



कार्यालय – वन संरक्षक, प्रादेशिक अंचल, चतरा

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पत्रांक –

दिनांक –

सेवा में ,

क्षेत्रीय मुख्य वन संरक्षक,
हजारीबाग।

विषय–

मेसर्स सी.सी.एल, राँची द्वारा चतरा जिला अन्तर्गत आम्रपाली चन्द्रगुप्त एरिया में आम्रपाली खुली खदान कोल परियोजना फेज-II हेतु 431.59 हे० वन भूमि अपयोजन प्रस्ताव पर भारत सरकार द्वारा की गई पृच्छा का संशोधित अनुपालन भेजने के संबंध में।

प्रसंग–

भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, न्यू दिल्ली का पत्र संख्या 8-48/2008-FC-(Vol) dt. 05.07.2022

महाषय,

उपर्युक्त विषयक प्रसंगाधीन पत्र द्वारा की गई पृच्छा के आलोक में वन प्रमण्डल पदाधिकारी, चतरा दक्षिणी वन प्रमण्डल ने अपने पत्रांक 3124 दिनांक 23.12.2022 द्वारा बिन्दुवार अनुपालन प्रतिवेदन समर्पित किया है। अनुपालन की स्थिति निम्नवत है–

S. No	Conditions	Comment of Conservator of Forest, Chatra
1.	<p>Analysis of the Forest area proposed for diversion using DSS tools (report enclosed) revealed the following:</p> <p>a. Agriculture area, settlement, construction of new road and non-forestry activity is visible in the proposed area for diversion. The State Government may therefore submit its comments on the same along with detail of violation of Forest (Conservation) Act, 1980, if any, committed by the user agency.</p> <p>b. Another proposal of 13.70Ha of Forest land for the construction of road (FP/JH/ROAD/34877/2018), submitted by the State Govt. for the regularization of violation, passes through the area proposed in the instant proposal. It needs to be</p>	<p>1. (A) In this connection, the referred area in the queries were inspected on 21.12.2022 by DFO and it was found that the settlement and agriculture are in deemed forest area i.e. GMJJ which is not notified forest and is managed and owned by state revenue department. Therefore no legal action was taken by the local forest department in this regard. These settlement and agriculture area along with 6'-7' wide pucca roads are very old and the roads connecting these settlement with others villages and local market appears to be constructed by some govt. agencies prior to the commencement of the mining project of the user agency in Amarpali area. The user agency instructed to ensure sufficient provision for these settlements in specific R&R plan to be submitted by the user agency.</p>

clarified by the State whether area of 13.70 ha used for road is also included in the extant proposal or otherwise. Factual position needs to be informed by the State.

So far as the construction of new road is concerned, it is true that a new road over an old existing road has been built by strengthening and widening the old road at a stretch of 700mt long and widening has been done upto 10mt i.e. 30ft approx including 4' to 4.5' flanks on both sides.

This has been done illegally by a company namely N.B.C.C. against whom a forest offence report has been registered on 15.12.2021. It has also come into the notice that the user agency with the help of N.B.C.C. built or strengthened and widened this road for its various purposes. The user agency officials, did not provide any documents in this regard and therefore the involvement or connivance of the user agency in strengthening and widening/ making this 700mt. long road with the help of N.B.C.C. is not ruled out and for this the offence report case is being duly investigated by the investigation officer of the local forest department and the prosecution report will be submitted to the court of Chief Judicial Magistrate, Chatra without any further delay against all erring officials. This may be treated as a case of violation of the forest (Conservation) Act, 1980 by the user agency. (The xerox copy of the offence report registered against N.B.C.C. company is enclosed here with)

(b) The proposed road of 13.70 ha. forest land for construction of Honhe-Saradhu road now has been withdrawn by the user agency vide letter to the office of DFO, Chatra South (Xerox copy of the withdrawal letter is enclosed here with), and the withdrawal letter has been forwarded to CF Chatra vide letter no. 2277 Dated 22.09.2022. only 1.05 Ha. out of 13.70 Ha. area earlier proposed for Honhe-Saradhu Road, has been included in the instant proposal.

