

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

\*\*\*\*\*

**Indira Paryavaran Bhawan,**  
 Aliganj, Jor Bag Road,  
 New Delhi - 110003.  
**Dated: April, 2024**

To,

**The Principal Secretary (Forests),**  
 Government of Madhya Pradesh,  
 Bhopal.

**Subject: Proposal for diversion of 353.764 ha of forest land (instead of 390.264 ha. of forest land) in favour of M/s Northern Coalfields Limited, for Bina Kakri Open Cast Coal Mining, under Forest Division and District Singaruali in the State of Madhya Pradesh (Online No. FP/MP/MIN/20225/2016) – regarding.**

Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh letter no. F-1/FP/MP/MIN/2025/2016/3367 dated 30.10.2018 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. 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 13.01.2020 read along with Ministry's letter of even no. dated 15.03.2024 subject to fulfillment of certain conditions prescribed therein.

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. F-1/FP/MP/MIN/2025/2016/473 dated 01.02.2021, letter No. F-1/FP/MP/MIN/2025/2016/1810 dated 10.06.2021, letter no. F-1/FP/MP/MIN/2025/2016/3618 dated 21.10.2022, letter no. F-1/FP/MP/MIN/2025/2016/261 dated 18.01.2023, letter no. F-1/FP/MP/MIN/2025/2016/1278 dated 29.03.2023, letter no. F-1/FP/MP/MIN/2025/2016/2599 dated 26.06.2023 and letter no. F-1/FP/MP/MIN/20225/2016/1761 dated 21.03.2024 "**Stage-II/Final approval**" of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 353.764 ha. of forest land (instead of 390.264 ha. of forest land) in favour of M/s Northern Coalfields Limited, for Bina Kakri Open Cast Coal Mining, under Forest Division and District Singaruali in the State of Madhya Pradesh subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- iii. Compensatory afforestation over the degraded forest land of 353.764 ha. (twice in extent to the area of forest land proposed to be diverted (2 x 353.764 = 707.528 ha.) of degraded forest land shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the user agency;
- iv. 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) Adhinyam, 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;
- v. 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:
  - a. 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;
  - 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 280; and
  - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- vi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vii. 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;

- viii. 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;
- ix. 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;
- x. 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;
- xi. 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;
- xii. 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;
- xiii. 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;
- xiv. 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;
- xv. 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;
- xvi. No damage to the flora and fauna of the adjoining area shall be caused;
- xvii. 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;

- xviii. 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;
- xix. 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;
- xx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
- xxi. 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
- xxii. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 13.01.2020 read along with letter dated 14.01.2020 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.

Signed by

Yours faithfully

Dheeraj Mittal

**(Dr. Dheeraj Mittal)**

Date: 16-04-2024 09:45:03 Assistant Inspector General of Forests

**Copy to:**

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