stipulating the conditions as given under para 3 above. Compliance of the Stage-I approval dated 10.12.2014 is awaited from the State Government.
  6. The State Government of Andhra Pradesh vide its letter No. 338/For.I(1)/2014 dated 29.06.2015, placed alongwith its annexure at page 729-737/c, submitted the justification in respect of area of 210.54 ha proposed for dump yard. The State Government in their letter dated 29.06.2015 has referred to the PCCF letter no. 39132/2008/FCA-1/TS dated 8.06.2015 (Pg 730/c) wherein the PCCF has submitted the report to the State Government along with his recommendation for the proposal of 210.54 ha and the detailed justification submitted by the user agency i.e. M/s Singareni Collieries Company Limited. The user agency vide their letter dated 13.03.2015 (Pg 732/c) submitted the justification for proposing the 210.54 ha of forest land for dump yard, as given under:
    - i. The total Coal reserves proposed to be extracted from JVR OCP-II is 195.05 Million Tonnes and the total quantity of OB to be removed is 1045.68 M.cum at a stripping ratio of 1:5:3. During the forest 10 years period of operation, 261.73 M.Cum, of OB is proposed to be removed for which land is required for dumping the OB externally. For this purpose, about 462.81 ha of land is identified towards the south side of the mine of which 252.27 ha is Non-forest land and the 210.54 ha is forest land.
    - ii. The user agency has further emphasized that OB dump is always to be located at pit mouth to reduce the plying distance of dumpers and thereby to reduce burning of fuel oils and consequent reduction in dust pollution during dumping operations.
    - iii. The available non-forest land is identified to the extent possible towards South West and South east side and the forest land located between two non-forest land patches is identified with a view that more volume of OB can be accommodated with the dump in a contiguous patch.
    - iv. It is also mentioned by the user agency that as per the Plan, the dump is proposed to be extended from the existing JVR OC-I dump to accommodate more quantity of OB in minimum area. So that the voids that are kept to be open due to safety reasons can also be filled with OB to accommodate more quantity.
    - v. Further, it is advocated that when the dump is in contiguous and bigger patch, the height of the dump can also be more and in the present case, height of the dump is proposed up to 90 Mts above ground level.

- vi. It is also submitted that if the forest land is not included in the dump, the non-Forest land identified will be in two patches which can accommodate only 101.73 Cum and the balance 160 Cum is to be dumped elsewhere.
  - vii. The user agency further indicated that in the absence of 210.54 ha of Forest land, more than 260 Ha of non-forest land is required to be acquired to be acquired for accommodating the balance OB and the area also will be away from the Mine which will create more pollution and more fuel consumption due to plying of the dumpers for longer distances.
  - viii. Keeping these constraints and advantages of including the Forest area available in between 2 proposed dump sites, the bear minimum area of 210.54 ha is included in the proposal to have contiguity of dumping and accommodate more quantity of OB in lesser extent. After 10 years of initial mining, the OB that would be removed can be back filled in the void created in the quarry itself along with the voids of the adjacent JVR OC-I where mining operations are likely to be concluded in the next 10 years.
7. With regards to the alternative examined by the user agency to avoid dumping of Over Burden(OB) in Forest land following submissions have been made:
- i. As can be seen from the Plan, the non-forest land available adjacent to the Mine towards north-west is already acquired. Further non-forest land cannot be acquired as there is a State Height-way and Railway siding is also proposed along the High way to evacuate the Coal.
  - ii. Beyond the high-way, there is a major village called Kistaram where more than 2000 houses are existing. Hence, dumping cannot be extended towards the North-west.
  - iii. The dump cannot be extended towards South-west side as there is a major irrigation Tank called Nayakulakuta and wet cultivation is going on in the fields. Non-forest land up to the irrigation Tank already acquired.
  - iv. Towards South side of the proposed dump. It cannot be extended further as the available land has already been acquired. Balance area is having mango orchards and fields of the adjacent Rejaerla (V) of around 1700 families.
  - v. During the Environment Public Hearing held on 21.5.2009 in Rejerla (V) for this Project, the villagers have opposed for acquisition of their agricultural lands for dumping since it is their only sources of their livelihood. The Distant Administration have assured them that 50% of their agricultural fields and orchards will be left for their livelihood and the balance 50% of the Non-forest land will bony be acquired along with the adjacent Forest land for accommodating the OB. As such, there is no possibility of extending the dump further towards South side since these are converted with agricultural fields and orchards of the adjacent Rejerla (V).
8. The above alternative have been examined at the Project formulation stage itself. Due to unavailability only, the forest area located in between two patches of the non-forest land has been included in the requirement for OB.
9. It is further submitted by the user agency that the environment clearance and the Mining Plan have already been approved taking the above land use pattern. Hence, any change of land use requires preparation of the Project report afresh which will delay the Project by another 4-5 years since EC and Mining Plan are to be obtained afresh.

