

F.No. 8-78/2006-FC(Pt.)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi – 110003
Dated: 27-05-2025

To

The Principal Secretary (Forests),
Government of Chhattisgarh,
Raipur

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s South Eastern Coalfield Limited for non-forestry use 0.093 ha of forest land for Dipka Opencast Coal Mining Projects Korba in Katghora Forest Division in Korba District of Chhattisgarh (FP/CG/MIN/26692/2012)

Sir,

I am directed to refer to the Government of Chhattisgarh letter no. F-5-04/2007/10 - 2 dated 29.03.2023 on the subject mentioned above 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, 'in-principle' approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 was granted vide this Ministry's letter of even no. dated 12.02.2024 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. 5-03/2019/10-2 dated 20.05.2025 'Final/Stage-II approval' of the Central Government is hereby accorded under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 for non-forestry use for diversion of 0.093 ha of forest land in favour of M/s South Eastern Coalfields Limited (SECL) in respect of Deepika Expansion open cast mining Project in Korba District of Chhattisgarh subject to fulfillment of the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The State Government shall ensure that CA will be carried over identified 1.00 ha land as per approved CA scheme. The land identified to carry out CA shall be notified as RF/PF under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act before issuing

diversion order.

(iii) The User agency either himself or through the State Forest Department shall undertake gap planting and soil & 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. The State Govt. shall prepare the plan for plantation and SMC activities before issuing diversion order.

(iv) The State Govt. shall ensure that the KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the E-Green watch portal before issuing diversion order.

(v) The State Govt. shall undertake activities, as per approved plan / schemes in the lease area in compliance to condition No.11 of Stage-1 approval. The scheme/plan in this regard shall be prepared before issuing diversion order.

(vi) The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed plan for desilting of identified ponds and water bodies shall be prepared and approved in consultation with forest department before issuing diversion order.

(vii) 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;

(viii) The State shall ensure the implementation of Wildlife management plan with small cats as one of the focus areas as approved by the Chief Wildlife Warden.

(ix) Mined out forest areas, which are already reclaimed by the User Agency, shall be handed over back to the State Forest Department for management and control.

(x) The UA shall undertake extensive greening programme in the surrounding area and improve its environmental and ecological health. Mixed plantation of local species should be encouraged; User Agency shall maintain nursery of local species and fruit trees and distribute to locals every year as an additional means to enrich vegetation;

(xi) 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.

(xii) Period of diversion of the said forest land under this approval shall be for a

period coterminous with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed thereunder.

(xiii) The user agency shall, after ceasing mining operations, undertake re-grassing the mining area, and any other areas which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.;

(xiv) The user agency shall ensure that the dumping of Over Burden (OB) shall be carried out as per the approved phased reclamation plan;

(xv) The State Government shall ensure that the biological rehabilitation works in the mined out areas and OB dumps be implemented and improved;

(xvi) Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease] shall be done at the project cost within three years and maintained thereafter as per approved working plan of the State Govt.;

(xvii) Following activities, as per approved plan / schemes, shall be undertaken by the User Agency under the supervision of the State Forest Department for the management of safety zone:

a. User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed 8-34/2021-FC I/94921/2025 with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department.

b. In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation /regeneration activities in the safety zone.

c. Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department.

e. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms.

(xviii). The following activities shall be undertaken by the user agency under supervision of the State Forest Department at the project cost:

a. Proper mitigative measures to minimize soil erosion and choking of streams if available the vicinity of mining area shall be prepared and implemented.

b. Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.

c. Construction of check dams, retention toe walls to arrest sliding down of the excavated material along the contour.

(xix) 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 concerned Dy. Director General (Central) may direct that the mining activities shall remain suspended till such time, reclamation activities area satisfactorily executed;

(xx) 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 as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;

(xxi). The State Government shall ensure that the user agency implements 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;

(xxii). 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;

(xxiii) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;

(xxiv). Felling of tress on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;

(xxv). The user agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting tress are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;

(xxvi) 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;

(xxvii). No damage to the flora and fauna of the adjoining area shall be caused;

(xxviii). The layout plan of the 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 except the change in land use allowed on the forest land vide Ministry's guideline dated 26.12.2024;

(xxix). No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

(xxx). 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;

(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 conditions to the State Government, concerned Regional Office and this Ministry by the end of March of every year regularly;

(xxxiii). 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;

(xxxiv). 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 20.10.2006 and 30.9.2024 and undertakings which 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;

(xxxv). 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 faithfully,

Sd/-
(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Chhattisgarh,

Raipur.

2. The DDGF (Central), Regional Office, Ministry of Environment, Forest & Climate Change, Nagpur.
3. The Nodal Officer (FCA), Department of Forest, Government of Chhattisgarh, Raipur.
4. The Sub-office, Ministry of Environment, Forest & Climate Change, Raipur.
5. The User Agency.
6. Monitoring Cell, FC Division for uploading on PARIVESH Portal.