



**OFFICE OF THE DIVISIONAL FOREST OFFICER,
RAMGARH FOREST DIVISION RAMGARH**

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Letter No- **939**

Date:- **05/4/25**

To,

Conservator of Forest,
Territorial Circle, Bokaro

Subject:- Regarding submission of point wise Compliance of queries raised by AIG, Forest MoEF&CC New Delhi vide letter no. 8-209/1991-FC (vol) dated 01.08.2023 of M/s CCL Parej East OCP for diversion of 101.00 Ha forest land. (Proposal No- FP/JH/MIN/36228/2018)

Reference:- MoEF&CC New Delhi vide letter no. 8-209/1991-FC (vol) dated 01.08.2023
Sir,

With reference to the subject matter above, point wise Compliance of queries raised by AIG, Forest MoEF&CC New Delhi vide letter no. 8-209/1991-FC (vol) dated 01.08.2023 in respect of forest diversion of 101.00 Ha forest land of Parej East OCP Project is being forwarded along with seven copies for necessary action-

S. No.	Conditions	Compliance Remark by UA	Remarks of DFO
1	The Ministry granted approval to 45.04 ha of forest land on 28.04.1993 and 7.1 ha of forest land on 17.07.2008. Status of compliance of the conditions stipulated in the said approvals is required to be furnished by the State. Further, the justification for submitting the proposals in piecemeal shall also be submitted.	Stage-II granted for the notified forest land of area 43.52 Ha Vide letter no. 8-209/1991-FC on dated 28.04.1993 in favour of Parej East OCP of M/s CCL for 10 years; however the diversion was applied for the area of 45.04 Ha At the time of application safety zone area was not provisioned along with the above forest diversion application. The additional 7.10 Ha was applied as safety zone of Stage-II granted forest land (43.52 Ha) as per the direction of DFO, Ramgarh for which Stage-II granted for the forest land of area 7.10 ha on dated 17.07.2008. The latest compliance report of Stage-II conditions of diversion proposal of 43.52 ha and diversion proposal of 7.10 ha has been submitted. Justification for submitting the proposals in piecemeal: It is to clarify at the time of first forest application which was applied before 12.12.1996, the deemed forest land/GMJJ land was not considered for forest diversion proposal.	The first proposal of 45.04 ha was submitted in pre Godawarman era. Compliance of stage-II conditions of 45.04 ha proposal has been forwarded by letter no 1485 dated 15.07.2006 of this office. 7.1 Ha proposal was applied for safety zone as per guidelines issued at a later-12(21)-19/2003 FC date 24.04.2003 . This proposal is mainly for GMJJ land which came under purview of Forest Conservation Act after Godawarman decision of Hon'ble Supreme Court.

