

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

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Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi – 1100 03  
Dated: 12 May, 2023

To  
The Principal Secretary (Forests),  
Department of Forest, Environment and Climate Change,  
Government of Chhattisgarh.  
Raipur.

**Sub: Proposal seeking prior approval of the Central Government under Section -2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 238.373 ha of forest land in favour of M/s South Eastern Coalfields Limited for Baroud Expansion Open Cast Coal Mining project (3 MT) in Raigarh District of Chhattisgarh. -regarding (online Proposal No. FP/CG/MIN/30359/2012).**

Sir/Madam,

I am directed to refer to the Government of Chhattisgarh's letter No. no. 5-33/2005/10-2 dated 3.12.2019 on the above mentioned subject, seeking prior approval of Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Chhattisgarh and on the basis of the recommendations of the Advisory Committee, the Central Government hereby agrees to accord **stage-I / In-principle** approval under the Forest (Conservation) Act, 1980 for seeking prior approval of the Central Government under Section -2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 238.373 ha of forest land in favour of M/s South Eastern Coalfields Limited for Baroud Expansion Open Cast Coal Mining project (3 MT) in Raigarh District of Chhattisgarh, subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation over degraded forest land, double in extent to the forest land being diverted, shall be raised by the State Forest Department at the project cost within three years from the date of grant of Stage - II approval. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. With provision for ten years on subsequent maintenance;
- iii. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required on the CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years, into the account of National Authority, CAMPA

managed by the State Govt.;

iv. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;

v. The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval;

vi. The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022 into the account of National Authority, CAMPA managed by the State Govt.;

**vii. All the conditions as proposed by the CWLW, Govt. of Chhattisgarh vide letter dt. 24.03.2023 shall be applicable at the cost of user agency as below and the admissible funds will be transferred into the National Authority CAMPA;**

a. An elephant proof wall in the entire boundary of the mine area shall be constructed and 2 to 4 gates may be kept for traffic movement.

b. The user agency shall provide the funds for the proposed Hathi Mitra Dal and a Gajraj vehicle.

c. 300 mtr river safety buffer zone will be kept for protection of river Kurkut.

d. The arrangements shall be made by the user agency for not mixing the polluted water from the mining area into the flow of River Kurkut.

e. Minimum of 200 mtr safety buffer zone to be kept w.r.t. standing mountain on the northern boundary of the proposed mining area.

f. No new road will be constructed and the transportation of the coal in the area should be done using the existing road only.

g. Any further extension of the mining operation in the area shall be taken after a detailed study of the impact of currently approved mines on the habitat area and the efficacy of mitigation measures provided in the revised wildlife management plan.

h. A detailed revised comprehensive wildlife conservation plan shall prepared and implemented accordingly at the cost of the user agency.

viii. 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/>);

ix. The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed approved plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF&CC before Stage-II approval;

x. State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence, along

with compliance of Stage-I approval, as prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;

xi. 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;

xii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

xiii. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;

xiv. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;

xv. The user agency shall provide suitable under/over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / AC / REC;

xvi. 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. Approved scheme/plan shall be submitted to the Ministry along with compliance of Stage-I approval:

- (a) Mitigative measures to minimize soil erosion and choking of stream, to be implemented within a period of three year of issue of Stage-II approval;
- (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 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 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  $28^{\circ}$ ; and
- (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;

**xvii. 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 within three years and maintained thereafter as per the approved working plan of the State Govt.;

(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;

(d) Afforestation on degraded forest land to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost under the supervisions of the State Forest Department. The degraded forest land (DFL) so selected will be informed to the MoEF&CC with shape files before Stage-II approval and afforestation will be done within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department; and

(e) The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;

xviii. The user agency shall comply with all the provisions recommended in the hydro-logical study prepared by CMPDIL.

xix. The user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones

xx. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;

xxi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;

xxii. No labour camp shall be established on the forest land and 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;

xxiii. The boundary of the diverted forest land, mining lease and safety zone, as applicable, 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 co-ordinates;

xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

xxv. The forest area shall be used for the purpose of which it is granted. The total forest land utilized for the project shall not exceed 238.373 ha. for mining;

xxvi. 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;

xxvii. No damage to the flora and fauna of the adjoining area shall be caused;

xxviii. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;

xxix. 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;

xxx. Trees should be felled in phased manner as per the requirement in the approved Plan with prior permission of concerned DFO;

xxxi. 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;

xxxii. Any other condition that the Ministry of Environment, Forest and 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;

xxxiii. 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;

xxxiv. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and

xxxv. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

**(Dr. Dheeraj Mittal)**

Assistant Inspector General of Forests

**Copy to: -**

1. The Principal Chief Conservator of Forests (HoFF), Government of Chhattishgarh, Raipur.
2. The Nodal Office (FCA) Forest Department, Government of Chhattishgarh,

I/42902/2023

Raipur.

3. The Regional Officer, Integrated Regional Office, Raipur of MoEF&CC.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.