

GOVERNMENT OF TELANGANA
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

Letter No.3219/For.I(1)/2022

Dated:09-01-2024

From
The Additional Secretary to Government,
EFS&T(Forest) Department,
Telangana State Secretariat,
Hyderabad.

To
The Inspector General of Forests,
Government of India,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi -110 003. (w.e.)

Sir,

Sub: FCA, 1980 – Diversion of **151.8517 Ha** of Forest land falling in Yellandu division for proposed Jawahar Khani OC project at Yellandu division in favour of M/s Singareni Collieries Company Limited – Additional Information Submitted - Regarding.

- Ref: 1.From the PCCF(HoFF), TS, Hyd., Ref.No.FC4/FC29/1/2022,
Dated:26.04.2022.
2.Govt.Lr.No.3219/For.I(1)/2022, dt:06-06-2022.
3.From the Assistant Inspector General of Forests, GoI,
MoEF&CC, (Forest Conservation Division), New Delhi,
dt.27.07.2022.
4.Govt.Memo.No.3219/For.I(1)/2022, dt:06-09-2022.
5.From the PCCF(HoFF), TS, Hyd., Ref.No.FC4/FC29/1/2022,
Dated:03.07.2023.
6.Govt.Lr.No.3219/For.I(1)/2022, dt:14-07-2023
7.From the Assistant Inspector General of Forests, GoI, MoEF &
CC, (Forest Conservation Division), New Delhi, F.No.8-
260/1985-FC(Vol.I), dt. .08.2023.
8. Govt.Memo.No.3219/For.I(1)/2022, dt:07-10-2023 .
9.From the PCCF(HoFF), T.S., Hyd., Ref.No.FC4/FC29/1/2022,
Dt.24.12.2023.

I am to forward the additional information in respect of the proposal for diversion of **151.8517 Ha** of Forest land falling in Yellandu division for proposed Jawahar Khani OC project at Yellandu division in favour of M/s Singareni Collieries Company Limited, for consideration of this proposal as reported by the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad in the letter 9th cited.

Yours faithfully



for Additional Secretary to Government

Copy to:

The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

SC.



I/196810/2023

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From **Sri R.M.Dobriyal IFS.,**
Principal Chief Conservator of Forests
& Head of Forest Force,
Telangana State, "Aranya Bhavan",
Saifabad, **Hyderabad.**

To
The Spl. Chief Secretary to Government,
Forests Department,
Telangana State,
Hyderabad.

Ref.No.FC4/FC29/1/2022 Dated:24/12/2023.

Madam,

Sub: TSFD -FC(A)ct, 1980- Diversion of 151.8517 Ha of forest land falling in Yellandu division for proposed Jawahar Khani OC project at Yellandu division in favour of M/s Singareni Collieries Company Limited - **Additional Information Sought by Gol, MoEF & CC, New Delhi -Information furnished**-Regarding.

Ref:

1. General Manager, Yellandu Area, SCCL, Bhadadri Kothagudem District Ref.No.YLD/EST/185 dt.25.04.2021.
2. PCCF RC.No.20207/2019/FCA-1/PS Dt.18.05.2021.
3. DFO, Bhadradi Kothagudem Rc.No. 109/2020/D1 Dt. 19.06.2021 addressed to CF,Kothagudem.
4. PCCF RC.No.20207/2019/FCA-4 Dt.09.08.2021.
5. CCF, Kothagudem Rc.No.125/2020/M3 dt:02.12.2021.
6. CCF.Kothagudem Rc.No.168/2022/M11 dt:06.04.2022.
7. PCCF Rc.No.FC4/FC29/1/2022 Dt.26.04.2022.
8. GoTS Lr.No.3219/For.I(1)/2022 dated 06.06.2022.
9. AIGF, Gol, MoEF & CC, New Delhi FC division F.No.8-260/1985-FC(Vol.I) dated 27.07.2022.
- 10.Forest (Conservation) Rules,2022 published vide MoEF&CC, Gol, New Delhi Gazette Number GSR 480 (E), Dt.28.06.2022 and communicated in MoEF&CC, Gol, New Delhi F.No.FC-11/118/2021-FC, Dt.29.06.2022
- 11.MoEF&CC, Gol, New Delhi F.No.FC-11/118/2021-FC, Dt.18.07.2022.
- 12.Minutes of Meeting of Forest Advisory Committee Dt.15.07.2022 communicated in MoEF&CC, Gol, New Delhi File No.11-91/2012FC on 27.07.2022.
- 13.Director (Planning & Projects), SCCL ref.no.CRP/EST/F/164/849 dated 01.08.2022.
- 14.PCCF-FC4/FC29/1/2022-FCA Section (20207/2019/FCA-4), Dated: 23.08.2022.
- 15.AIGF, Gol, MoEF & CC, New Delhi FC division F.No.8-260/1985-FC(Vol.I) dated 13.09.2022
- 16.PCCF Rc.No.FC4/FC29/1/2022 dated 20.10.2022.
- 17.Gol, MoEF & CC, New Delhi FC division F.No.FC-11/118/2021-FC dated 14.11.2022.
- 18.Minutes of 1st project Screening Committee (PSC) meeting held on 19.11.2022.
- 19.AIGF, Gol, MoEF & CC, New Delhi FC division F.No.8-260/1985-FC(Vol.I) dated 29.11.2022.
- 20.PCCF Rc.No.FC4/FC29/1/2022 dated 04.12.2022.
- 21.AIGF, Gol, MoEF&CC, New Delhi, F.No.8-260/1985-FC(Vol.I), Dt.18.01.2023.
- 22.PCCF Rc.No.FC4/FC29/1/2022 dt.18.01.2023.