2	<p>Analysis of the are proposed for CA revealed the following:</p> <p>a. DSS analysis of CA land revealed that out of total 865 ha of DFL identified for CA, 11 ha falls under VDF category and 116 ha under MDF category which may not be suitable for afforestation.State Government needs to reconfirm suitability of the land proposed for raising CA.</p> <p>b. KML files pertaining to sites of Kanti, Mahesha, Jojbari, Guli, Semratand, Jaspur and Mahuari sites indicate gross area instead of net plantable area. Vide its letter dated 17.10.2019, this Ministry had conveyed its 'in-principle approval to accept the mined out and reclaimed non-forest lands available with the CIL subsidiaries. The Ministry of Coal, vide their letter dated 20.01.2022,informed the availability of 300.75 Ha of non-forest, biologically reclaimed land with the M/s CCL. The State Government may therefore assess the suitability of such Non-Forest Land to include the same in the CA proposal.</p> <p>c. Cultivation, settlement, road, water bodies are observed in certain sites; suitability of such sites for CA needs to be reconfirmed by the State. The State Government may therefore confirm the suitability of such area for raising afforestation and their contiguity with the existing RF/PF.</p>	<p>(a). In this regard, it is to submit that in the light of the queries made by GoI regarding CA land a fresh degraded area of 127 ha. of degraded forest land which is having few cultivation, settlement road and water bodies area has been identified by the DFO, Chatra South Division in Karo and Kurlonga village which is suitable for CA.</p> <p>(b). As far as the gross area regarding sites at Kanti, Mahesha, Jojbari, Guli, Semratand, Jaspur and Mahuari are concerned, it has been done to compensate the non-plantable area like waterbodies, rocks etc. As far as 300.75 Ha. of biologically reclaimed land available with CCL has already been proposed to surrender to DFO. Bokaro. Out of this 300.75 Ha. land, 33.00 Ha. land has been proposed for surrender in compliance of stage II forestry clearance of Amlo OCP and 267.75 Ha. in condition compliance of Stage-II forestry clearance of Konar OCP. So 300.75 Ha. biologically reclaimed can not be accepted in this proposal.</p> <p>(c). Cultivation , Settlement, Road, Waterbodies observed in some of the compensatory afforestation proposal shall not affect the Compensatory Afforestation as these hurdles shall be removed and therefore the previous/new patch of degraded forest land as required for this project are suitable for compensatory afforestation and may be accepted.</p>
3.	<p>As the area has Schedule-I species, comments of PCCF (Wildlife) and CWLW Jharkhand on the likely impact of the project on the movement of wildlife in general and elephant in particular needs to be furnished by the State.</p>	<p>3. The desired comments of PCCF(Wildlife) and CWLW, Jharkhand on the likely impact of the project on the movement of wildlife in general and elephant in particular is being furnished with this report and is annexed here with.</p> <p>It is also suggested that the comments of the PCCF(wildlife) and CWLW, may be applicable to the 531.64 ha. of forest land diverted to the user agency earlier in the same villages and forest vide</p>

GOI approval date 12.10.2010. The condition of wildlife conservation and management plan for 531.64 ha. of earlier diverted forest land should also be stipulated and implemented in the interest of wildlife.

4. Analysis of purposed breakup of the area revealed the following:

a. An area of 85.09 ha of forest land proposed for infrastructure. Detail of infrastructure activities proposed in the forest land may be informed by the State along with the possibility to shift these activities to non-forest areas of the project.

b. Consolidated KML files containing various project components viz. quarry, OBs, road, etc, needs to be submitted.

(a.) The user agency has submitted the reply as follows.

S. No	Infrastructure activities	Notified Forest Area
1	CHP	20.35 Ha
2	Workshop	21.00 Ha
3	Washery	43.74 Ha

The total area of present proposal is 763.50 Ha. including an area of 431.59 Ha Forest land and an area of 331.91 Ha Non-Forest Land. It includes the following components:

S No	Component	Forest Land (Ha)	Non-Forest land
1	Quarry	326.8	185.11
2	Infrastructure	85.09	21.3
3	Embankment	12.2	73.2
4	Green Belt Zone	0	5.1
5	Safety Zone	7.5	0
6	OB Dump	0	47.2
Total		431.59	331.91

From the above breakup it is clear that 85.09 Ha Forest land and 21.30 ha non forest land is available for construction of infrastructure as most of the non-forest is being utilized for Quarry Embankment and OB dump, all of which are site specific land use which cannot be shifted to other place, as such there is no other non-forest site which can be utilized for shifting the infrastructure proposed within the proposed area. Apart from this shifting of these infrastructure components will not be economically viable also.

The aforesaid reply of the user agency may be accepted.

(b.) Consolidated KML files containing various project components viz. quarry OBs, road, etc, is being submitted along with the compliance in soft copies.

5. Project specific R& R plan has not been submitted and the copy of R&R Plan uploaded online is not in compatible format; project specific R&R Plan may be uploaded online and submitted to Ministry.

