

कार्यालय, प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक,
बंजर भूमि विकास बोर्ड, झारखंड, राँची ।

वन भवन, डोरण्डा, राँची, झारखंड, पिन-834002, Email-pcef-ednodal@gov.in

पत्रांक-290

राँची, दिनांक-05/02/2021

सेवा में,

प्रधान सचिव,
वन, पर्यावरण एवं जलवायु परिवर्तन विभाग,
झारखण्ड सरकार, राँची।

विषय:- बी0सी0सी0एल0 का कुईया कोलयरी हेतु मौजा-बेरा में कुल 16.19 हे0 वनभूमि अपयोजन का प्रस्ताव के संबंध में।

- प्रसंग :-
1. झारखण्ड सरकार, वन, पर्यावरण एवं जलवायु परिवर्तन विभाग का पत्रांक 4200 दिनांक 24.12.2020
 2. महाप्रबंधक, बी0सी0सी0एल0, बस्ताकोला क्षेत्र, धनबाद का पत्रांक BCCL /BA/IX/GM/FC/21/357 दिनांक 14.01.2021

महाशय,

उपर्युक्त विषयक वन विभागीय प्रासंगिक पत्र- 1 द्वारा प्रस्तावित वन भूमि अपयोजन प्रस्ताव में दो बिन्दुओं पर पृच्छा की गई है। उक्त पृच्छा के संदर्भ में महाप्रबंधक, बी0सी0सी0एल0, बस्ताकोला क्षेत्र, धनबाद के पत्रांक 357 दिनांक 14.01.2021 (छायाप्रति संलग्न) द्वारा निराकरण प्रतिवेदन उपलब्ध करायी गई है।

प्रतिवेदानुसार निराकरण स्थिति निम्नवत् है :-

क्र0सं0	पृच्छा	निराकरण स्थिति
1.	प्रस्तावित वन भूमि के संदर्भ में विहित प्रपत्र में FRA के तहत संबंधित उपायुक्त द्वारा निर्गत प्रमाण पत्र (इस क्रम में हुई बैठकों की कार्यवाही के साथ)	<p>महाप्रबंधक, बी0सी0सी0एल0, बस्ताकोला क्षेत्र, धनबाद के पत्रांक 357 दिनांक 14.01.2021 द्वारा भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के पत्रांक F.No.- 11-43/2013-FC दिनांक 26.02.2019 के निम्नवत् कंडिका का उल्लेख किया है :-</p> <p><i>"It is clarify that within the time period stipulated for compliance of stage-I condition, Deputy Commissioner shall बवउचसमजम the process of compliance of FRA (including forwarding its finding to concerned CF) hence for the purpose of MoEF&CC, as per the provision FC amendment rules, 2016 the compliance under is not required for consideration of In-principle approval. This has to be furnished of the state Govt. for consideration of the proposal by the ministry for final approval."</i></p> <p>प्रयोक्ता अभिकरण द्वारा वचनबद्धता समर्पित की गई है की स्टेज-1 के अनुपालन में समर्पित कर दिया जायेगा। (Undertaking enclosed as Annexure-II)</p>

2.	CWLW का मंतव्य	CWLW का मंतव्य हेतु प्रधान मुख्य वन संरक्षक एवं वन्यप्राणी एवं मुख्य वन्यप्राणी प्रतिपालक, झारखण्ड, राँची को इस कार्यालय के ज्ञापांक 964 दिनांक 06.11.2020 द्वारा मांगी गई है एवं इस कार्यालय के पत्रांक 122 दिनांक 08.01.2021 द्वारा स्मारित करते हुए अनुरोध किया गया है। CWLW का मंतव्य प्राप्त होते ही अलग से भेज दिया जायेगा।
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अतः अनुरोध है कि विषयगत वनभूमि अपयोजन प्रस्ताव की स्टेज-1 स्वीकृति हेतु अग्रत्तर कार्रवाई करने की कृपा की जाय।

अनु० :- यथोक्त।

विश्वासभाजन,

प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक,
बंजर भूमि विकास बोर्ड, झारखण्ड, राँची।

ज्ञापांक - 290 दिनांक - 05/02/2021

प्रतिलिपि - क्षेत्रीय मुख्य वन संरक्षक, बोकारो / महाप्रबंधक, बी०सी०सी०एल०, बस्ताकोला क्षेत्र, धनबाद को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक,
बंजर भूमि विकास बोर्ड, झारखण्ड, राँची।

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BHARAT COKING COAL LIMITED

(A subsidiary of CIL)

REGD. Office: Koyla Bhawan, Koyla Nagar, Dhanbad-826005

CIN No. U10101JH1972GOI000918

Office of the General Manager

Bastacolla Area



Ref. No: BCCL/BA/IX/GM/FC/21/ 357

Date: 14.01.2021

ADVANCE COPY

To,
The PCCF cum ED, WLDB &
Nodal Officer (FC Act)
Van Bhawan, Doranda,
Ranchi-834002

Subject: Regarding Diversion of 16.49 Ha. Protected Forest Land of Mouza Bera falling in Kuya Colliery (OCP), Bastacolla Area of M/s Bharat Coking Coal Limited, Dhanbad.

