

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 16th January, 2023

To

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

Sub: Proposal for non-forestry use of 321.69 ha (excluding 1.8 ha of forest area earmarked for infrastructural facilities) for Purandih OCP mine in favour of M/s Central Coalfields Limited (CCL) in Chatra District, Jharkhand - reg.

Sir,

I am directed to refer to the Government of Jharkhand's letter No. Van Bhumi-27/2016-3612/V.P. dated 27.08.2018, seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 and letter No. Van Bhumi-27/2016-992/V.P. dated 29.03.2022 and letter no. Vnabhumi-27/2016-2389 V.P. dated 17.08.2022 forwarding therewith additional information sought by the Ministry vide letters of even number dated 22.08.2019 and 03.06.2022 respectively and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section 3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords 'in-principle' approval under section 2 of the Forest (Conservation) Act, 1980 for **non-forestry use of 321.69 ha (excluding 1.8 ha of forest area earmarked for infrastructural facilities for Purandih OCP mine) in favour of M/s Central Coalfields Limited (CCL) in Chatra District, Jharkhand** subject to fulfillment of the following conditions:

A. Conditions which need to be complied with prior to handing over of forest land by the State Forest Department and compliance thereof is to be submitted prior to Stage-II approval

1. Compensatory Afforestation:

i. The Compensatory afforestation over degraded forest land, double in extent to the forest land being diverted i.e. of 650 ha shall be

- raised by the State Forest Department at the project cost;
- ii. 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;
 - iii. *Penal compensatory afforestation over equivalent non-forest land i.e. mined out and reclaimed non-forest land available with the M/s CCL, shall be raised by the user agency and non-forest land will be notified as PF under the IFA before Stage-II approval;*
 - iv. The KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval;
2. 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;
 3. *An area of 112.88 ha been used by the user agency in violation of Forest (Conservation) Act, 1980; the State Government shall levy penal NPV, 5 times the normal NPV plus 12 percent simple interest per annum till deposit is made;*
 4. Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of CAMPA pertaining to the State concerned through **e-portal** (<https://parivesh.nic.in/>);
 5. *As other mines of the user agency are also operational in the area falling in the catchment area of Damodar River, the State Government shall therefore, prepare a Catchment Area Treatment Plan at the cost of user agency and a copy of the same along with financial details will be submitted to the Ministry before final approval;*
 6. *The State Government shall prepare a comprehensive forest rehabilitation and a biodiversity conservation plan covering the project as well as the surrounding area at the project cost and a copy of the same along with financial details will be submitted to the Ministry before final approval;*
 7. *Adequate green belt of at least 100 meter along the river banks shall be created and maintained by the user agency;*
 8. *Against the 1153.23 ha of total forest area diverted in favour of M/s CCL in their various projects, no mined out area has been completely backfilled and reclaimed by the user agency. The user agency shall prepare a plan for undertaking backfilling and*

reclamation of such mined out pits and the same will be submitted along with Stage-I compliance;

9. *Details of Forest areas acquired under CBA before 1980 and which have been broken prior to 1980, and still continuously under the possession of the user agency shall be submitted to the Ministry along with Stage-I compliance;*
10. *An area of 1.8 ha of forest land earmarked for construction of infrastructural facilities in the forest area should be shifted to non-forest land.*
11. The 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. The approved scheme/plan shall be submitted to the Ministry along with compliance of Stage-I approval:
 - i. Mitigation measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.
 - ii. 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;
 - iii. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - iv. 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
 - v. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
12. The User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 meter from outer perimeter of the mining lease. The plan for plantation and SMC activities will be prepared and submitted to MoEF&CC before Stage-II Clearance;
13. 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;

14. **Safety Zone Management:** The 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:
 - i. The 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;
 - ii. The boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - iii. The 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;
 - iv. 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 seeking 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
 - v. The State Government and the user agency shall ensure that the safety zone is maintained as per the prescribed norms;
 15. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 16. The 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; and
 17. The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>).
- B. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval**

1. Legal status of the diverted forest land shall remain unchanged;
2. 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;
3. 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;
4. *A core dedicated work force for eco-restoration shall be engaged for a long term with appropriate resources and infrastructure for such long term mining operations in hand and those to be taken up by the user agency;*
5. *The workforce shall be equipped with in-house competence, expertise and capabilities enabling them to adopt new techniques/technologies developed from their own experiences or from other similar innovative works;*
6. Trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of the concerned DFO;
7. 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;
8. 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, Forest (Conservation) Act, 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 concerned Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
9. 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;
10. The 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 proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;

11. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
12. 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;
13. 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 coordinates;
14. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
15. 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;
16. No damage to the flora and fauna of the adjoining area shall be caused;
17. 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;
18. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
19. 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
20. 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,

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi
2. The Regional Officer, Integrate Regional Office of the MoEF&CC at Ranchi.
3. The Nodal Officer (FCA), O/o PCCF, Government of Jharkhand, Ranchi
4. User Agency
5. Monitoring Cell, Forest Conservation Division, MoEF&CC, New Delhi
6. Guard File