



"झाडे लावा झाडे जगवा"

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Government of Maharashtra

Office of the Deputy Conservator of
Forest

Pandharkawada Forest Division, Pandharkawada
Vanbhavan, Chintamani Layout, Pandharkawada,
Taluka Kelapur, District Yavatmal - 445 302

No: DCF/B/Survey / 9325
/2022-23

Pandharkawada Date
2023

7 December 2022

To
Conservator of Forests (T)
Yavatmal

**Subject-Diversion of 146.996 ha. forest land for Integrated Coal Mining Including post mine reclamation in Marki- Mangali II coal block in Yavatmal District of Maharashtra State in favour of M/s Yazdani International Private Limited (Online No. FP/MH/MIN/145510/2021):-
Compliances Report**

Reference:--

1. 8-22/2023-FC DATED 31/8/2023 FROM Forest Division of Ministry of Environment, Forest and Climate Change.
2. Compliance Report submitted by user agency dated:

Dear sir,

Furnished below the para wise compliances

Sr. No	Observation	Compliance
1	As per DSS analysis, it has been found that an incorrect KML file of the forest land proposed for diversion has been uploaded online as it is falling in the Uttar Pradesh State. Therefore, the correct KML file of forest land proposed for diversion shall be uploaded online.	User agency has submitted correct and updated KML with all properties and uploaded on Parivesh Portal. CD containing the updated KML file is attached.
2	Satellite imagery shows that the plantation work has been carried out in proposed forest	Plantation of 9600 sapling was undertaken in Mukutban Round Beat Bhendala in

	land for diversion. The state shall submit the details of the plantations carried out.	compartment number 20 B on 12 ha land . User agency has furnished undertaking to bear the cost of these plantation is enclosed at Annexure –I on page no.1
3	The Mining Lease (ML) Boundary needs to be verified on ground because part of the earthen dam is coming under the ML boundary.	User agency confirmed vide letter under reference 2 that there is no earthen dam within lease hold boundary. However, there is old mine pit filled with water created due to mining by prior allottee as mentioned in the approved mining plan.
4	The DFO, Pandharkawada in their Site Inspection report informed that the project dose not requires R&R plan. However, satellite imagery shows the presence of Agriculture land within the Mining lease boundary. This need clarification.	User agency confirmed that since there is no habitation coming in lease boundary, no displacement is involved . Mining lease , however involves 155.01 ha tenancy/agriculture land , out of which 62.59 ha land has been vested with the company which was purchased/ under agreement through direct negotiations by earlier allottee. Remaining private tenancy land would be acquired preferably through direct negotiations or under the provision of RFCT LRR 2013. R&R Plan for procurement of private tenancy land under RFCTLARR 2013 is enclosed at Annexure – 2 on page no.2
5	Satellite imagery shows mined out area within and outside the lease boundary along with the Tailing pond. This needs clarification.	As per compliance report by User agency it reveals that , this mine was in operation and prior allottee extracted 0.1MT up to year 2014 creating mine pit within lease hold area and small external OB dumping outside the lease area as is seen in satellite imagery . This has already mentioned in approved mining plan.
6	As per the DSS analysis, an earthen dam is situated near the proposed mining area. Further, some seasonal nallah also flows through the proposed site for which the provisions of conservation and protection measures have not been suggested by the State. Therefore, comments of the water resource department on the proposed measures and impact of the project on the hydrological regimes are required to be	As per compliance report of User agency it reveals that there is no earthen dam near proposed mining area but it is mine pit excavated by prior allottee which is now converted into small void filled with water. There is one seasonal nalha within mine lease .It is planned to divert this nalha as per approved mining plan. Flood Study Report containing proposed measures and impact

