

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

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi – 1100 03
Dated:14-10-2024

To
The Principal Secretary
EFS&T Department, Government of Telangana,
Dr. BR Ambedkar, Telangana Secretariat
Hyderabad.

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s. Singareni Collieries Company Limited (SCCL) Telangana, for non-forestry use of 151.8519 ha of forest land falling in Yellandu division for proposed JK OC project (UG rights to Surface rights) at Yellandu division Telangana State. –regarding (Online proposal No. FP/TG/MIN/49581/2020)

Madam/Sir

I am directed to refer to the Government of Telangana's letter No.3219/For. I (1)/2022 dated 06th June, 2022 and additional information submitted by the State Govt. vide letter No.FC4/FC29/1/2022 dated 20.10.2022, vide letter No.3219/For. I (1)/2022 dated 14.07.2023, vide their letter No. 3219/For. I(1)/2022 dated 09.01.02024, vide letter dated 04.04.2024, No.3219/For. I (1)/2022 dated 29.06.2024 and vide letter dated 25.08.2024 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 Telangana and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees *to accord 'in-principle'* approval under Section 2 (1) (ii) of the Van (Sanrakshana Evam Samvardhan) Adhiniyam, for non-forestry use of 151.8519 ha of forest land falling in Yellandu division for proposed JK OC project (UG rights to Surface rights) at Yellandu division Telangana State in favour of SCCL subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation:**
 - a. 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 National Authority CAMPA of the concerned State through online portal;
 - b. The compensatory afforestation over identified non-forest land, equal in

extent to the forest land being diverted i.e. 151 ha. shall be raised by the State Forest Department at the project cost within two years from the date of grant of final approval.

- c. The balance seedling shall also be raised over identified 156.51 ha of degraded forest land, by the State Forest Department at the project cost within two years from the date of grant of final approval;
- d. The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, as the case may be, before grant of final approval;
- e. 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 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 of the concerned State Government;
- f. The User agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, at project cost, one and half time in extent to the area used for safety zone;
- g. The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;

iii. **NPV:**

- a. 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 06.01.2022 read with guidelines dated 22.03.2022 into the account of National Authority, CAMPA of the concerned State Govt.;
 - b. 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;
- iv. *The State Govt. shall ensure that regarding diversion of 0.3510 ha area below nala, wherein the user agency proposed to straighten the existing course of nala within the boundary of proposed 151.8517 ha, the straightening work shall be taken up only after the due approval from I & CAD, Telangana.*
 - v. *In the 45.5477 ha of proposed forest land for diversion wherein existing graveyards/cemeteries, BT road, electrical substation and some pathways at a few locations for which the user agency has obtained the NOCs from concerned departments (i.e. Road & building, Electricity & Panchayat), the State Govt. shall ensure that removal/shifting of the noted structures shall be taken as per the conditions of the NOCs and at the cost of the UA. The due process in the matter shall be followed by the State as per Acts and rules applicable. A report in this regard shall be submitted by the State at the time of submission of compliance of the conditions of the Stage-I.*
 - vi. *The State Govt. shall ensure that the entire proposed land for CA shall be fenced/protected and no further encroachment in any circumstance on the CA land is allowed;*
 - vii. *The State Govt. shall ensure the complete demarcation of CA-NFL land be carried out before handing over to the State Forest Department.*

- viii. *The State Govt. shall ensure the implementation of R&R plan as undertaken by the SCCL authorities and have agreed to pay compensation for the eligible families if any, as per the provisions of the RFCTLARR Act. 2013 (only for the rightful stakeholders). The encroachment noted on the proposed land for diversion shall be removed by the State Govt.*
- ix. *The State Govt. shall ensure that the NPV will be deposited by the user agency as applicable.*
- x. *A detailed wildlife/ biodiversity management plan for better protection and management of the rich floral and faunal diversity of the area shall be prepared and implemented by the State Forest Department at the cost of the UA. The copy of such plans shall be submitted with the compliance of the conditions of the in-principle approval;*
- xi. *As proposed by the State Government following activities shall be carried out at the cost of the user agency:*
 - a. *Areas need to be permanently demarcated and protected for which approximately 2000 boundary pillars (Small 1500 @ 3000 each and Big 500 @13000 each);*
 - b. *GI chain link mesh fencing with MS Angular poles 6-Feet height on the surface and Solar fencing on the top head also proposed for 9570 RMTs with Gates (Entrance and Exist) excluding HT lines in Bit-III area of 8.8567 Ha., is to be taken up by the User Agency as per Pri, Chief Conservator of Forests, TG, Hyderabad circular No. 04/2017 and in consultation with forest department;*
 - c. *Providing two suitable water conservation measures in the two sump areas like ramp construction etc., for safety & conservation of wildlife.*
- xii. *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 the 'in-principle' approval:*
 - a. *Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three years with effect from the issue of Stage-II clearance in accordance with the approved Plan 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 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°; and*
- xiii. **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;
 - d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
- xiv. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
 - xv. 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 may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
 - xvi. 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;
 - xvii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 - xviii. The State Government shall upload KML files of the forest area proposed for diversion and identified for carried out CA on equivalent, NFL and for balance seedling over 200 ha of degraded forest area on the E-Green watch portal with all the requisite details prior to grant of final approval;
 - xix. The all 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/>);
 - xx. The user agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;
 - xxi. 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;
 - xxii. Period of diversion of the said forest land under this approval shall 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;
 - xxiii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

- xxiv. 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 as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;
- xxv. Layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xxvi. No construction of buildings / 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;
- xxvii. The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;
- xxviii. User agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xxix. 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;
- xxx. No damage to the flora and fauna of the adjoining area shall be caused;
- xxxi. 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;
- xxxii. 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;
- xxxiii. 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.
- xxxiv. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Handbook of comprehensive guidelines of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023.

3. After receipt of compliance report on 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) Adhinyam, 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

- Telangana, Hyderabad.
2. The APCCF-cum-Nodal Officer (Adhinyam), Government of Telangana, Hyderabad.
 3. The DDGF (C) Regional Office, Chennai, of MoEF&CC.
 4. The IGF (C) Sub-office, Hyderabad of MoEF&CC
 5. User Agency.
 6. Monitoring Cell, FC Division, MoEF&CC, New Delhi, for uploading.