

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

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi – 1100 03
Dated: November, 2023

To

The Principal Secretary (Forests),
Department of Forest, Environment and Climate Change,
Government of Chhattisgarh.
Raipur.

Sub: Proposal seeking prior approval of the Central Government under Section -2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 238.373 ha of forest land in favour of M/s South Eastern Coalfields Limited for Baroud Expansion Open Cast Coal Mining project (3 MT) in Raigarh District of Chhattisgarh. -regarding (online Proposal No. FP/CG/MIN/30359/2012).

Sir/Madam,

I am directed to refer to the Government of Chhattisgarh's letter No. no. 5-33/2005/10-2 dated 3.12.2019 on the above mentioned subject, wherein prior approval of the Central Government for non-forestry use of 238.373 ha of forest land in favour of M/s South Eastern Coalfields Limited for Baroud Expansion Open Cast Coal Mining project (3 MT) in Raigarh District of Chhattisgarh was sought in accordance with Section-2 (ii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Advisory Committee constituted under Section-3 of the said Act, ***In-principle /Stage-I approval*** for diversion of the said forest land was accorded by the Ministry vide its letter of even number dated 12.05.2023 subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the Stage-I approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Chhattisgarh vide letter No. 5-33/2005/10-2 dated 13.10.2023, ***Final /Stage – II approval*** of the Central Government is hereby granted under Section-2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 238.373 ha of forest land in favour of M/s South Eastern Coalfields Limited for Baroud Expansion Open Cast Coal Mining project (3 MT) in Raigarh District of Chhattisgarh, subject to the following conditions: -

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The Compensatory Afforestation shall be taken up by the Forest Department over double the degraded i.e. $238.373 \times 2 = 476.746$ ha. of degraded forest land at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be

- avoided. With provision for ten years on subsequent maintenance;
- iii. 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 and transfer the same to the NA, CAMPA under intimation to this Ministry;
 - iv. The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details within 3 months of issue of Stage-II and submit the compliance to this Ministry;
 - v. State Govt. shall ensure that all the conditions as proposed by the CWLW, Govt. of Chhattisgarh vide letter dt. 24.03.2023 and as stipulated in the condition no. vii of the Stage I approval letter dated 12.05.2023 shall be complied and implemented at the cost of user agency;
 - vi. The State Government shall ensure that the detailed revised comprehensive wildlife conservation plan submitted shall be implemented;
 - vii. The State Government shall ensure that the user agency will implement the approved plan for de-silting of identified ponds and water bodies of the listed villages tanks and other water bodies located within five km from the mine lease boundary. The User Agency shall regularly undertake de-silting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies;
 - viii. 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 and submit the documentary evidence, along with compliance of Stage-I approval, as prescribed by this Ministry's letter No. 11- 9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
 - ix. 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;
 - x. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
 - xi. The State Government shall ensure that the user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 - xii. The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / AC / REC;
 - xi. The State Govt. shall ensure that the 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) Mitigative measures to minimize soil erosion and choking of stream, to be implemented within a period of three year of issue of Stage-II approval;
 - (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;
- xiv. The State Govt. shall ensure that the Safety Zone is maintained at project cost, shall be undertaken by the user agency as per relevant guidelines issued by this Ministry;
- xv. The State Govt. shall ensure that user agency shall implement the R&R Plan 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;
- xvi. The State Govt. shall ensure that the user agency comply with all the provisions recommended in the hydro-logical study prepared by CMPDIL;
- xvi. 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;
- xvii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xviii. 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;
- xix. 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 co-ordinates;
- xx. The User Agency shall undertake mining as per approved mining plan and the concurrent reclamation plan as per the approved mining plan shall be executed and 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 DDGF (C) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
- xxi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxii. The forest area shall be used for the purpose of which it is granted. The total forest land utilized for the project shall not exceed 238.373 ha. for mining;
- xxiii. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxv. 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;

- xxvi. No damage to the flora and fauna of the adjoining area shall be caused;
- xxvii. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- xxviii. 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;
- xxix. Trees should be felled in phased manner as per the requirement in the approved Plan with prior permission of concerned DFO;
- xxx. 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;
- xxxi. 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;
- xxxii. 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;
- xxxiii. 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;
- xxxiv. 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; and
- xxxv. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 12.05.2023 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, pertaining to this project for the time being in force, as applicable to the project.

Yours faithfully,

Sd/-

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests (HoFF), Government of Chhattishgarh, Raipur.
2. The Nodal Office (FCA) Forest Department, Government of Chhattishgarh, Raipur.
3. The DDGF(C), Regional Office, Nagpur, MoEF&CC.
4. The IGF(C), Sub-Office, Raipur, MoEF&CC.
5. User Agency.
6. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.