	submitted.	of the project on the hydrological regimes is prepared and submitted to competent authority in the State. Approval of competent authority would be submitted before final approval. Undertaking to this effect is furnished in Annexure – 3 on page no.7
7	As per DSS analysis, the total area of CA proposed on the Non-Forest land is found to be 129.871 ha. against the present proposal. It has been mentioned that a 15% rebate in CA land is application. However, the proposal submitted is being processed as per Forest (Conservation) Rules,2003 therefore the rebate as claimed is not applicable in the case. The KML file of NFL equivalent to area proposed for diversion along with DGPS Map & Survey of India Topo sheet map shall be Submitted/uploaded online.	User agency has identified 148.41 ha non forest land as CA land in lieu of diversion of 146.996 ha. KML file of the same is uploaded and copy of which is furnished in CD attached . DGPS map and Survey of India Topo sheet is submitted herewith in a CD. Proposal may be considered for incentives as per schedule II of Van (savrkshan avam saverdhan) Adhinyam 1980 and Ruls 2022 publish on 29.11.2023 vide its section 16/8/II if applicable.
8	The Site suitability of CA land shall be ascertained as per the Ministry guideline dated13/07/2022	Site suitability for CA land has been ascertained as per the ministry's guidelines dated 13/7/2022.
9	The CA scheme has been prepared for non forest land area of 146.996 ha. where as 148.4123 ha area of the non forest land has been taken against present diversion proposal. Further, theState Govt. reported that theactual plantation will be carried out in the degraded forest land. However, CA scheme has been prepared with a model of 1111 plants/ha. Therefore, this variation needs to be relooked and a completed corrected CA scheme shall be submitted.	It reveals from compliance report from user agency that Area proposed for diversion is 146.996 ha and accordingly scheme is prepared for CA on equivalent land though the area for CA is acquired bit more to cover the procurement of full survey numbers for which suitability of the CA land has been obtained for 148.4123 ha to cover full area of gut number As per para 8c of the report, Government of Maharashtra recommended that actual plantation can be taken up over degraded forest near the area proposed for diversion as area proposed for CA has tree cover. (Undertaking from user agency is enclosed in Annexure – 4 on page no.8) As per directives of GOM, CA plantation would be taken on degraded land identified in Pandharkawada Forest Division.Suitability certificate along with the maps and 10 years

		scheme is attached at Annexure – 5 on page no.9 to 35
10	Details of degraded forest land identified for planting saplings which could not be planted in the Very Dense Forest & Medium Dense Forest of area of 84 ha of the proposed Non-forest land for CA, has not been provided by the State. The same needs to be submitted along with the afforestation scheme, KML file and Suitability certificate..	Degraded forest land comprising an area of 155 ha has been identified in the division in consultation with DCF (T) Pandharkawada . The details of land identified for CA 155 ha is furnished along with suitability certificate and KML file Annexure – 5 on page no.9-35
11	KML. files indicating the different component's of the project have not been submitted and the same have not been mentioned in Part-I of the proposal. The same needs to be submitted/ uploaded conspicuously depicting the various projects components vis-à-vis total lease area.	KML.files indicating the different component's is submitted herewith in a CD.
12	The KML file of 7.5 meter safely zone area has not been uploaded and the safely zone area details are not mentioned in the component wise breakup in online Part- I which needs submission.	User agency furnished note on safety zone of 7.5 meter forest and non forest lease boundary is provided at Annexure – 6 on page no. 36 and KML uploaded online
13	KML. files and afforestation scheme of the degraded forest land proposed for afforestation in lieu of 1.5 times the area of safety zone has not been submitted. The same needs to be submitted along with the afforestation scheme and suitability certificate.	Degraded forest land comprising an area of 155 ha is being identified in this regard in consultation with DCF (T) Pandharkawada. This includes land covered under safety zone also.
14	Cost benefit analysis indicating the CB ratio of 1:119.562 has been submitted which appears to be exorbitantly high. The same needs to be revisited and 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	User agency submitted revised CB analysis in the light of prescribed format and current NPV and has been revised and provided at Annexure – 7 on page no.37 to 39
15	Given the density of 0.4 to 0.6 of the proposed forest area of 146.996 ha. number of project affected trees reported as 1,13, 425 appears to have been estimated on lower side. The same needs to be reconfirmed by the State.	Trees marking and counting were carried out by the FDCM authority as well as Range Forest Officer, Mukutban. Accordingly, species wise and girth wise report on the enumeration of trees have been furnished in the Part-II form. The report is best on actual