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		Therefore, the instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20 Ha Broken before 1996 and 43.09 ha In situ land) and 2.71 Ha Notified forest land (1.65 Ha Broken before 1980 and 1.06 Ha in situ).																															
2	Status of reclamation measures undertaken by the user agency in their lease area in case of earlier approvals as per the Progressive Mine Closure Plans and gaps if any, shall be intimated by the State. Further, in case of instant proposal, the details of proposed reclamation/back-filled area at the end of mine life has not been given in the project report. The same needs submission.	Mine closure Plan was prepared and approved on 2012. And Progressive closure plan is being implemented. Bio reclamation has been done in the area of 80.12 Ha Area. Technical Reclamation area (Under Progress): 27.21 Ha Bio reclamation area:80.12 Ha Details of Land Use at the end of mine life is as follows: <table><tr><th>S. No.</th><th>Activity Head</th><th>Area (In ha)</th></tr><tr><td>1.</td><td>Plantation</td><td>71.0</td></tr><tr><td>2.</td><td>Mine void filled water</td><td>30.26</td></tr><tr><td>3.</td><td>External OB dump with planation</td><td>32.35</td></tr><tr><td>4.</td><td>Planation on old Backfilled area</td><td>101.11</td></tr><tr><td>5.</td><td>For CCL use</td><td>19.80</td></tr><tr><td>6.</td><td>Residential Area</td><td>26.37</td></tr><tr><td>7.</td><td>Plantation on safety zone and vacant area</td><td>65.13</td></tr><tr><td>8.</td><td>Not to be utilised</td><td>52.98</td></tr><tr><td colspan="2">Total Area</td><td>399 Ha</td></tr></table>	S. No.	Activity Head	Area (In ha)	1.	Plantation	71.0	2.	Mine void filled water	30.26	3.	External OB dump with planation	32.35	4.	Planation on old Backfilled area	101.11	5.	For CCL use	19.80	6.	Residential Area	26.37	7.	Plantation on safety zone and vacant area	65.13	8.	Not to be utilised	52.98	Total Area		399 Ha	Status of reclamation and land use plan at end of mine life may be noted as user agency reply.
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3	The area proposed for OB dump in purpose wise breakup is a non-site specific activity, for which the State shall explore the possibilities to use the non-forest land or the already mined out areas.	The instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20Ha Broken before 1996 and 43.09 in situ land) and 2.71 Ha Notified forest land (1.57 Ha Broken before 1980 and 1.14Ha In situ). The OB will be dump internally for the purpose of backfilling only on already broken GMJJ land. Quarry of coal mining will be extended further on unbroken GMJJ land, which is site specific, as coal is deposited below earth surface, which is intended to be excavated. The quarry, infrastructure, CHP and other activities have decided keeping in view the minimum disturbance of forest land. There will be no external OB Dump.	As per reply, OB will be dumped internally for the purpose of backfilling only on already broken GMJJ land.																														
4	Mining Plan has not been submitted with	Mining Plan along with approval has already been uploaded in form A at M-2. iii and iv.	Mine plan and progressive mining																														

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	the proposal. Duly approved Mining Plan for entire lease area along with the progressive mining closure plan shall be furnished by the State.	Progressive mining closure plan has been enclosed at Additional information Details in form A.	closure plan has been uploaded outline at appropriate sections.
5	The State Govt. shall clarify whether the Green Zone proposed in the proposal is different from the Safety Zone or otherwise. Detail of safety zone of the mining leases for raising afforestation needs to be submitted along with complete detail of supporting attributes such as afforestation scheme, suitability certificate, KML files, etc.	Green belt has been provided along the non-forest surrounding areas, whereas Safety Zone has been provided along the forest land. The proposal includes area of safety zone of 7.5 m all along the project boundary where, project is adjacent to the forest land. And CA land has been provided double in extent also complying the guidelines in this regard issued on dated 21.08.2023.	Green belt has been provided along the non-forest surrounding areas, whereas Safety Zone has been provided inside the applied area. Thus, no separate planation corresponding to safety zone is required as per the guidelines in this regard issued on dated 21.08.2023.
6	The KML file of earlier diverted 45.04 ha and 7.1 ha of forest land shall be furnished.	The KML file of earlier diverted 43.52 ha and 7.1 ha of forest land are enclosed in Pen Drive.	The KML file of earlier diverted 43.52 ha and 7.1 ha of forest land are enclosed in Pen Drive.
7	Details of coal evacuation plan and involvement of forest land, if any, shall be intimated.	Details of coal evacuation plan and involvement of forest land has been shown in Land use Plan Enclosed (see M-2 vi). The same is being enclosed in Pendrive for ready reference.	Details of coal evacuation plan and involvement of forest land has been shown in Land use Plan Enclosed (see M-2 vi). The same is being enclosed in Pendrive for ready reference.
8	The details of the validity of the entire mining . lease along with detailed chronology of approvals of the mining lease shall be submitted.	Since the land is acquired under CBA (A & D) Act, 1957 (copy enclosed as Annexure-7) there is no-question of lease or validity , the Act provide us right over the said land and ownership is vested to central govt. as given under section 10(1) and 11(1): Quote "10. Vesting of land or rights in Central Government.—(1) On the publication in the Official Gazette of the declaration under section 9, the land or the rights in or over the	Relevant part of CBA (A&D) Act, 1957 is quoted in user agency reply. As per reply land acquired under said act is perpetually vested in CCL.