I/196810/2023

- 23.CCF, Bhadradi circle Rc.No.125/2020/M3/DM dt.26.05.2023.
 24.PCCF Rc.No.FC4/FC29/1/2022 dt03.07.2023
 25.AIGF, GoI, MoEF&CC, New Delhi, F.No.8-260/1985-FC(Vol.I),
 Dt.07.08.2023.
 26.PCCF Rc.No.FC4/FC29/1/2022 dt. 25.08.2023
 27.General Manager, Yellandu Area, SCCL, Bhadradi Kothagudem
 District Ref.No.YLD/EST/2023/12/84 dt.29.09.2023.
 28.CCF, Bhadradi circle Rc.No.125/2020/M3/DM dt.01.12.2023.

Vide ref 25th cited, the GoI, MoEF & CC, New Delhi has sought additional information for further consideration of the proposal.

Accordingly, vide ref 27th and 28th cited, the General Manager, Yellandu Area, SCCL, Bhadradi Kothagudem District and CCF, Bhadradi Circle has furnished information as desired by the GoI, MoEF & CC, New Delhi which are furnished as follows, with remarks:

Point No.1: -The observations raised by the Ministry's letter dated 18.01.2023 wrt point No. (i), (ii), (iii), (vii), (xi) and (xii) regarding KML/shape files of the area were not found with the State Government letter dt 14.07.2023 and neither it is uploaded in PARIVESH. The same require submission for further analysis.

Reply: The information has been furnished by the state government letter No. 3219 /FOR.1(1)/2022 dtd:14.7.2023. Due to oversight, the documents were not attached with the report submitted. A copy of these documents is enclosed here with again. These includes following:

- i. Component wise land use KML file & DGPS map of proposed forest area for Diversion has been uploaded.

Land Use Description	FL in Ha.
Excavation area	115.6001
Embankment	1.409
Toe wall	0.482
Settling pond	3.5318
Diversion/below river/Nala/canal	0.3510
Garland drains	2.2338
plantation	24.43
7.5m safety zone along the periphery	3.8142
Total:	151.8519

- ii. KML file of Yellandu mining lease (524.96 Ha), Yellandu Additional Mining lease (1741 Ha) , JK OC mine (1114 .507 Ha) and earlier diverted 167.46 Ha (124.96 Ha + 42.50 Ha) are enclosed in CD and these cannot be uploaded as there is o provision for uploading the kml files. The maps have been uploaded

I/196810/2023

by the UA.

- iii. KML file of CA land in lieu of 1.5 times of safety zone is proposed at Gangaram, Mahabubabad. The safety zone is 3.8142 Ha and as such 1.5 times of it is 5.7 or 6 Ha. The CA Scheme, KML file are enclosed.
- iv. **(Reply to point no.vii):** The total area of 151.8517 Ha is comprising of two blocks i.e. 106.304 Ha and 45.5477 Ha. The block of 106.304 Ha is part of earlier diverted area of 124.96 Ha for UG purpose and is now proposed for conversion from UG to OC. The other block of 45.5477 Ha was initially treated as Non-forest land while preparing the proposal and subsequently the Mandal Revenue Officer, Yellandu, vide his reference No.B/295/2020 dtd:-5.11.2020 had certified that this land is forest land and this land is shown as fresh area for diversion.

The 3rd renewal of Yellandu mining lease involving 124.96 Ha forest land was granted for further period of 20 Years from 01.01.2015 to 31.12.2034 by Government of Telangana, Energy (PR.I) department vide GO MS No.5, dtd:06.01.2015. The balance area of 18.656 Ha of 124.96 Ha remained undisturbed and not part of this proposed area.

