



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, भोपाल / INTEGRATED REGIONAL OFFICE, BHOPAL
Kendriya Paryavaran Bhavan, Link Road No.3, E-5, Ravi Shankar Nagar,
BHOPAL - 462016 (M.P.)

TEL: 0755-2466525 E-mail: rowz.bpl-mef@nic.in & ddgfirobhopal@gmail.com



F.No. 6-MPC 001/2018-BHO/430

Date: 27th May, 2021

To,

The Principal Secretary (Forests)
Govt. of Madhya Pradesh,
Vallabh Bhawan
Bhopal.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 25.866 ha Revenue forest land for extraction of underground Coal mining (Tawa-III) in Village-Gandhigram in Betul District in favour of Chief Manager, Western Coal Fields Limited in Madhya Pradesh – reg.

Sir,

This refers to letter No. F-1/FP/MP/MIN/20919/2016/88 dated 09.01.2018 of APCCF (LM), Govt. of Madhya Pradesh on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the “in-principle” approval of Central Government, is hereby conveyed for diversion of 25.866 ha Revenue forest land for extraction of underground Coal mining (Tawa-III) in Village-Gandhigram in Betul District in favour of Chief Manager, Western Coal Fields Limited in Madhya Pradesh, subject to the following conditions and stipulations:

A: Conditions which need to be complied prior with handing over of forest land by the State Forest Department.

1. The State Government shall charge the Net Present Value (NPV) for the 25.866 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
2. All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
3. The proposed diversion of mining falls within ESZ of Satpura-Melghat Tiger Corridor. Hence, the User Agency shall obtain approval from the NBWL.
4. The State Government shall ensure that conditions stipulated in the approval dated 26.12.2019 granted for non-forestry use of 101.60 ha of forest land are complied with by

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the User Agency in their entirety and extant approval shall be read with the approval dated 26.12.2019.

5. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
6. No tree felling shall be involved in the implementation of this project.
7. 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.
8. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be strictly 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 forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over by the user agency.
3. 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 also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
4. Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease] shall be done at the project cost within three years and maintained thereafter as per approved working plan of the State Govt.
5. 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.
6. 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.
7. The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
8. 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.
9. 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 pillar to pillar and GPS co-ordinates.
10. 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.

25.866 ha
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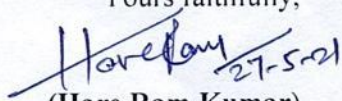
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11. No damage to the flora and fauna of the adjoining area shall be caused.
12. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government.
13. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
14. 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.
15. 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 Central Government. 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 Central Government may direct that the mining activities shall remain suspended till such time, reclamation activities area satisfactorily executed.
16. The User Agency shall submit annual self-compliance report in respect of the above stated conditions to the State Government and Central Government by the end of March every year regularly.
17. 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.

2. After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government. To facilitate speedy execution of this project involving diversion for the project, the in-principle approval may be deemed as the permission for commencement of works, if the required funds for CA, NPV and other compensatory levies specified in the in-principle approval are realized from the user agency and accordingly the State Government, by passing an order, may allow the commencement of work of the linear project in forest land for a period of one year (The detail guideline issued vide Ministry letter No. 11-306/2014-FC, dated 28.08.2015 may be referred).

This has been issued with the approval of the Competent Authority.

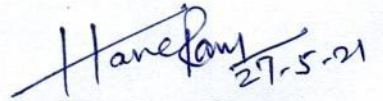
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Yours faithfully,

(Hare Ram Kumar)
Technical Officer (Forestry)

Copy to:-

1. The Principal Chief Conservator of Forests & Head of Forest Force, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
2. The Addl. Director General of Forests (FC), Govt. of India, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
3. The APCCF (LM) and Nodal Officer, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
4. The Chief Conservator of Forest, Forest Circle Betul, MP.
5. The Divisional Forest Officer, Forest Division North Betul, MP.
6. The General Manager, Western Coal Fields Limited, Pathakheda area, District- Betul, Madhya Pradesh.
7. Order file.

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(Hare Ram Kumar)
Technical Officer (Forestry)