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		land, as the case may be, shall vest absolutely in the Central Government [free from all encumbrances]. " 11. Power of Central Government to direct vesting of land or rights in a Government company.—(1) Notwithstanding anything contained in section 10, the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as the Central Government may think fit to impose, direct, by order in writing, that the land or the rights in or over the land, as the case may be, shall, instead of vesting in the Central Government under section 10 or continuing to so vest, vest in the Government company either on the date of publication of the declaration or on such other date as may be specified in the direction." Unquote Hence, it may be implied that land acquired under CBA (A&D) Act, 1957 is perpetually vested to the Central Coalfields Ltd. The Chronology of acquisition is as follows: 1st Acquisition: <table border="1"> <tr> <td>Sl. No.</td><td>664 (Section 7)</td><td>222 (Section 9)</td><td>1972 (Section 11)</td></tr> <tr> <td>Date</td><td>10.01.1983</td><td>14.01.1986</td><td>11.08.2001 with effect from 25.01.1986</td></tr> </table> 2nd Acquisition: <table border="1"> <tr> <td>Sl. No.</td><td>1785 (Section 7)</td><td>3687 (Section 9)</td><td>2139 (Section 11)</td></tr> <tr> <td>Date</td><td>28.04.1982</td><td>13.09.1983</td><td>10.08.1994</td></tr> </table>	Sl. No.	664 (Section 7)	222 (Section 9)	1972 (Section 11)	Date	10.01.1983	14.01.1986	11.08.2001 with effect from 25.01.1986	Sl. No.	1785 (Section 7)	3687 (Section 9)	2139 (Section 11)	Date	28.04.1982	13.09.1983	10.08.1994	
Sl. No.	664 (Section 7)	222 (Section 9)	1972 (Section 11)																
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Sl. No.	1785 (Section 7)	3687 (Section 9)	2139 (Section 11)																
Date	28.04.1982	13.09.1983	10.08.1994																
9	The State Govt. recommended the proposal subject to fulfilment of the Wildlife Management plan at the cost of user	Undertaking for Wildlife Management plan is enclosed as Annexure-1.	UA has submitted the undertaking which is enclosed as Annexure-1																

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	agency. However, the copy of undertaking from the user agency has not been submitted. The same needs submission.		
10	Rehabilitation and Resettlement Plan (R&R Plan) policy of the year 2012 has been uploaded by the user agency in the online Part-I. However, approved copy of the same has not been found. The same needs submission.	Approved copy of Rehabilitation and Resettlement Plan (R&R Plan) policy is enclosed as Annexure-2.	UA has submitted approved copy of Rehabilitation and Resettlement Plan (R&R Plan) policy year 2012 which is enclosed as Annexure-2
11	The Cost Benefit (CB) analysis is required to be submitted as per the format prescribed in the FCA, 1980 Handbook of guidelines dated 28.03.2019 keeping in view the revised rates of NPV dated 06.01.2022. Further, actual cost of compensatory afforestation is required to be taken while calculating CB analysis.	Revised Cost Benefit (CB) analysis is prepared as per the format prescribed in the FCA, 1980 Handbook of guidelines dated 28.03.2019 keeping in view the revised rates of NPV dated 06.01.2022 (copy enclosed as Annexure-3).	UA has submitted revised Cost Benefit analysis as per the form prescribed in the FCA, 1980 Handbook of guidelines dated 28.03.2019 keeping in view the revised rates of NPV dated 06.01.2022 which is enclosed as Annexure-3
12	Out of 101 ha proposed forest land for diversion, 11.75 ha is proposed for OB Dump and 9.58 ha is for Infrastructure (workshop, office, road, colony etc.). Thus, these are non-site specific activities. Therefore, the State Govt. may examine the alternatives and accommodate these activities on the nearby Non-Forest land.	The OB will be dump internally for the purpose of backfilling only on already broken GMJJ land. Quarry of coal mining will be extended further on unbroken GMJJ land, which is site specific, as coal is deposited below earth surface, which is intended to be excavated. The quarry, infrastructure, CHP and other activities have decided keeping in view the minimum disturbance of forest land. There will be no external OB Dump. The pre-existing infrastructure (Workshop, office, road, colony etc.) has been constructed before 1996.	UA stated that the OB will be dump internally for the purpose of backfilling falls under already broken GMJJ land. Quarry of coal mining will be extended further on unbroken GMJJ land, which is site specific, as coal is deposited below earth surface, which is intended to be excavated.

