

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

Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi-110 003

Dated: 7th December, 2022

To

The Principal Secretary (Forests)
Forest and Revenue Department
Government of Jharkhand
Ranchi

Sub: Proposal for the non-forest use of 192.36 ha (Forest land – 57.29 ha and Jungle Jhari 135.07 ha) of forest land for Magadh East Opencast mining project in favour of M/s CCL, Chatra South, Jharkhand –reg.
Sir,

I am directed to refer to the State Government of Jharkhand's letter No. Van Bhumi-26/2022-3004 V.P. dated 10.10.2022 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and to say that examination of said proposal in the Ministry revealed the following:

- i. As per detail furnished in Part-I, total forest area and non-forest area required under the proposal are 192.36 ha and 219.88 ha, thereby total area required for the project is 412.24. However, detail of area filled in the Part-I by the user agency under column M1(i)(a) mentioned the total area of the project as 495.92 ha. This discrepancy needs to be rectified by the State.
- ii. Contrary to finding in the Part-II with regards to detail of unique species of flora and fauna, inspection report dated 26.05.2022 of the DCF mentions the occurrence of no species/rare/endangered species of flora and fauna. The same may be rectified.
- iii. Total project area is 1593.73 ha (as per Mining Plan) comprising of 495.92 ha in Chatra District and 1097.81 ha in Latehar District (Pg 205/c). *Detail of forest land involved in the 1593.73 ha, along with detail of approval under the FC Act, 1980, if any, obtained needs to be intimated by the State.*
- iv. The comments of the PCCF (Wildlife) revealed that user agency has not compiled with the provisions of WLMP stipulated in the past. The State Government may therefore furnish a justification for the same along with detailed comments on the observations made in the letter dated 29.08.2022 of the PCCF (Wildlife) including impact of the projects of UA on the hydrological regimes in the area as mentioned by the PCCF (CWLW).
- v. The examination of the DSS report (copy enclosed) revealed the following:
 - a. As per DSS report, vegetation density is up to 0.4 (copy enclosed) while DCF in Part-II reported vegetation density of 0.8, therefore, the same needs to be revisited and exact status needs to be intimated by the State.
 - b. Google Satellite Imagery of the area proposed for diversion revealed occurrence of cultivation, settlement, drainage/nala and mining activity on the area proposed for diversion. Comments on the same needs to be furnished by

- the State.
- c. Certain encroachments in the form of cultivation, road etc. is visible in the area proposed for raising CA. Comments on the same needs to be furnished by the State Government
 - v. The Ministry granted approval to 96.72 ha of forest land on 18.10.2010. Status of compliance of the conditions stipulated in the said approval including preparation and implementation of Wildlife Management Plan and reasons/justification for non-compliance, if any, may also be furnished by the State.
 - vi. In compliance of FRA, 2006 three certificates in respect of forest area of 651.16 ha, 32.15 ha and 44.70 ha were submitted. The State Government may, therefore, clarify the corresponding certificate issued in respect of extant proposal and justification furnishing of three separate certificates. Further, detail of documents pertaining to meeting of Sub-Divisional Level Committee could not be found in the compliance. However, the same can be furnished after Stage-I approval and before Stage-II approval.
 - vii. Examination of Mining Plan revealed the following:
 - viii. Magadh OCOP is proposed for captive use of Tandawa TPP; however, in light of amendment in the MMDR Act, 1957, the State Government needs to confirm that whether use of coal from the mine is proposed for captive use only or otherwise.
 - ix. The Mining Plan envisages transportation of coal through rail while underlying section in the Mining Plan mentions strengthening of a Kutcha road from Tandwa to Magadh over a length of 17 km. Therefore, it needs to be clarified that whether the road Tandwa-Magadh is proposed only for approach to the project or for transportation as well. A clarification in this regard may be furnished by the State.
 - x. The extant proposal does not involve rehabilitation; however, as per the Mining Plan rehabilitation of 998 families has been proposed in the project. A justification establishing the irrelevancy of the rehabilitation proposed in the Mining Plan and rehabilitation indicated as nil in Part-I of Form-A may be obtained from the user agency.
 - xi. The examination of land use proposed in the mining plan revealed the following:
 - a. An area of 159.68 ha has been proposed for safety zone. Justification for proposing such a large area, along with underlying standard prescribed by the relevant Department/Organization, needs to be furnished by the State.
 - b. An area of 14.8 ha has been proposed for diversion of river/nallah/canal (Pg 206/c). The status of feasibility reports for said diversion along with comments of Water Resource Department on the feasibility of said proposed diversion needs to be informed by the State.
 - c. As per the land use, approved in the Mining Plan, no Green Belt has been proposed in the project area. Reasons and underlying guidelines justifying the same may be furnished by the State.
 - d. The area proposed for OB dump may be optimized to the extent possible and