Dear Sir,

A proposal for diversion of 16.49 Ha. Protected Forest Land of Mouza Bera falling in Kuya Colliery (OCP), Bastacolla Area of M/s Bharat Coking Coal Limited, Dhanbad was submitted vide Proposal No. FP/JH/MIN/32906/2018.

The proposal was forwarded by the office of the PCCF cum ED WLDB to the Principle Secretary, Forest, Environment and Climate Change Department, Govt. of Jharkhand vide letter no 964 dated 06.11.2020.

We are in the receipt of a letter vide letter no वन भूमि-21/2020-4200 dated 24.12.2020 issued by the Officer-on-Special-Duty, Forest, Environment and Climate Change Department, Govt. of Jharkhand requesting record/opinion on following points:

- NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006
- Opinion of CWLW.

And subsequent letter received from the office of the PCCF cum ED WLDB, Ranchi vide no. 121 dated 08.01.2021 regarding submission of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 along with proceedings of the meetings held in this regard.

In this regard, your kind attention is requested towards the **guideline dated 26.02.2019 regarding compliance of Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006**, issued by Dy. Inspector General of Forests, MoEFCC, (FC Division) Govt. of India vide File No. 11-43/2013-FC dated 26.02.2019 addressed to the Principle Secretary/Secretary (Forests) of all states and UTs (Copy Enclosed as **Annexure-I**).

For the purpose of reply of query regarding submission of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, the relevant para of above stated letter regarding compliance of FRA is quoted below for ready reference:

Quote

"It is clarified that within the time period stipulated for compliance of stage-I condition, Deputy Commissioner shall complete the process of compliance of FRA (Including forwarding its finding to concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished of the state Govt. for consideration of the proposal by the ministry for final approval".

Unquote

An undertaking regarding submission of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 has also been submitted along with hard copy of the proposal.

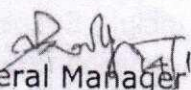
Application for issuance of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 has been submitted several times to Deputy Commissioner, Dhanbad (Copy of applications submitted to DC, Dhanbad has been enclosed as **Annexure-II**).

In view of the above, it is requested to look into the matter and take necessary actions for expediting the process of grant of Stage I Forestry Clearance.

We will be thankful for your kind act.

Yours Faithfully,

Enclosures: As above


General Manager | 21
Bastacolla Area

Copy to:

1. DFO, Dhanbad: For Kind Information
2. TS to CMD, BCCL: For Kind Information to CMD, BCCL.
3. D (T) Project and Planning: For Kind Information
4. Office File.

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

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: 28th February
January, 2019

To,
The Principal Secretary/Secretary (Forests)
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) the District Collector shall

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests

(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.

(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(ROHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

O/C

13/3/15



BHARAT COKING COAL LIMITED

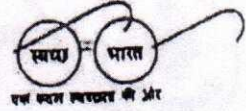
(A subsidiary of CIL)

REGD. Office: Koyla Bhawan, Koyla Nagar, Dhanbad-826005

CIN No. U10101JH1972GOI000918

Office of the General Manager

Bastacolla Area



UNDERTAKING

The Application for issuance of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of 16.49 Ha. Protected Forest of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining has been applied to the Deputy Commissioner, Dhanbad vide letter No BCCL/BA/IX/GM/FC/19/33 dated 21.06.2019 and BCCL/BA/IX/GM/FC/19/138 Dated 14.10.2019 (Copy of Letters Enclosed).

We, hereby undertake that NOC under aforesaid Act will be submitted on time after the issuance of the same from Deputy Commissioner, Dhanbad.

Encl: As above

Area Manager (Env.)

Bastacolla Area क्षेत्रीय प्रबंधक (पर्या)

बस्ताकाला क्षेत्र

बीन गीन सी 0 एल

Project Officer

Kuya Colliery

Project Officer/Agent
Golukdih OCP/Kuiya OCP

General Manager

Bastacolla Area

MOUMEN CHATTERJEE

General Manager

Bastacolla Area, BCCL



BHARAT COKING COAL LIMITED

(A subsidiary of CIL)

REGD. Office: Koyla Bhawan, Koyla Nagar, Dhanbad-826005

CIN No. U10101JH1972GOI000918

Office of the General Manager

Bastacolla Area



Ref. No: BCCL/BA/IX/GM/FC/21/ 353

Dated: 11.01.2021

To,
The Deputy Commissioner,
Dhanbad

Subject: Regarding Issuance of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of 16.49 Ha. Protected Forest of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining.