- v. **(Reply to point no.xi):** The State govt. is requested to submit the status of mining leases cum mining plans of the JK-5 open cast mine existing in NFL area along with the mining plan of the 21 inclined UG mines which they plan to convert in Open Cast.
- a. JK 5 OCP (NFL) is falling in the Yellandu Addl.ML(YAML), No forest land is involved in JK-5 OCP. Copy of approved Mining Plan for JK-5 OCP is enclosed.
- b. The mine of 21 Incline UG is falling in Yellandu ML (YML) and worked with approved Environment Clearance issued by the MOEF vide Ref.No-J-11015/930/2007-IA.II(M) Dt.27th October 2008. This mine worked since 1950 and there was no Mining Plan.
- c. The diversion of 124.96 Ha was originally granted by MoEF, GOI, vide reference No.8-260/85-Fry(cons), dtd:07.10.1986 , subsequently renewal was granted vide MoEF & CC file no. F.No.8-260/1985-FC Dt. 20.7.2018 Co-terminus with the period of validity of mining lease i.e. up to 31.12.2034.
- d. The Mining Plan (including Mine Closure Plan) for JKOC was approved

I/196810/2023

by the Ministry of Coal, GOI, vide Ref.No-34011//1/2020 CPAM Dt.29th October,2020. In this approved mining plan the total RF area was shown as 167.46 Ha which included area of 106.304 ha which is part of this proposal and area of 18.56 Ha and 42.56 Ha (Total - 61.156 Ha but part of project area). Subsequently the Board of SCCL vide its Ref no.CRP/Cs/54/408 dtd:12.8.2021 has modified the mining plan for 213.0077 Ha duly including 45.547 Ha which was initially thought to be non-forest land. The Board of the SCCL is competent to grant approval for minor changes. MOC vide its O.M-F.No.34011/28/2019 - CPAM dtd:29.05.2020 vide para 1.3(B) has authorized the project proponent to make such changes. This area has no overlap with any other mine/project.

- e. The total area of Forest land proposed in this project is 151.8517 Ha. Out of the total area of 124.96 Ha of 21 Incline mine, an area of 106.304 Ha is proposed for conversion from UG to Open Cast and remaining area of 18.656 Ha will be kept as under UG. Thus total area of 21 Incline i.e 124.96 Ha falling in the proposed area is proposed for conversion of UG to Opencast.
- f. In the remaining area of 45.5477 Ha, UG mining was completed before 1980 treating this land as Non-forest land at that time.

vi. **(reply to point no.xii):** State Government is requested to forward the EC pertaining to JK5 mine with a clarification regarding conditions laid down in the respective EC wrt the mined out areas or OBD areas and the provision for rehabilitation or greening the same if any. The updated status with respect to the mining closer plan of JK-5 may also be submitted.

The EC was granted for JK5 by the MOEF & CC vide reference No. J-11015/31/2013 - A - II (M) Dt. 03.3.2016, it was revised by MOEF vide F.No.23-257/2018-1A(III) dtd:10.6.2022, which is enclosed.

As per this EC vide para 4.1(e) mining is being carried out and no change has been made in mining. vide para 4.1(f) the digital survey of entire lease area has been carried out. Other provisions in EC were also complied with. On the overburden area of JK 5 (NFL), rehabilitation & plantation was carried out in 108 Ha with local species. As per present approved mining plan of JKOC the voids of JK 5 OC will be filled up to ground level and planted.

In 128.65 Ha area of the JK5 voids, an area of 128.65 Ha will be used for

I/196810/2023

dumping of OB. The total void area will be filled up with the OB dump of proposed JKOC. The JK5 OC though not part of this proposal but is part of the project area. KML of the proposed Over Burden Dump area in JK5 OC is enclosed.

Point No.2: - It has been informed that the Old Dargah & Burial Ground existing near Timber Depot in proposed area for diversion is under the control of the Forest Department. Further, it was stated that the UA will provide alternate site for the purpose. In this regard the State Govt. is requested to provide the details of the alternative sites identified.

Reply: SCCL has informed that they have identified equivalent alternate site of 0.208 Ha (burial ground 0.203 Ha, Dargah 0.005 Ha.) at survey No.588 of Rompedu village, which is under possession of SCCL . KML file of same is enclosed.

Point No.3:- From the site inspection carried out by the Sub-office, Hyderabad it was learnt that about 68.00 ha out of 106.3042 ha forest land (part of the total area proposed for diversion is 151.8517 ha) proposed for diversion is under Encroachment and there are some claims under process under FRA. In addition, in this forest land, encroachments by way of cultivation of agricultural crops and commercial establishments like poultry shed, shops, dwelling house etc. were also noticed as per site inspection report. In this regard, the State Govt is requested to offer its comments and action taken for removal of encroachments.

