

F. No. 8-38/2009-FC  
Government of India  
Ministry of Environment and Forests  
(FC Division)

Paryavaran Bhawan, CGO Complex,  
Lodhi Road, New Delhi - 110510.

Dated: 5<sup>th</sup> July, 2011

To

The Principal Secretary (Forests),  
Government of Chhattisgarh,  
Raipur.

**Sub: Diversion of 1324.380 ha of forest land (originally proposed 2301.260 ha) for open cast coal mining at Tara coal block of Hasdeo-Arand Coalfield in favour of M/s Chhattisgarh Mineral Development Corporation in South Surguja Forest Division in Surguja district of Chhattisgarh.**

Sir,

I am directed to refer to the State Government's letter no. F - 5 - 61 / 2008 / 10 - 2 dated 25.05.2009 on the subject mentioned above seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the stage-I approval for diversion of 1324.380 ha of forest land for open cast coal mining at Tara coal block of Hasdeo-Arand Coalfield in favour of M/s Chhattisgarh Mineral Development Corporation in South Surguja Forest Division in Surguja district of Chhattisgarh to fulfillment of the following conditions:

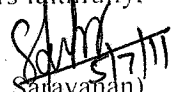
1. (i) The Compensatory Afforestation (CA) shall be raised and maintained over double the degraded orange forest land in extent to the forest land proposed to be diverted.
  - (ii) The State Government shall immediately transfer and mutate the non-forest land identified for CA in favour of the State Forest Department.
  - (iii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale.
  - (iv) The degraded orange forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or 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, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard.
2. The User Agency shall create, fence and maintain a proper safety zone around the mining area. The User Agency shall deposit funds with the Forest Department for the creation, protection and regeneration of the safety zone area, and also shall bear the cost of afforestation over one and a half time of the safety zone area in degraded forest elsewhere.
  3. The following activities shall be undertaken by the User Agency under supervision of the State Forest Department at the project cost:

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- i. Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
    - ii. Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
    - iii. Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
    - iv. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
  4. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgement of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
  5. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
  6. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA preferably by RTGS mode in account number **CAF SB01025203** of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi - 110 510.
  7. The Wildlife Management plan and programme should be prepared under the aegis of an institution like the Wildlife Institution of India. Other independent institutions with expertise on elephant-related issues especially, like the Nature conservation Foundation, Wildlife Trust of India and the Centre for Ecological Studies at the Indian Institute of Science could also be involved in the preparation and implementation of such a management plan with funds from the project proponents. The plan should be prepared over the next four-six months and should be submitted to the Ministry for monitoring.
  8. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area.
  9. All the movement of coal from the mine to the power plant will be through overhead conveyor systems only.
  10. The period of diversion under this approval shall be twenty (25) years or coterminous with the mining lease subject to possession of valid lease by User Agency whichever is less.
  11. The User Agency will ensure the dumping of OB as per the plan and will submit the duly approved phased Reclamation plan along with the compliance report.
  12. The forest land shall not be used for any purpose other than that specified in the proposal.
  13. No labour camps shall be set up inside the forest area.
  14. The user agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees.
  15. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.

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16. No damage to the flora and fauna of the adjoining area shall be caused.
  17. The user agency will obtain Environmental clearance and any other clearances required for such project.
  18. The user agency shall undertake transplantation of important tree species under 60 cm girth under the supervision of the State Forest Department.
  19. The user agency shall establish and operate a Vocational Training Institute having capacity to impart training in at-least five disciplines, to be decided by the State Government concerned in consultation with the user agency, for the benefits of the eligible unemployed youth in the project affected villages. The user agency should also endeavour to employ such trained manpower in their own industry or any other appropriate industry, preferably located in vicinity of the forest land being diverted.
  20. The user agency shall setup an independent Social Welfare Department / Division and follow the subsequent condition of the project-affected and the project-displaced persons in such a way as to understand their socio-economic conditions before and after the project and take such corrective measures as are necessary to restore them to their original or better-than-original condition.
  21. The user agency will provide permanent vehicular mobility to the Regional Office for periodic monitoring of the projects already existing and those are coming up in the area.
  22. The State Government will not come up for opening up the main Hasdeo-Arand area.
  23. The user agency will obtain the clearance under the provisions of ST&OTFD (Recognition of Forest Rights) Act, 2006 before the final approval and will submit certificate towards the settlement of all claims and rights over the proposed forest land under the Act, along with the compliance report, as per the advisory dated 03.08.2009 issued by MoEF.
  24. Any other condition that the CCF (Central), Regional Office, Bhopal, may impose from time to time for the protection and improvement of flora and fauna in the forest area.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the Central Government shall consider the handing over of forest land for non-forest purposes under section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

  
(N.C. Saravanan)

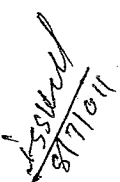
Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Chhattisgarh Raipur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Chhattisgarh Raipur.
3. The Chief Conservator of Forest (Central), Eastern Regional Office, Bhopal.
4. User Agency.
5. Monitoring cell.
6. Guard file.

  
(N.C. Saravanan)

Assistant Inspector General of Forests

  
8/7/11