5. The user agency has submitted that CCL follows the R&R policy 2012 of Coal India Limited. Project specific R&R plan and beneficiaries (PAFs) details mentioned below:-

1. Employment benefit:-

S. n	Village	Eligible PAF	Employment Provided	Under Process
1	Honhe	100	73	19
2	Binglat	101	30	10
3	Ursu	114	4	1
4	Kumrangkala	85	6	8
5	Kumrangkhurd	21	7	2

2. Compensation Paid:-

S.n	Village	Area (Acre)	Compensation Paid(rs)
1	Honhe	19.9825	18039887
2	Binglat	16.45	14853346
3	Ursu	1.06	957074
4	Kumrangkala	2.445	2207590
5	Kumrangkhurd	1 3850	1250516
Total paid			37308415

3. Resettlement benefit:-

1. One time lumpsum payment of Rs 6 lakh as per CIL R & R ploicy.
2. Shifting allowance Rs 50,000 per PAF.
3. One time Resettlement allowance Rs 50,000 per PAF who opts for plot of 5 decimalat R & R Site.
4. Provision of Rs 50,000 as incentive to those PAFs whose house and similar Civil structure is demolished within 100 days from the dates of demolition order issued by Project authority.

The submitted R & R plan of user agency is as per R & R policy 2012 of Coal India Ltd. applicable to all projects of Coal India Ltd. The user agency has been also requested by the Divisional Forest Officer to prepare the desired project specific R & R plan and submit the same as earliest as possible.


6. Detail of coal evacuation plan may be informed by the State.

The user agency has submitted year wise production, OB removal and dispatch detail for Amrapali Project as –
Year wise Production, OB Removal and Dispatch details for Amrapali Project are mentioned as below: - -

Item	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Coal (MT)	0	2.55	4.79	6.23	6.49	10.20	12.79	14.39	16.58
Dispatch (MT)	0	1.61	4.75	3.48	6.88	8.58	13.46	16.64	17.50
OB (M Cum)	2.55	17.74	6.25	4.17	6.96	8.82	13.71	15.89	15.85

Details of Coal Evacuation Plan:

- Presently, Coal evacuation Plan of Amrapali project is through Shivpur Siding for limited period till the proposed Amrapali Railway Siding will be constructed. Coal will be evacuated through Conveyor belt system by using CHP & SILO system.
- The land for Amrapali Railway Siding comprises of 120.61 Ha forest land and 39.49 Ha non-

		<p>forest land which is not in physical possession. Application for forest land diversion was submitted on 12-10-2018 for Amrapali railway siding vide registration no. FP/JH/RAIL/36506/2018.</p> <ul style="list-style-type: none"> • Agreement executed between CCL & M/s RITES Limited for construction of Amrapali Railway. Copy of award letter is attached as Annexure-V. • Work for culverts, bridges and railway track are under process in non-forest land. Copy of detailed progress report is attached as Annexure-VI. <p>The reply submitted by user agency may be accepted.</p>																		
7.	<p>It may be ascertained from the compliance of FRA, 2006 that proposal has been submitted for an area of 431.59 ha while the compliance of FRA, 2006 has been submitted in respect of 651.16 Ha. Discrepancy in the forest area needs to be rectified by the State.</p>	<p>The FRA 2006 compliance certificate issued by DC, Chatra for 651.16 ha. of forest land is for 04 (four) different projects of the user agency the details of which is mentioned here in below-</p> <table border="1" data-bbox="863 949 1410 1283"> <thead> <tr> <th>Sl. No</th> <th>Name of project</th> <th>Area of FRA compliance certificate (in ha.)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Amrapali OCP</td> <td>431.59</td> </tr> <tr> <td>2</td> <td>Magadh OCP</td> <td>115.51</td> </tr> <tr> <td>3</td> <td>NBCC Road</td> <td>28.07</td> </tr> <tr> <td>4</td> <td>R. Siding</td> <td>75.99</td> </tr> <tr> <td colspan="2">Total :-</td> <td>651.16</td> </tr> </tbody> </table> <p>From the above said facts it is clear that the FRA 2006 compliance certificate issued by DC, Chatra vide his office letter no. 833 dated 10.08.2018 for 651.16 ha. of forest land include the area of 431.59 ha. of forest land also to be diverted by GoI for this mining project.</p>	Sl. No	Name of project	Area of FRA compliance certificate (in ha.)	1	Amrapali OCP	431.59	2	Magadh OCP	115.51	3	NBCC Road	28.07	4	R. Siding	75.99	Total :-		651.16
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3	NBCC Road	28.07																		
4	R. Siding	75.99																		
Total :-		651.16																		
8.	<p>Mining Plan along with Progressive Mine Closure Plan has not been submitted along with the proposal. The same needs to be submitted by the State along with Progressive Mine Closure Plan. State Government may submit its comments on the consistency of the land uses proposed in the Mining plan and in the extant proposal submitted under the FC Act, 1980.</p>	<p>Mining Plan along with progressive mine closure plan has been submitted by the user agency which may be accepted as it is consistent with the land use proposed in the proposal.</p> 																		