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13	It has been reported that the 52.34 ha forest land is not to be utilized in the project. However, the reasons or justification for the same has not been provided. Therefore, the same needs clarification along with the KML file of the concerned area.	The project area of Parej East OCP is 399 Ha, out of which 52.34 ha forest land shall not be utilized because coal mining has not been planned as techno-economically not feasible by Opencast method in this area. KML file of the concerned area enclosed in Pendrive.	UA has stated that 52.34 Ha, forest land shall not be utilized for mining purpose as it is not feasible for techno-economically. It is also not the part of forest diversion proposal. KML file of the said area is enclosed in Pendrive.
14	The State Govt. has reported that in patch no 3, 4, 7 & 12 some construction is seen in the 101 ha forest land proposed for diversion, because 55.20 ha GMJJ land and 1.57 Notified forest land is already broken at the time of FC application whereas in the Part-II form 'No' violation of the FCA has been reported. A detailed report in this regard needs submission.	There was no provision for obtaining approval under the FCA1980 for the Revenue Forest Land (Jungle Jhari) till 12.12.1996. The instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20Ha Broken before 1996 and 43.09 In situ land) and 2.71 Ha Notified forest land (1.57 Ha Broken before 1980 and 1.14Hain situ). Parej East OCP is in operation before 1980. The aforementioned notified forest patch of area 2.71 Ha (6.70 acre) was transferred to CCL, also demarcated in state forest plan (Forest Plan enclosed as Annexure-4). Therefore, 'No' violation of FCA has been reported.	Broken JJ land is broken before 1996 and broken forest land is broken before 1980, thus no case of violation arises.
15	The CF, Territorial Circle, Bokaro in his Site inspection reported that out of 98.29ha GMJJ land 55.20 ha forest land was broken prior to the year 1996 and the user agency has deposited the NPV in compliance to the demand of DFO, Ramgarh vide letter dated 14.05.2016. Therefore, the copies of approval under the FCA1980 for the 55.20 ha forest land needs submission.	There was no provision for obtaining approval under the FCA1980 for the Revenue Forest Land (Jungle Jhari) till 12.12.1996. The instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20Ha Broken before 1996. NPV of amount Rs. 3,53,00,140 has been paid for the area of 56.39 Ha apart from the already diverted 50.62 Ha Forest land in respect of Parej East OCP at the rate of Rs. 6,26,000 per ha vide RTGS UTR no. SBINR 52017032400036825 dated 24.03.2017 in the account of CAF, Jharkhand as per the DFO, Ramgarh Demand letter no. 1046 dated 14.05.2016. The Payment details was also communicated to concerned DFO vide letter no. HOD/Forest/2017/601 dated 27.03.2017 (Copy Enclosed as Annexure-5).	The NPV was paid in light of the MoEF&CC, New Delhi letter F. No. 11-599/2014 FC dated 01.04.2015

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		The above NPV was paid in light of the MoEF&CC, New Delhi letter F. No. 11-599/2014 FC dated 01.04.2015	
16	It may also be clarified that the Guideline issued by the Ministry vide its letter No.11-73/2014-FC dated 13.05.2014 have been followed by the user agency for the 55.20 ha broken forest land or not.	The Ministry vide its letter No.11-73/2014-FC dated 13.05.2014 issued guidelines for forest land for non-forest purposes under the forest (Conservation) Act, 1980-Simplified procedures to obtain approval under the forest (Conservation) Act, 1980 for diversion of forest land located in Safety Zone of existing mines-reg. The proposal includes area of safety zone of 7.5 m all along the project boundary where, project is adjacent to the forest land. And CA land has been provided double in extent also complying the guidelines in this regard issued on dated 21.08.2023.	The Ministry vide its letter No.11-73/2014-FC dated 13.05.2014 issued guidelines for forest land for non-forest purposes under the forest (Conservation) Act, 1980-Simplified procedures to obtain approval under the forest (Conservation) Act, 1980 for diversion of forest land located in Safety Zone of existing mines-reg. The proposal includes area of safety zone of 7.5 m all along the project boundary where, project is adjacent to the forest land. And CA land has been provided double in extent also complying the guidelines in this regard issued on dated 21.08.2023.
17	The State Govt. in Part-II reported that the proposed forest land is highly vulnerable to erosion. Therefore, mitigation measures in this regard needs submission.	CCL undertakes to pay 0.5% of total project cost towards the cost of implementation of the Soil Moisture Conservation Plan (enclosed as Annexure-6), as the case may be, into the account of CAMPA and the same may be intimated to the MoEF&CC for the purpose of obtaining approval under the FC Act, 1980 in respect of Parej East Opencast Project of M/s CCL.	UA has submitted and undertaking which is enclosed as Annexure-6
18	The KML files of 2.71 ha Protected Forest and 98.29 ha jungle-jhari land involved in	KML of all forest land is to be diverted has already been uploaded. (see 2.a)	The KML of diverted forest land is already been uploaded in

