

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

Indira Paryavaran Bhawan
Jor Bag Road, Aliganj
New Delhi - 110003
Dated: 29th January, 2024

To

The Principal Secretary (Forests),
Government of Chhattisgarh
Mahanadi Bhavan,
Nava Raipur

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of M/s South Eastern Coalfields Limited (SECL) for non-forestry use of 240.867 ha, comprising of 185.017 ha Revenue Forest Land and 55.850 ha identified as forest land in terms of dictionary meaning for Chhal Opencast Coal Mining Project in Raigarh District of Chhattisgarh (Online line proposal no. FP/CG/MIN/16237/2015) – reg.

Madam/Sir,

The undersigned is directed to refer to the Government of Chhattisgarh's letter no. F 5-18/2018/10-2 dated 08.04.2021 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. After careful examination of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, '**in-principle**'/stage-I approval to the proposal under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 was granted vide this Ministry's letter of even number dated 06.07.2022 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the '**in-principle**' approval and has requested the Central Government to grant final approval.


In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. 5-18/2018/10-2 dated 03.02.2023, letter no. 5-18/2018/10-2 dated 21.08.2023, F 5-18/2018/10-2 dated 30.10.2023 and letter no. F 5-18/2018/10-2 dated 13.12.2023 forwarding additional information as sought by the Ministry's letters dated 23.02.2023, 14.09.2023, 22.09.2023 and 16.11.2023, **final/stage-II approval** of Central Government under Section- 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 is hereby accorded for non-forestry use of 240.867 ha, comprising of 185.017 ha Revenue Forest Land and 55.850 ha identified as forest land in terms of dictionary meaning for Chhal Opencast Coal Mining Project in favour of M/s South Eastern Coalfields Limited (SECL) in Raigarh District of Chhattisgarh subject to fulfillment of the following conditions:

i.


- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Government shall ensure that Compensatory afforestation over orange 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;

- iii. Compensatory levies, if any, realized in future under the extant 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/>);
- iv. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- v. 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 before handing over the forest land to the User Agency;
- vi. *The State Government/ User Agency shall ensure that Soil and Moisture Conservation (SMC) work plan to mitigate the impact of the proposed mining activity on the local river prepared shall be implemented by the User Agency in consultation with the State Forest Department;*
- vii. *The State Government/ User Agency shall ensure that Elephant/Wildlife Management Plans prepared keeping in view the locality factors, occurrence of wildlife, management interventions required for areas will be implemented by the State Government at the cost of User Agency;*
- viii. *The State Government/ User Agency shall ensure that consolidated Reclamation Plan prepared by the User Agency of the areas mined out completely which are not required for future mining and areas to be reclaimed in future in consonance with the Progressive Mine Closure Plan shall be complied;*
- ix. Following activities, as per approved plan / schemes, shall be implemented in the lease area by the User Agency under the supervision of the State Forest Department:
 - a. Mitigative 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.
 - 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
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.



29/01/24

- x. User agency either himself or through the State Forest Department shall implement 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;
- xi. 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;
- xii. **Safety Zone Management:** Following activities, at project cost, shall be implemented by the User Agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
- 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.
 - Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency.
 - 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.
 - The State Government and the User Agency shall ensure that safety zone is maintained as per the prescribed norms.
 - The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- xiii. State Government shall ensure prevention of fall of wild animals into mining pit by fencing the open pit area;
- xiv. State Government shall ensure that the angle of repose in OB dumps to be maintained to ensure stability and safety;
- xv. State Government shall ensure that plants which are having lowest translocation factor can be preferred under afforestation on the OB dumps and fruit trees to be avoided in planting during biological stabilization of OB dumps;
- xvi. State Government shall ensure that the project authority needs to take up works for construction and cleaning of garland drains, stabilizing retaining walls, proper terracing of OB dumps and checking gully formation resulting in soil erosion;
- xvii. 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;
- xviii. The State Govt. shall ensure that User Agency will implement the R&R Plan


29/01/24

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;

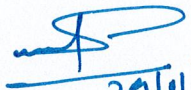
- xix. The State Government shall ensure that User Agency shall keep minimum of 120 meters distance from the bank of Mand River as intact and no mining should be carried out in this area. Embankment should be constructed to ensue protection of river and its hydrology from the mining;
- xx. The State Government shall ensure that trees shall be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of concerned DFO;
- xxi. The State Government/ 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. State Government shall ensure that creation and maintenance of alternate habitat for avifauna whose nesting trees have been cleared are to be taken up by User Agency;
- xxiii. The State Government/ 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;
- xxiv. State Government shall ensure that vetiver grass can be planted at the lower reaches of the dump to bind the soil and prevent soil erosion giving better stability to the dump;
- xxv. The State Government/ User Agency shall ensure that the mining is carried out 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, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in the concerned State Government and the concerned Integrated 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 Head of the Integrated Regional Office may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
- xxvi. 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;
- xxvii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xxviii. 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


29/01/24

working at the site so as to avoid any damage and pressure on the nearby forest areas;

- xxix. 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;
- xxx. 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;
- xxxi. 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;
- xxxii. No damage to the flora and fauna of the adjoining area shall be caused;
- xxxiii. 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; and
- xxxiv. 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;
- xxxv. 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 issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 vide this Ministry's letter dated 29.12.2023;
- xxxvi. 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.

Yours faithfully,


(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. PCCF (HoFF), State Forest Department, Government of Chhattisgarh, Nava Raipur.
2. APCCF cum Nodal Officer (FCA), State Forest Department, Government of Chhattisgarh, Nava Raipur.
3. IGF (Central), Sub-office of MoEF&CC at Raipur.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.