possibilities may be explored to use the already mined out areas for OB dumping.

- xii. Status of reclamation measures undertaken by the user agency in their lease area as per the provisions provided in the Progressive Mine Closure Plans and gaps if any, may be intimated by the State.

In view of the above, the State Government is requested to submit the information/documents, as indicated above, for further necessary action in the matter.

Digitally Signed by Charan
Jeet Singh
Date: 08-12-2022 18:01:10
Reason: Approved

Yours faithfully,

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The PCCF, Government of Jharkhand, Ranchi.
2. The Regional Officer, Integrated Regional Office, Ranchi.
3. The Addl. PCCF-cum-Nodal Officer (FCA), Government of Jharkhand, Ranchi.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
6. Guard File.

कार्यालय:- वन प्रमंडल पदाधिकारी, चतरा दक्षिणी वन प्रमंडल।

वन भवन, चतरा- 825401 (झारखण्ड)

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ज्ञापांक- 3196

दिनांक- 31/12/2022

प्रतिलिपि-

1. महाप्रबंधक, मगध संघमित्रा क्षेत्र, सी0सी0एल0, बचरा, टण्डवा को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।
2. परियोजना पदाधिकारी, मगध खुली खदान परियोजना कुण्डी, टण्डवा को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित। अनुरोध है कि भारत सरकार द्वारा की गई पृच्छा के आलोक में बिन्दुवार अनुपालन प्रतिवेदन यथाशीघ्र इस कार्यालय में समर्पित करें ताकि भारत सरकार को प्रतिवेदित किया जा सके।

कार्यालय:- वन प्रमंडल

वन भवन

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ज्ञापांक-

महाप्रबंधक, मगध संघमित्रा
आवश्यक कार्रवाई हेतु प्रेषित

वन प्रमंडल पदाधिकारी,
चतरा दक्षिणी वन प्रमंडल।

31/12/2022



कार्यालय:- वन प्रमंडल पदाधिकारी, चतरा दक्षिणी वन प्रमंडल।

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सेवा में,

पत्रांक

136

दिनांक

10/01/2023

श्री निपेन्द्र नाथ,
परियोजना पदाधिकारी,
मगध ओ0सी0पी0,
डाक बंगला बिल्डिंग, टण्डवा
जिला- चतरा।

विषय:-

मगध खुली खदान परियोजना पूर्वी भाग के लिए 192.36 हे0 (वनभूमि- 57.29 हे0 एवं जंगल-झाड़ी 135.07 हे0) वनभूमि अपयोजन प्रस्ताव के संबंध में।

प्रसंग :-


भारत सरकार का पत्र संख्या- 8-27/2022-FC Dt. 07.12.2022 एवं इस कार्यालय का ज्ञापांक 3196 दिनांक 31.12.2022

महाशय,


उपर्युक्त विषयक प्रसंगाधीन पत्र के संदर्भ में सूचित करना है कि भारत सरकार द्वारा की गई पृच्छा के आलोक में बिन्दुवार अनुपालन प्रतिवेदन की मांग प्रसंगाधीन पत्र द्वारा गई थी, जो अबतक अप्राप्त है।

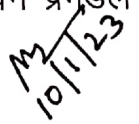
अतः पुनः अनुरोध है कि बिन्दुवार अनुपालन प्रतिवेदन शीघ्र इस कार्यालय में समर्पित किया जाय ताकि भारत सरकार को प्रतिवेदित किया जा सकें।

विश्वासभाजन


10.01.2023

वन प्रमंडल पदाधिकारी,
चतरा दक्षिणी वन प्रमंडल।


10/01/2023


10/1/23