

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

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**Indira Paryavaran Bhawan,**  
Aliganj, Jor Bag Road,  
New Delhi - 110003.  
**Dated: 14<sup>th</sup> March, 2024**

To,

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


**Sub: Proposal for non-forestry use of 855.17 ha (1006.17 ha -151 ha) of forest land for Kotre, Basantpur Open Cast Mining Project in favour of M/s Central Coalfields Limited in Ramgarh and Bokaro district of Jharkhand – regarding.**

Sir,

I am directed to refer to the Government of Jharkhand's letter no. Van Bhumi-07/2022-1457/V.P. dated 24.05.2022 and letter no. Van Bhumi-06/2022-1521/V.P. dated 31.05.2022 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 and recommendation of the proposal by the Forest Advisory Committee, constituted under Section-3 of the aforesaid act. After careful consideration of the proposal by the Advisory Committee and with due approval of the Hon'ble Minister, Environment, Forest and Climate Change *Stage-I/In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 27.02.2023, subject to fulfillment of certain conditions.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. Van Bhumi-07/2022-4256/V.P. dated 09.11.2023 and letter No. Van Bhumi-07/2022-356/V.P. dated 13.02.2024, 'Stage-II/Final approval' of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for non-forestry use of 855.17 ha (1006.17 ha -151 ha) of forest land for Kotre, Basantpur Open Cast Mining Project in favour of M/s Central Coalfields Limited in Ramgarh and Bokaro district of Jharkhand subject to fulfillment of the following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. **Compensatory Afforestation:**
  - a. The 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. Further, the state shall ensure that the Compensatory

  
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- Afforestation area is made free from of all encumbrances;
- b. The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department. The CA will be maintained for 10 years and the CA scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years;
  - c. Compensatory levies, if any, realized in future under the extant project, shall be deposited in to the account of CAMPA pertaining to the State concerned through **e-portal** (<https://parivesh.nic.in/>);
3. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency, as per the orders dated 28.03.2008, 24.04.2008 and 09.05.2008 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202/1995 and the guidelines given under para 3 of the Chapter -3 of the Consolidate Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 published by the Ministry on 29.12.2023, 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;
  4. The State Government shall ensure that process for settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has been completed in accordance with the relevant guidelines prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013;
  5. The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per plan submitted along with the compliance of 'in-principle' approval, so as to mitigate the impact of project on such tanks/water bodies.
  6. The State Government shall ensure that the details of the finalized Soil and Moisture Conservation Plan and disposition of monies of deficit amount etc. shall be approved by the competent authority and concurred by the concerned RO of the Ministry within a period of one year from the date of issue of Stage-II approval
  7. The State Government shall ensure that the details of the finalized Wildlife Management Plan and disposition of monies of deficit amount etc. shall be approved by the competent authority and concurred by the concerned RO of the Ministry within a period of one year from the date of issue of Stage-II approval. A legible copy of the approved Wildlife Management Plan shall be submitted to the MoEF&CC, New Delhi and its Regional Office for information and records;
  8. The provisions to be provided in the WLMP or SMC Plan shall be approved by the competent authority in the State and accordingly, the deficit amount, if any, from the money already realized to the tune of 2% and/or 0.5% of project cost, shall be paid by the user agency, and same shall be deposit in the CAMPA account;

  
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9. 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;
10. Trees should be felled in phased manner as per the requirement of mining operations as envisaged in the approved Mining Plan with prior permission of concerned DFO;
11. 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 concern 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;
12. 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;
13. 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;
14. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
15. 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;
16. 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;
17. 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:
  - i. Mitigation measures to minimize soil erosion and choking of stream, shall be implemented within a period of two years with effect from the date of issue of order of diversion of forest land, in accordance with the approved Plan in consultation with the State Forest Department;

  
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- 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 degrees; and
  - v. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
20. User agency either himself or through the State Forest Department shall undertake gap planting and soil and 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 as per approved plan for plantation and SMC activities submitted along with the compliance of 'in-principle' approval by the State Government;
21. 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:
- i. 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. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
  - iii. 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. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms.
22. 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;
23. 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;
24. No damage to the flora and fauna of the adjoining area shall be caused;
25. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of

  
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conservation, protection and development of forests & wildlife;

26. 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;
27. 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 on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
28. 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; and
29. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter dated 06.03.2023 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours faithfully



(Suneet Bhardwaj)

Assistant Inspector General of Forests

**Copy to:**

1. The PCCF (HoFF), Department of Forest, Government of Jharkhand, Ranchi
2. The Dy. DGF (Central), Regional Office, Ranchi.
3. The Nodal Officer (FCA), Department of Forest, Government of Jharkhand, Ranchi
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.