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	the project shall be uploaded/ provided on the PARIVESH.		relevant section of Parivesh portal.
19	The KML files indicating different components of the project, including those proposed to be undertaken on non-forest land shall be submitted.	The Land Use Plan indicating different components of the project including those proposed to be undertaken on non-forest land has been submitted. The same is being uploaded as Land Use Plan & is being enclosed in Pendrive for ready reference.	The Land Use Plan indicating different components of the project including those proposed to be undertaken on non-forest land has been submitted. The same is being uploaded as Land Use Plan & is being enclosed in Pendrive for ready reference.
20	Satellite imagery shows that the user agency has done the mining in the past within the proposed 101 ha forest for diversion. It also appears that, the said area has been back-filled. In case the area has been back-filled, justification for seeking diversion at this stage needs submission along with a detailed report in this regard.	The instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20Ha Broken before 1996 and 43.09 In situ land) and 2.71 Ha Notified forest land (1.65 Ha Broken before 1980 and 1.06 Ha in situ).	The instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20Ha Broken before 1996 and 43.09 In situ land) and 2.71 Ha Notified forest land (1.65 Ha Broken before 1980 and 1.06 Ha in situ).
21	Satellite imagery shows the presence of Houses, Roads, buildings, mined out area, villages etc. within the mining lease. This needs clarification.	The Parej East opencast Project is operating before 1980, the instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20 Ha Broken before 1996 and 43.09 In situ land) and 2.71 Ha Notified forest land (1.57 Ha Broken before 1980 and 1.14Ha in situ).	The Parej East opencast Project is operating before 1980, the instant proposal is applied as regularization proposal for the diversion of 98.29 Ha GMJJ land (55.20 Ha Broken before 1996 and 43.09 In situ land) and 2.71 Ha Notified forest land (1.57 Ha Broken before 1980 and 1.14Ha in situ).

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22	Bokaro Nadi is flowing adjacent to the proposed forest land for diversion and part of the River is coming under the Mining lease. Therefore, comments of the water resource department on the proposed measures and impact of the project on the hydrological regimes are required to be submitted.	Bokaro Nadi is flowing at minimum 200m distance from proposed project area. No river or nala impacted due to this project.	UA has submitted that there is no river or nala is flowing at minimum 200 m distance from proposed project area. Therefore, no need to submit plan accordingly.
23	The State has submitted that as per the revised land schedule the approved area is 399 ha, whereas the user agency has mentioned the same as 922.17 ha in the online Part-I. which needs correction. Moreover, the justification and details regarding reduction in the total mining lease area from 922.17 ha to 399 ha shall be submitted.	922.17 Ha Land has been acquired under CBA, Act, 1957. But, the Project report was proposed only for 399 Ha Out of which, 50.62 Ha Has been diverted, 101 Ha has been applied and 52.34 Ha Forest land will never be utilized because coal mining has not been planned as techno-economically not feasible by Opencast method in this area.	922.17 Ha Land has been acquired under CBA, Act, 1957. But, the Project report was proposed only for 399 Ha Out of which, 50.62 Ha Has been diverted, 101 Ha has been applied and 52.34 Ha Forest land will never be utilized because coal mining has not been planned as techno-economically not feasible by Opencast method in this area.
24	DSS analysis reported the presence of 681.92 ha forest land in the 922.17 ha mining lease area out of which approval under the FCA, 1980 had already been taken for an area of 50.62 ha land and instant forest diversion proposal comprises an area of 101 ha Therefore, the status of balance 530.30 ha Recorded	922.17 Ha Land has been acquired under CBA, Act, 1957. But, the Project report was proposed only for 399 Ha Out of which, 50.62 Ha has been diverted, 101 Ha has been applied and 52.34Ha Forest land will never be utilized because coal mining has not been planned as techno-economically not feasible by Opencast method in this area. Most of the revenue forest (Jungle Jhari) land has been settled to villagers before 1996 and being used as agriculture or habitation area. KML file of the concerned area enclosed in Pendrive.	922.17 Ha Land has been acquired under CBA, Act, 1957. But the Project report was proposed only for 399 Ha Out of which, 50.62 Ha has been diverted, 101 Ha has been applied and 52.34Ha Forest land will never be utilized because coal mining has not been planned as techno-economically