Dear Sir,

An Application for Diversion of 16.49 Ha. Protected Forest Land of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining has been submitted vide Proposal No. FP/JH/MIN/32906/2018.

In this connection, application for issuance of Certificate under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 was submitted to your esteemed office vide letter no BCCL/BA/IX/GM/FC/19/33 Dated 21.06.2019, BCCL/BA/IX/GM/FC/19/138 dated 14.10.2019 (Copy Enclosed).

The land schedule of forest land proposed to be diverted is appended below:

Anchal	Mouza	Thana No.	Plot No. (As per CS Khatiyar)	Plot No. (As per RS Khatiyar)	Area (In Ha.)
Dhanbad	Bera	45	136 (P)	97 (P), 99	16.49

Mouza Plans (RS Plan and CS Plan) of the aforesaid Forest Land is enclosed herewith for ready reference.

The Officer on Special Duty (OSD), Forest, Environment and Climate Change Department, Govt. of Jharkhand has communicated vide letter no वन भूमि-21/2020-4200 दिनांक 24.12.2020 regarding requirement of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

In view of the above, you are once again requested for issuance of the NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of the said land.

Thanking You,

Yours Faithfully,

Encl: As above

General Manager
Bastacolla Area

Copy to:

1. Divisional Forest Officer, Dhanbad: For Kind Information Please.
2. Office File.



BHARAT COKING COAL LIMITED

(A subsidiary of CIL)

REGD. Office: Koyla Bhawan, Koyla Nagar, Dhanbad-826005

CIN No. U10101JH1972GOI000918

Office of the General Manager

Bastacolla Area



Ref. No: BCCL/BA/IX/GM/FC/19/ 138

Dated: 14.10.2019

To,
The Deputy Commissioner,
Dhanbad

Subject: Regarding Issuance of NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of 16.49 Ha. Protected Forest of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining.

Dear Sir,

An Application for Diversion of 16.49 Ha. Protected Forest Land of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining has been submitted vide Proposal No. FP/JH/MIN/32906/2018.

In this connection, application for issuance of Certificate under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 was submitted to your esteemed office vide letter no BCCL/BA/IX/GM/FC/19/33 Dated 21.06.2019 (Copy Enclosed).

In order to divert notified protected forest, proposal for diversion has been submitted and NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 is required.

The land schedule of forest land proposed to be diverted is appended below:

Anchal	Mouza	Thana No.	Plot No. (As per CS Khatiyan)	Plot No. (As per RS Khatiyan)	Area in Ha.
Dhanbad	Bera	45	136 (P)	97 (P), 99	16.49

Mouza Plans (RS Plan and CS Plan) of the aforesaid Forest Land is enclosed herewith for ready reference.

In view of the above, you are once again requested for issuance of the NOC under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of the said land.

Thanking You,

Yours Faithfully,

Encl: As above

General Manager
Bastacolla Area

Copy to:
Divisional Forest Officer, Dhanbad



BHARAT COKING COAL LIMITED

(A subsidiary of CIL)

REGD. Office: Koyla Bhawan, Koyla Nagar, Dhanbad-826005

CIN No. U10101JH1972GOI000918

Office of the General Manager

Bastacolla Area



Ref. No: BCCL/BA/IX/GM/FC/19/33

Dated: 21.06.2019

To,
The Deputy Commissioner,
Dhanbad.

Subject: Regarding Issuance of Certificate under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of 16.49 Ha. Protected Forest of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining.

Dear Sir,

An Application for Diversion of 11.17 Ha. Protected Forest Land of Mouza Bera falling in Kuya Colliery of M/s Bharat Coking Coal Limited for Open Cast Mining has been submitted vide Proposal No. FP/JH/MIN/32906/2018.

During verification of proposal at Forest Division level it was pointed out that total notified forest remaining in Bera Mouza is 16.49 Ha. and it was communicated to us vide Letter No 1094 dated 31.05.2019 issued by Divisional Forest Officer, Dhanbad.

An application for issuance of Certificate under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 was submitted to your esteemed office vide letter no BCCL/BA/IX/GM/FC/18/91 Dated 05.11.2018 and BCCL/BA/IX/GM/FC/19/160 Dated 27.03.2019 (Copy Enclosed).

In order to divert total remaining notified forest, proposal for diversion has been modified as per directive of State Forest Department.

The land schedule of forest land proposed to be diverted is appended below:

Anchal	Mouza	Thana No.	Plot No. (As per CS Khatiyan)	Plot No. (As per RS Khatiyan)	Area in Ha.
Dhanbad	Bera	45	136 (P)	97 (P), 99	16.49

Mouza Plans (RS Plan and CS Plan) of the aforesaid Forest Land is enclosed herewith for ready reference.

In view of the above, you are once again requested for issuance of the certificate under Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 in respect of the said land.

Thanking You,

Encl: As above

Yours Faithfully,

General Manager
Bastacolla Area

Copy to:

Divisional Forest Officer, Dhanbad