

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: February, 2024

To,

The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Subject: Diversion of 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria Forest Division) for Sahapur West Underground Coal Mine Project & surface use in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State (Online No. FP/MP/MIN/151378/2022) - regarding.

Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh vide their letter No. F-1/839/2023/10-11/1182 dated 20.03.2023 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government & on the basis of the recommendations of the Advisory Committee and with due approval of the competent authority, the Central Government hereby accords **“In-principle/Stage-I”** approval under Section 2(1) (ii) of the Van(Sanrakshan Evam Samvardhan) Adhinyam, 1980 for diversion of 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria Forest Division) for Sahapur West Underground Coal Mine Project & surface use in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State subject to fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. *Wildlife Management Plan for area within 10 km radius of the project shall be prepared and implemented at the cost of user agency;*
- iii. *For effective protection, the forest area within the mining lease shall be fenced with chain link fencing and gap planting, approximately in upto twenty percent of the gross area, will be carried out at the cost of the user agency;*
- iv. *The State shall ensure that no underground mining activities are carried out*

- upto 30 meters on both sides of the Nalas within the mining lease;*
- v. *The NPV shall be deposited as per the provisions/guidelines laid down under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in view of the surface strain predicted by the 3-D prediction model;*
 - vi. *As intimated by the state, there is no further requirement of forest land for coal transportation/evacuation in the instant case and accordingly no future proposal for diversion of forest land for coal transportation/evacuation shall be considered/submitted. An undertaking in this regard shall be submitted by the State/user agency;*
 - vii. At the time of payment of the Net Present Value (NPV) at the then prevailing 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;
 - viii. All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Savings Bank Account pertaining to the State concerned;
 - ix. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;
 - x. The State Government shall upload the KML files of the area under diversion in the E-green watch portal of FSI, before handing over forest land to the user agency;
 - xi. The R&R Plan shall be implemented 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 and implementation. 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;
 - xii. 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, 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 concern Regional Office of the Ministry may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
 - xiii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xiv. 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, forward and back bearing and distance from pillar to pillar;
 - xv. The User agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with

- the State Forest Department. A scheme of the same may be submitted along with the compliance report;
- xvi. No labour camp shall be established on the forest land;
 - xvii. 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;
 - xviii. The forest land shall not be used for any purpose other than that specified in the proposal;
 - xix. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
 - xx. 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;
 - xxi. No damage to the flora and fauna of the adjoining area shall be caused;
 - xxii. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
 - xxiii. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - xxiv. The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;
 - xxv. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
 - xxvi. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
 - xxvii. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
 - xxviii. 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 on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023.

After receipt of the compliance report on the fulfillment 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 Government in this regard.

Signed by
Amit Anand

Yours sincerely,

Date: 12-02-2024 20:38:43

(Amit Anand)

Assistant Inspector General of Forests

Copy to:

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