		ground condition.
16	The DFO, Pandharkawada in their Site inspection report informed that out of 146.996 ha forest land proposed for diversion, 60.392 ha. is under possession of Forest Department Corporation of Maharashtra(FDCM). Therefore, details of the work carried out by the FDCM on the proposed diversion area along with their NOC shall be submitted.	Note on Plantation on forest land in possession of FDCM along with their NOC is enclosed as at Annexure – 8 on page no40 to 47
17	Details of coal evacuation plan and how the requirements of water and electricity will be met by the user agency shall be submitted. The details of additional forest land required for the same shall also be submitted.	Note on details of coal evacuation plan including transportation along with the requirements of water and electricity is furnished at Annexure – 9 on page no.48 to 51-There will be no need for additional forest land required on this cause.
18	The State Govt. shall submit the status of Mine lease validity along with the relevant details.	As reported by user agency under reference 2 above Mine lease will be executed after stage 1 clearance as per communication from GOM at Annexure – 10 on page no.52
19	Keeping in view the fact that the proposed area is having the presence of Schedule-1 species and further it has been mentioned by the State that “the proposed forest land for diversion is covered under approved tiger conservation plan of TadobaAndhari tiger reserve. In this regards, Section 38-O(g) in the Wildlife (Protection) Act, 1972 ensure that the tiger reserves with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wild-Life and on the advice of the Tiger Conservation Authority”, In this regard the State shall clarify whether the advice of NTCA in the instant case has been taken. The status of approved of NBWL shall also be submitted.	As informed by user agency and communications over WL clearance reveals that proposal for wild life clearance under section 38((o)((g) has already been cleared by State Board of Wildlife as communicated byPCCF (WL) Government of Maharashtra (Translated copy is enclosed) Status of proposal is furnished at Annexure – 11 on page no.53 to 65
20	The comments views of the CWLW conspicuously depicting the Mining impact on	Comprehensive Wild Life Conservation Plan prepared depicting the impacts of mining

	the surrounding landscape along with copies of the Tiger Conservation Plan shall be submitted.	has been prepared as per TOR. Copy of the WL conservation plan with financial provision along with the comments/ approval of CWLW is submitted at Annexure –12 on page no.66 to 119
21	In online Part-II the presence of rare/ endangered/ unique species of flora and fauna in the proposed forest land for diversion has been reported. The details in this regards shall be submitted.	Detail list of flora and fauna in core and buffer zone duly authenticated is furnished at Annexure –13 on page no.110-128
22	In online Part-II the proposed forest land for diversion is reported to be vulnerable to the soil erosion and coal mining will create biotic pressure especially on the cattle. Therefore, soil moisture conservation plan addressing the mitigation measure for soil erosion needs submission.	As elaborated by user agency in compliance report existing forest land proposed for diversion is prone to erosion due to increased biotic pressure especially cattle. However, after the final approval of the forest diversion and before commencement of mining of coal, entire lease area would be fenced so that there will be no biotic pressure due to cattle.
23	The Government of Maharashtra vide their letter No. FLD-3223/CR-179f-10 dated 02.08.2023 forwarded the instant proposal as a fresh diversion proposal without any reference to the mining activities carried out by the earlier allotted to the extent of 0.1 million tonne as reported in MOM of SEIAA meeting held on 14.09.2022	Compliance report of user agency reveals as under As per the vesting order issued by GOI, and approved mining plan it is mentioned that mining was carried out by the prior allottee to the extent of 0.1 Million Tone . However this mining was undertaken in non forest area. For the purpose of forest diversion, this is fresh proposal as no mining in forest land was undertaken by prior allottee. Prior allottee worked on non forest land after executing the lease excluding forest land . Prior allottee did not work in forest land.
24	Approved copy of the Mining plan along with the mine closure plan has not been submitted which is required to be submitted uploaded.	Approved copy of mining plan and mine closure plan is uploaded and placed at Annexure 14 on page no.129-187
25	As per the TOR after exhaustion of mineral reserve. an area of 5 ha land is proposed to be utilized for solar park. Comments of the state forest department in this regard needs submission.	User agency propose to install solar park on non forest land. Undertaking to this effect is submitted by User Agency at Annexure – 15 on page no.188

<p>proposed CA land on the Non forest land shows that only 40.6246 ha. land has been acquired by the user agency. Therefore, complete documents for the entire NFL proposed for CA land shall be submitted. The State shall also ensure that the area proposed for CA is free from all sort of encumbrances and under possession of the user agency. A certified translated copy of the documents/ ownership proof in Hindi or English shall be provided.</p>	<p>acquired, along with translated revenue record indicating the ownership proof is placed in at Annexure -XVI on page no. 184</p>
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Put up for further processing

Enclosure:- 3 copies

Kiran S Jagtap
7.12.13
(Kiran S Jagtap)

Deputy Conservator of Forest

Pandharkawada Forest Division, Pandharkawada

Copy to-

- 1) The Addl. PCCF & Nodal Officer (FCA) Government of Maharashtra for Information
- 2.) General Manager Marki - Mangali - II Yazdani international Pvt. Ltd Wani for information and necessary action.