10. Further, the non-forest land required for the project including dump has already been acquired and the grounding of the Project is delayed due of non-availability of requisitioned Forest land. Though this Project is scheduled to be grounded during 2014-15, the same could not be grounded so far and any change in the Land Use Plan will further delay the Project by another 4-5 years as mentioned above.
11. In view of the above, the user agency has requested the State Government to recommend their case to the Government of India for diversion of 210.54 ha of Forest land also proposed for dumping of OB so that the Project can be grounded early and Coal can be supplied as per the linkages approved by Government of India.
12. The State Government of Andhra Pradesh is in agreement with the justification provided by the user agency and has recommended the proposal for diversion of 210.54 ha and in view of the above justification submitted by the user agency, the State Government has requested this Ministry to consider the case for further necessary action.
13. **The proposal**, along with the details of alternative and justification submitted by the State Government, was examined by the Forest Advisory Committee (FAC) in its meeting held on 30.09.2015 and the FAC, after detail deliberations on the proposal and taking into considerations all the details submitted by the State Government recommended following:
  - i. The Regional Office, Chennai be asked to inspect the project area and submit a report on the feasibility of proposal of the State Government for using 210.54 Ha of Forest Land for O.B dumps, thoroughly examining the alternatives explored by the State Government, and also reassessing the volume of the over-burden to be generated as per the approved mining plan and resultant requirement of land for O.B dumps.
  - ii. The Regional Office, Chennai is to also include in its report whether any work in violation of Forest (Conservation) Act, 1980 has occurred
14. The above recommendation of the FAC were communicated to the Regional Office, vide this Ministry's letter dated 9.11.2015. The Regional Office, vide their letter no. , placed along with its annexure at page /c, submitted the inspection report as sought by the Ministry vide its letter of even number dated 9.11.2015. Observation and recommendations of the Regional Office, as contained in the inspection report are given as under:
  - i. The site inspection of the project was carried out by the undersigned on 27.11.2015. The Chief General Manager, SCCL, Kothagudem and General Manager (Estates), SCCL and local forest staff were present during the inspection. Based on the site inspection and discussions held with the officials of SCCL and local forest officials and perusal of records pertaining to the project, the report is submitted, as under:-
  - ii. The total forest area of 776.20 ha requisitioned for JVR OCP-II was earlier inspected by the then Additional PCCF (C) of this Regional Office on 3.7.2014 and submitted his report. However, MoEF&CC vide letter 8-56/2014-FC dated 10.12.2014 communicated Stage-I approval for 565.66 ha excluding 210.54 ha of forest land required for dump yard. As per condition No 4(i), diversion of this 210.54 ha will be taken up after State

Government provide detailed justification along with full details of alternatives examined for diversion of 210.54 ha for Burden dump.

- iii. In pursuance of condition No. 4(i), the user agency had submitted detailed justification for the requirement of 210.54 ha for dumping which is said to be essential for smooth functioning of the project. The State Government vide their letter dated 29.06.2015 has submitted the report to MoEF& CC along with the detailed justification submitted by M/s SCCL and recommended for taking necessary action.
- iv. In the light of the above background, I have inspected the site on 27.11.2015 and the possibilities of acquiring the following alternative non-forest land for dumping have been explored in the filed:-

**A. Non-forest land towards North-West**

The available non-forest land is already acquired. Beyond this land, there is a State Highway from Khammam to Deveraplally and adjacent to which, there is a major village called Kistaram exists, which is densely populated. The project authorities have further informed that a railway line is proposed along the highway for evacuation of coal. Hence, there is no possibility of acquiring non-forest land beyond the land already acquired.

