

F. No. 8-53/2011-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 28th August, 2019

To

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

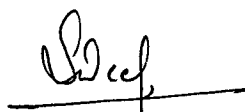
Sub: Diversion of 243.32 ha of forest land for North Karanpura Coal Keredari Coal Mining Project in favour of M/s NTPC Ltd. in Chatra South and Hazaribagh West Forest Division of Districts Chatra and Hazaribagh, respectively in the State of Jharkhand – regarding.

Sir,

I am directed to refer to the State Government's letter no. 3/Vanbhumi-103/2010-1643 dated 4.05.2011 on the above subject seeking prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval to the proposal under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 1st February, 2012 read with letter dated 17th July, 2019 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.

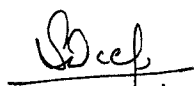
In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. 22 P 2 (2) 22/2010/575 dated 10.02.2014, 3/VanBhumi-103/2010/68-VP dated 06.01.2017, 3/VanBhumi-103/2010/1825-VP dated 08.05.2018, VanBhumi-103/2010/3956-VP dated 19.09.2018, Van Bhumi-103/2010-1301-VP dated 05.04.2019 and Van Bhumi-103/2010-2657-VP dated 16.07.2019, final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 243.32 ha of forest land for North Karanpura Coal Keredari Coal Mining Project in favour of M/s NTPC Ltd in Chatra South and Hazaribagh West Forest Division of Districts Chatra and Hazaribagh, respectively in the State of Jharkhand subject to following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. (i) Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over double degraded forest land (323.505 ha) equal in extent to the forest land being diverted, from the funds already provided by the User Agency;
(ii) Approved site-specific CA schemes, in lieu of diversion of forest land of 243.32 ha shall be implemented by the State Forest Department from the funds already provided by the User Agency;
3. The State Government has realized the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard, additional NPV if becomes due as per final order of Hon'ble Supreme Court, shall be paid by the User Agency;
4. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per


28.08.19

the final decision of Hon'ble Supreme Court of India;

5. Fencing, protection and regeneration of the safety zone area (7.5 metre strip all along the outer boundary of the mining lease area), wherever feasible, shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall also be done at the project cost;
6. Funds, if any to be received from the User Agency under the project in future, shall be transferred, through e-challan, to the account of State CAMPA concerned;
7. In view of displacement of people the User Agency shall implement a welfare plan for displaced people, which can track individual displaced facilities and establish an appropriate welfare unit to monitor the welfare.
8. The User Agency shall implement the approved R&R Plan as submitted along with the compliance of Stage-I approval;
9. The period of diversion under this approval shall be twenty (20) years or coterminous with the valid mining lease subject to possession of valid mining lease under the MMDR Act, 1957;
10. The forest land shall not be used for any purpose other than that specified in the proposal;
11. The following activities shall be undertaken by the User Agency under supervision of the State Forest Department at the project cost:
 - i. Proper mitigative measures to minimize soil erosion and choking of streams shall be implemented;
 - ii. Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion;
 - iii. Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour;
12. Ample care shall be taken while reclaiming the mined area by employing suitable top soil management scheme and ensuring plantation of native species of the area;
13. The user agency shall provide fuel wood preferably alternate fuel such as kerosene oil and LPG to the labourers working at the site to avoid damage to adjoining forests;
14. No labour camps shall be set up inside the forest area;
15. 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;
16. The user agency shall pay the cost of implementation of Wildlife Management Plan, on pro rata basis, prepared by the State Government for the entire North Karanpura Field, as per the undertaking submitted by them and accepted by State Government along with the Stage-I compliance. Forest land shall be handed over to the user Agency, after realizing the proportionate cost from the User Agency. A copy of the approved Wildlife Life Management Plan, along with detail of proportionate cost shall be submitted to the Ministry and its Regional Office;
17. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department. User Agency shall translocate the trees, marked for felling, wherever possible, in consultation with the State Forest Department;
18. No damage to the flora and fauna of the adjoining area shall be caused;
19. The user agency will obtain Environmental clearance and any other clearances required for such project, if required;
20. The user agency shall take up the de-silting of the village tanks within five km area from the mine


28/08/15

lease boundary as a Corporate's social responsibility so as to mitigate the impact of siltation of such tanks, if any;

21. The User Agency will ensure the dumping of over burden (OB) as per the approved phased Reclamation plan;
22. The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard;
23. Any other condition that the Dy. Director General of Forests (Central), Regional Office, Ranchi, may impose from time to time, with the approval of competent authority, for protection and improvement of flora and fauna in the forest area, shall also be applicable.
24. Compliance of any legal matters, in any court of law, shall be the responsibility of the user agency / and the State Government; and
25. The user agency shall submit the annual compliance report in respect of the above conditions to the State Government and to the Regional Office, Ranchi regularly.

Yours faithfully,


(Sandeep Sharma) 28/08/19

Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forest, Government of Jharkhand, Ranchi.
2. The Deputy Director General (Central), Regional Office, Ranchi.
3. The Nodal Officer (FCA), Office of the PCCF, Government of Jharkhand, Ranchi.
4. User Agency.
5. Monitoring Cell of FC Division.
6. Guard File.


(Sandeep Sharma) 28/08/19

Assistant Inspector General of Forests (FC)