

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

Indira Paryavaran Bhawan,
 Jor Bag Road, Aliganj,
 New Delhi – 110003
 Dated: 2nd November, 2023

To,

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

Subject: Proposal for diversion of 201.079 ha of forest land for Tawa -II underground coal mining in favour M/s Western Coal Fields Limited, Pathakhera in Baitul District State of Madhya Pradesh (Online No. FP/MP/MIN/24598/2017) - regarding.

Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh's letter No. F-1/FP/MP/MIN/24598/2017/10-11/2619 dated 06.09.2017 on the above subject seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980. After careful examination and recommendation of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 14.05.2018 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. F-1/FP/MP/MIN/24598/2017/10-11/1492 dated 06.05.2021, letter No. F-1/FP/MP/MIN/24598/2017/10-11/2524 dated 27.07.2021, letter No. F-1/692/2013/10-11/3417 dated 11.10.2021, letter No. F-1/692/2013/10-11/4399 dated 29.12.2021, letter No. F-1/692/2013/10-11/1350 dated 18.04.2022, letter No. F-1/692/2013/10-11/1946 dated 01.06.2022, letter No. F-1/692/2013/10-11/3144 dated 14.09.2022, letter No. F-1/692/2013/10-11/652 dated 10.02.2023, letter No. F-1/692/2013/10-11/2623 dated 28.06.2023, letter No. F-1/692/2013/10-11/4063 dated 06.09.2023, letter No. F-1/692/2013/10-11/4413 dated 04.10.2023 and letter No. F-1/692/2013/10-11/4631 dated 17.10.2023 **Final/Stage-II approval** of the Central Government is hereby accorded under Section-2(ii) of the Forest (Conservation) Act, 1980 for diversion of 201.079 ha of forest land for Tawa -II underground coal mining in favour of M/s Western Coal Fields Limited, Pathakhera in Baitul District State of Madhya Pradesh, subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **The State Govt. shall ensure that the user agency shall deposit the differential amount in view of revised rates of NPV in the CAMPA account as per Ministry's guideline no. 5-3/2011-FC(Vol-I) dated 06.01.2022 read along with guideline no. 5-3/2011-FC(Vol-I) dated 22.03.2022 before issuing the formal orders for diversion;**
- iii. 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;
- iv. The State Govt. shall ensure that the KML files of diverted area shall be uploaded on the e-Green watch portal with all requisite details before issuing the formal order;
- v. The State Government and user agency shall monitor the mining induced subsidence and take appropriate mitigative measures to ensure that it remains within the permissible


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- limit;
- vi. The ground area over the mine shall not be allowed to be used for construction of residential buildings or labour camps;
 - vii. Forest land within the project area for which approval has not been obtained by user agency shall not be used for non-forestry purpose;
 - viii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 - ix. Area on surface of the mining lease shall be fenced and afforested;
 - x. 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;
 - xi. 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;
 - xii. The State Government shall ensure that green cover on the ground over the underground part of mine shall be maintained as forest and supplemented by plantations in gaps at the cost of user agency;
 - xiii. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined out 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;
 - xiv. 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 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 280; and
 - xi. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
 - xii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xiii. 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;
 - xiv. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
 - xv. The forest land shall not be used for any purpose other than that specified in the


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- proposal;
- xvi. 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;
 - xvii. No damage to the flora and fauna of the adjoining area shall be caused;
 - xviii. 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;
 - xix. The project proponent shall set up an independent social welfare division for tracking post R&R settlement of the project affected families through the Social Welfare Department;
 - xx. 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;
 - xxi. 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;
 - xxii. 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;
 - xxiii. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter of even number dated 14.05.2018 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 sincerely,


(Suneet Bhardwaj) 02/11/23

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.