

F. No. 8-18/2024-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi: 110003,
Dated:01-06-2026

To,

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

Sub: 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 370.92 ha (Original area 515.32 ha) of forest land (Protected Forest and Jungle Jhari 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.

Sir/Madam,

I am directed to refer to Government of Jharkhand letter No. Van Bhumi-29/2024-3474/V.P. dated 30.08.2024 which was received on Parivesh portal on 02.09.2024 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that the said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Jharkhand and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees to accord **Stage-I / In-principle** approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 370.92 ha (Original area 515.32 ha) of forest land (Protected Forest and Jungle Jhari land) for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand State subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation shall be done on entire area i.e. 1040 ha. degraded forest land provided by the State Government. Furthermore, as per SIR of RO, only 714 ha is suitable for plantation. Therefore, balance 27.84 ha DFL shall be identified by the State Government and submitted along with KML and site suitability certificate;**
- iii. The Compensatory Afforestation shall be raised by the State Government at the cost of the project within two years from the date of grant of Stage- II

approval.

- iv. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation as per the approved CA Scheme at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal;
- v. The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC (pt.) dated 29.12.2023 in this regard;
- vi. At the time of payment of the Net Present Value (NPV) at the present rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vii. The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);
- viii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- ix. The KML files of proposed area for diversion and the CA area shall be uploaded on the e-Green watch portal with all requisite details;
- x. ***A Wildlife Management Plan to mitigate Human Animal conflict with provisions for logistics, equipment and staff shall be prepared by Wildlife Institute of India (WII) and shall be approved by the Chief Wildlife Warden, Jharkhand. The plan shall also include recommendations at the village level. It shall also include a component of long term research and monitoring to be done by WII for impact analysis of the project and the implementation of the Management plan. A copy of the said plan may be submitted to the Ministry along with compliance report of in-principle approval;***
- xi. ***A revised land use plan along with component wise KML for 370.92 ha from area proposed for overburden dumping and revised safety zone along the proposed area for diversion shall be submitted by the State Government along with compliance report of in-principle approval;***
- xii. ***Copy of approved Catchment Area Treatment (CAT) plan shall be submitted along with compliance report of in-principle approval;***

- xiii. ***Revised tree enumeration list for 370.92 ha area shall also be submitted by the State Government;***
- xiv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xv. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xvi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xvii. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates;
- xviii. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent Reclamation Plan as per the approved Mining Plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the DDGF (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- xix. The user agency shall prepare a schedule for surrender of the mined out and reclaimed forest land in accordance with existing mining plan and submit the same along with an undertaking to surrender the mined out and reclaimed forest land as per such schedule to the MoEF&CC before grant of 'Final' approval under the Adhiniyam for diversion of the said forest land;
- xx. The rehabilitated forest area after closure of mining operations shall be handed over to the State Forest Department for sustainable forest management in the future;
- xxi. **Safety Zone Management:** Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
 - a. User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high

- RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department;
- b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department; and
 - d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
- xxii. Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:
- a. Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of '*Final*' approval in accordance with the approved Plan/Scheme in consultation with the State Forest Department;
 - b. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved Plan/scheme;
 - c. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved Plan/Scheme;
 - d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28° ; and
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xxiii. The validity of approval granted under the Adhiniyam shall be for a period co-terminus with the validity of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended from time to time or Rules framed there under, or for such period as may be specified by the Central Government;
- xxiv. The User Agency either himself or through the State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located within the periphery of 100 m from outer perimeter

- of the mining lease as per approved plan for plantation and SMC activities submitted along with compliance of 'in-principle' approval;
- xxv. The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per approved plan, to mitigate the impact of project on such tanks/water bodies;
 - xxvi. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner;
 - xxvii. Adequate care shall be taken to check any rolling of overburden/dumps beyond the designated area and to check soil erosion caused due to mining activities;
 - xxviii. The User Agency will undertake comprehensive soil and moisture conservation measures at the project cost in consultation with the State Forest Department. A scheme of the same shall be submitted along with the 'in- principle' approval.
 - xxix. No labour camp shall be established on the forest land;
 - xxx. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
 - xxxi. The forest land shall not be used for any purpose other than that specified in the proposal;
 - xxxii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
 - xxxiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
 - xxxiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
 - xxxv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xxxvi. No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost;
 - xxxvii. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
 - xxxviii. Any tree felling shall be done only when it is unavoidable and that too under

strict supervision of the State Forest Department;

- xxxix. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xl. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
- xli. The User Agency and the State Government shall comply all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and Hon'ble NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- xlii. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours
faithfully,

Sd/-
(S. Sundar)

Assistant Inspector General of Forests

Copy to: -

1. The PCCF (HoFF), Department of Forest, Government of Jharkhand, Ranchi.
2. The DDGF (Central), Regional Office, Ranchi.
3. The Nodal Officer, O/o the PCCF, Department of Forest, Government of Jharkhand, Ranchi.
4. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading.
5. The User Agency.