

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: As per E-Sign

To,

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

Subject: Diversion of 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria Forest Division) for Sahapur West Underground Coal Mine Project in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State (Online No. FP/MP/MIN/151378/2022) - regarding.

Madam/Sir,

I am directed to refer to the Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, Government of Madhya Pradesh's letter No. F-1/839/2023/10-11/1182 dated 20.03.2023 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 examination and recommendation of the proposal by the Advisory Committee, constituted under Section-3 of the aforesaid act and with due approval of the competent authority *Stage-I/In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 12.02.2024 subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report furnished by the Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, Government of Madhya Pradesh vide letter no. F-1/839/2023/10-11/3139 dated 14.06.2024, letter no. F-1/839/2023/10-11/5176 dated 08.10.2024 and letter No. F-1/839/2023/10-11/5187 dated 09.10.2024 '**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 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria Forest Division) for Sahapur West Underground Coal Mine Project in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. *Wildlife Management Plan for area within 10 km radius of the project shall be*

implemented at the cost of user agency;

- iii. The User Agency has deposited an amount of Rs. 8,44,000,00/- in CAMPA account i.e. 2% of total project cost towards the cost of implementation of the Wildlife Management Plan. The Wildlife Management Plan shall be approved by the competent authority in the State and accordingly, the deficit amount, if any, from the money already realized from the user agency to the tune of 2% shall be paid by the user agency, and the same shall be deposited in to the CAMPA account;
- iv. The State Government shall ensure that details of the finalized Wildlife Management Plan and disposition of monies, payment of deficit amount, etc. shall be approved by the competent authority and concurred by the concerned Regional Office of the Ministry within a period of one year from the date of deposit of the said amount;
- v. The State Government shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Wildlife Management Plan should be delayed beyond a period of 2 years from the date of issue of final approval under the Adhiniyam to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time;
- vi. *For effective protection, the forest area within the mining lease shall be fenced with chain link fencing and gap planting, approximately in upto twenty percent of the gross area, will be carried out for which an amount of Rs. 94,15,761/- has been deposited by the user agency in CAMPA account;*
- vii. *The State shall ensure that no underground mining activities are carried out upto 30 meters on both sides of the Nalas within the mining lease;*
- viii. *The State shall ensure that there is no further requirement of forest land for coal transportation/evacuation in the instant case and accordingly no future proposal for diversion of forest land for coal transportation/evacuation shall be considered/submitted;*
- ix. The State Government shall ensure that the 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. 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;
- x. 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, 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 Regional

- Office of the Ministry may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
- xi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xii. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
 - xiii. The User Agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the State Forest Department;
 - xiv. No labour camp shall be established on the forest land;
 - xv. 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;
 - xvi. The forest land shall not be used for any purpose other than that specified in the proposal;
 - xvii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
 - xviii. 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;
 - xix. No damage to the flora and fauna of the adjoining area shall be caused;
 - xx. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
 - xxi. The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - xxii. The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;
 - xxiii. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
 - xxiv. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
 - xxv. Any other condition that the concerned Regional Office of this Ministry may

stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;

- xxvi. 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;
- xxvii. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter of even no. dated 12.02.2024 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, for 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;
- xxviii. As per Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and after fulfilment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion of forest land.

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

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, 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.