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	forest (RF/PF) land along with kml files is required to be submitted including the status of revenue forest land (jungle jhari) if any located within the lease.		not feasible by Opencast method in this area. Most of the revenue forest (Jungle Jhari) land has been settled to villagers before 1996 and being used as agriculture or habitation area. KML file of the concerned area enclosed in Pendrive.
25	DSS analysis revealed that the CA patches namely Compartment No. 523P, 113P, 198P, 629 are having encroachment of Agriculture land and presence of settlement etc. Further, in the compartment No. 301P, a construction of Road is going on. Therefore, the revised CA patches free from all sorts of encroachment & encumbrances shall be uploaded/ provided.	The Matter has been apprised with DFO, Giridih East, he categorically mentioned that encroachment affected areas are given preferences for proposing as CA land as this is seen as an opportunity to get encroachment evicted from forest land. He also explained that if infested forests land are free from encroachments and left unplanted, they again fall prey to encroachment in no time in absence of adequate human and material resources available with State Forest Department. Area of Road has been truncated from the patch and additional CA land has been identified free from all sorts of encroachment & encumbrances.	The Matter has been apprised with DFO, Giridih East, he categorically mentioned that encroachment affected areas are given preferences for proposing as CA land as this is seen as an opportunity to get encroachment evicted from forest land. He also explained that if infested forests land are free from encroachments and left unplanted, they again fall prey to encroachment in no time in absence of adequate human and material resources available with State Forest Department. Area of Road has been truncated from the patch and additional CA land has been identified free from all sorts of encroachment & encumbrances. The shape file is attached in pen drive.

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26	The legible copies of the Survey of India Toposheet map clearly showing the proposed CA sites shall be uploaded on the PARIVESH.	Legible copies of the Survey of India Toposheet map clearly showing the proposed CA site is being uploaded.	UA has submitted that legible copies of the Survey of India Toposheet map clearly showing the proposed CA site is being uploaded in parivesh portal.
27	As per report "There is regular movement of herd of elephants in villages located within 10 km of the area proposed for diversion i.e. Laiyo, Basantpur, Rauta, Pindra etc. Wide spread destruction of habitat of wild animal is common in mining areas. Blasting at mining site caused migration of animal from nearby areas. Therefore, it is suggested that a comprehensive wildlife management plan should be prepared". Therefore recommendation of CWLW along with the data of Human-Elephant conflict in the district and in the adjoining districts of last 3 years should also be provided.	CCL undertakes to pay 2.0% of total project cost towards the cost of implementation of the Wildlife Management Plan (enclosed as Annexure-1), as the case may be, into the account of CAMPA and the same may be intimated to the MoEF&CC for the purpose of obtaining approval under the FC Act, 1980 in respect of Parej East Opencast Project of M/s CCL.	UA has submitted to pay 2% of total project cost for WLMP an undertaking is annexed as Annexure-1. The data of Human-Elephant conflict in the district and in the adjoining districts of last 3 years is attached as Annexure-7. Letter no dated of this office has been sent to CWLW for the recommendation.

Thanking you.

Yours Sincerely

Natish
05/4/25
Divisional Forest Officer,
Ramgarh