**B. Existence of Irrigation Tank towards South-West**

Since there is a major irrigation tank and wet cultivation is going on under this, non-forest land towards this side cannot be acquired as it is the major irrigation source for cultivation.

**C. Acquisition of non-forest land towards South**

Already 50% of agricultural land adjacent to the proposed 210.54 ha for dump is acquired. The balance 50% is left out for the livelihood of the adjacent village called Rejerla. This was also done, as per the request of the villagers during the Environmental Public Hearing meeting held on 21.5.2009 for this project. Hence, no further non-forest land for dumping is available in and around the project area.

- D. Possibilities for dumping of Overburden in de-coaled area of JVR OC-I Expansion have been examined and found that due to the steep gradient of the seam/strata, there is every possibility of sliding of OB dumps., which may cause danger to the persons and machinery. However, about 223.54 M.Cu.M. of OB is already proposed to dump over the existing Mine OB dump, i.e., from 60 mtr. Deck to 90 mtr. Deck above ground. Hence, the possibility of dumping of OB in JVR OC-I, till JVR OC-I dumps are finished, is not possible in the beginning of the project.
- E. Dumping of OB in the non-forest land towards the eastern side of the project has been examined, since coal deposit are explored and about 50 MT of coal reserve are said to be available in that area and feasibility Report of JVR OC-III is under formulation. It is

required to be proposed to dump in the decollated area of JVR OC-II. Hence, the possibility to dumping the OB in this area is not feasible.

In view of the above facts, the Regional Office has observed and recommended following:

- i. Dumping area is advised to be kept in one stretch so that more quantity of OB can be accommodated in minimum land by increasing his dup height. As such, the present 210.54 ha forest land is identified between 2 patches of non-forest land already acquired for the project. Further, during interaction with project authorities, they have stated that overburden dump is invariably to be located adjacent to the quarry is to reduce pollution due to dust and also to reduce fuel consumption, which is required for the dumpers deployed for transportation of overburden material. During the discussions, user agency has further stated that if the forest land is not available for dumping, the dumpers have to ply 4 Kms. Extra, which will lead to lot of diesel consumption and resultant dust emission.
- ii. The Mining Plan of the project has been approved by the Ministry of Coal and communicated vide letter NO 13.16/14/2009-CA.II dated 5.4.2010. As per the approved Mining Plan, the total hard OB to be generated in JVR OCP-II is 1041.18 MM3 during the life of the project. In the initial 10 years of operation, the OB to the tune of 260.84 Cu.M is requested to be dumped externally. To accommodate this OB, an extent of 462.81 ha is identified (including safe distance toe wall and drain). Out of 462.81 210.54 ha is forest land and the balance is non-forest land. The non-forest land is already acquired. The forest land of 210.54 ha is located in between 2 patches of acquired non-forest land. The balance OB of 780.31 MM3 (1041.18-260.87) that would be generated from 11<sup>th</sup> year onwards will be accommodated in the voids of adjacent OCP-I and de-coaled area of JVR-OCP-II only.
- iii. During my inspection, I have also visited the reclaimed overburden dump in the non—forest land of adjacent OCP-I Mine. The reclamation is very good with thick green cover with height of 3-5 Mtr.
- iv. It is also reported by the Regional Office that forestland of 776.20 ha was also inspected which included 210.54 ha required for dumping, No violation F (C) Act has been noticed.
- v. Considering the unavailability of requirement of forest land for dump, 210.54 ha for dumping is recommended with a condition that this and is to be reclaimed and handed over back to the forest department within a period of 20 years from the date of handing over the land after dumping is completed with due reclamation.

In view of the above, it is proposed that proposal may be submitted to the FAC for its consideration and appropriate recommendation.

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