9.	<p>No violation of Forest (Conservation) Act, 1980 has been reported by the DCF in Part-II and various other authorities in the State. DSS analysis revealed construction of a road in the project area. Further examination of the matter revealed that the said road has been constructed without prior approval of the Central Government under the Forest (Conservation) Act, 1980 and a proposal for ex post facto approval has also been submitted by the State. Despite the continuing violation of FC Act, 1980 in the project area, incorrect information indicating no violation of the FC Act, 1980 has been reported in the extant proposal. A justification in this regard may be submitted by the State.</p>	<p>It is true that construction of Honhe (Amrapli OCP) to Shivpur railway siding road of 3.00Kms comprising 5.44 ha. GMJJ and 2.94 ha. Protected forests is an example of illegal construction, encroachment upon forest land and violation of IFA, 1927 also for which the officials of the user agency i.e. CCL and the transportation company namely NKAS Services Pvt. Ltd. and RKTC have been prosecuted by the DFO under the provision of IFA, 1927. Now GoI vide its letter no. FP/JH/ENRCH/150436/2021/533dt.15.09.2022 has granted in principal approval in respect of the illegally constructed road of Honhe to Shivpur and the compliance as obtained by the user agency has been forwarded to higher officials for stage-II/final approval for this project.</p> <p>In regard of the violation of FC Act, 1980 in respect of the instant proposal it is clarified that the abovesaid encroached area now under regularization by GoI does not fall or included in the instant proposal and therefore no violation of forest (Conservation) Act 1980 was reported by DFO in Part-II.</p>
10.	<p>Approval dated 12.10.2010 was granted over an area of 531.64 Ha of forest land by the Ministry in the past for the same project. The following details in respect of said approval may be provided by the State:</p> <ol style="list-style-type: none"> a. Updated status on compliance of conditions stipulated in the approval dated 12.10.2010. b. Details of safety zone maintained in lieu of diversion of 531.64 ha and activities viz plantation, ANR and afforestation over 1.5times the area of safety zone may be confirmed by the State. c. Detail of NPV realized from the user agency in lieu of diversion of forest land accorded in the past may be informed by the State. 	<p>10(a) The compliance report submitted by the user agency in report of 531.64ha. of forest land diverted to the user agency for mining project vide approval dated 12.10.2010 was examined by the Divisional Forest Officer and site inspection were also done by him on 21.12.2022 in this regard . The compliance submitted by the user agency with comment of Divisional Forest Officer is annexed with this report.</p> <p>(b) Safety zone area in lieu of diversion of 531.64 ha. have been found to be maintained properly on southern sides of the diverted area while in the northern side although no any violation noticed but as it is continuous with proposed area covered under the instant proposal, not being maintained properly as in anticipation of acceptance of this proposal.</p> <p>However, the afforestation over 1.5 times of the area of safety zone has been done by the state forest department.</p> <p>(c) The user agency i.e. M/s CCL has at together 04 (four) area working under the territorial jurisdiction of Chatra South Forest Division and these 04 (four) areas have their different open coal projects and other projects against which NPV has been realized as per the GOI guidelines . Area</p>

wise and projectwise details of NPV realized from the user agency in lieu of diversion of forest land accorded in the past are as follows :-

Sl	Name of Site	Name of projects	Area (in ha.)	Amount of NPV (in lakh)
1	Amrapali Chandragup ta	Amrapali OCP	17	208.86
2	MagadhSan ghmitra	Magadh OCP	17	208.86
3	Piparwar	Piparwar OCP	74.30	912.84
4	Piparwar	Ashok OCP	66	810.86

Moreover, it is to mention that the user agency has to deposit the amount of NPV for many safety zone areas involved in different projects for which no NPV amount had been realized earlier and for which now GOI guidelines has been issued and the user agency has been requested vide DFO letter no. 2979dt.08.12.2022 (Xerox Copy enclose) to deposit all such outstanding balance amount of NPV which is to the tune of Rs. 208.86030 lakhs as on date.

अतः वन प्रमण्डल पदाधिकारी, चतरा दक्षिणी वन प्रमण्डल द्वारा समर्पित बिन्दुवार अनुपालन प्रतिवेदन मंतव्य सहित सात प्रतियाँ इस पत्र के साथ संलग्न कर भेजते हुये अनुरोध है कि अपने स्तर से अग्रेतर कार्रवाई करने की कृपा की जाय।
अनु०-यथोक्त।

आपका विश्वासी,

ह०/-

वन संरक्षक,

प्रादेशिक अंचल, चतरा।

ज्ञापांक - 924

दिनांक - 27/12/2022

प्रतिलिपि - प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक, बंजर भूमि विकास बोर्ड, झारखण्ड, राँची को सूचनार्थ एवं अनुपालनार्थ समर्पित।

वन संरक्षक,

प्रादेशिक अंचल, चतरा।

[Handwritten Signature]
27/12/2022