Reply: The CF Bhadadri has informed that the encroachment has taken place in long back and the RoFR title deed are not issued to the encroachers under FRA and removal of encroachments is under process and will follow the procedure and take necessary action for removal of encroachments in the proposed diversion land. However, M/s.SCCL has informed that they will provide compensation as per RFCT LARR Act - 2013 to the Eligible people if confirmed as encroachers as per the decision taken by competent authorities.

Point No.4 - As per the site inspection carried out by the sub-office, Hyderabad it was learnt that the balance forest land i.e. 18 ha which is the part of earlier diversion of 124.96 ha approved by the Ministry vide F.No.8-260/1985-FC, dated 20.07.2018 is also under encroachment. In this regard, the State Govt is requested to offer its comments and action taken report

I/196810/2023

for removal of encroachment.

Reply: The CCF, Bhadradi has informed that the encroachment took place long back and removal of encroachments is under process. However, the SCCL authorities has reported that, Singareni Authorities may be abide by the decision taken by State Government in this regard and the SCCL will provide compensation as per RFCT LARR Act - 2013 to the eligible encroachers as per the decision taken by competent authorities.

Point No.5 - From the site inspection carried out by the Sub-office, Hyderabad it was learnt that in the additional 45.5477 ha proposed for diversion, graveyards/ cemeteries, BT road, electrical substation and some pathways were observed at a few locations. In this regard the State Govt may offer the comments and the action taken report in this regard.

Reply: The additional block of 45.5477 Ha was initially treated as Non-forest land while preparing the proposal and subsequently the Mandal Revenue Officer, Yellandu, vide his reference No.B/295/2020 dtd:-5.11.2020 had certified that this land is forest land and this land is shown as fresh area for diversion. However, UG mining was completed before 1980 treating this land as Non-forest land at that time.

No action can be taken at this point of time, however, the SCCL has submitted application for this land and they have provided CA land and accordingly CA and NPV will be levied from the UA and the existing substation/road/path ways will be diverted in SCCL land. Further, they will abide by the decision taken by State Government in this regard.

Point No - 6 - It was learnt from the site inspection report that the forest area now proposed i.e. 45.5477 ha. for diversion was not part of any earlier approved diversion. However, underground mining has been carried out in this area without any approval. In such a case the violation has been carried out by the user agency. In this regard, the State Govt. is requested to offer its comments and submit the action taken report.

Reply: The additional block of 45.5477 Ha was initially treated as Non-forest land while preparing the proposal and subsequently the Mandal Revenue Officer, Yellandu, vide his reference No.B/295/2020 dtd:-5.11.2020 had certified that this land is forest land and this land is shown as fresh area for diversion. However, UG mining was completed before 1980 treating this land as Non-forest land at that time.

I/196810/2023

It was clarified as RF land by the Mandal Revenue Officer, Yellandu during 2020 only. Further, they will abide by the decision taken by State Government in this regard.

Point No. 7 - It was informed in the site inspection report, that the amalgamated mine named as Jawahar Khani Opencast (JK OC) will have an area of 1114.507 ha which includes 167.46 ha forest land as indicated at Para 8.1.2 of the approved Mining Plan. However, the forest area now proposed for diversion i.e. 45.5477 ha is not shown as forest land in this Mining Plan. In this regard, the State Govt. shall offer its comments.

Reply: The amalgamated mine named as JK OC is having project area of 1114.507 Ha out of which mining plan approval was initially for 167.46 Ha. After knowing that the area of 45.5477 Ha is also forest land, a revision to mining plan was obtained from the Board of SCCL vide Ref No.CRP/Cs/54/408 dtd:12.8.2021 and accordingly has modified the mining plan for 213.0077 Ha Forest land duly including 45.547 Ha which was initially thought to be non-forest land. The Board of the SCCL is competent to grant approval for minor changes (Copy of the Board approval enclosed). MOC vide its O.M-F.No.34011/28/2019 - CPAM dtd:29.05.2020 vide para 1.3(B) has authorized the project proponent to make such changes. Thus, this area of 45.5477 Ha also part of the approved mining plan.

Point No. 8 - As per para 1.20 of hand book of guidelines issued by this Ministry, if the State Govt. does not furnish the reply in 90 days, the proposal may be rejected by the Central Government. In the instant case the Ministry on 18.01.2023 sought the EDS and the State Govt. has submitted the reply on 14.07.2023. Therefore the State Govt. may clarify that why the instant proposal shall not be rejected with immediate effect.

Reply: It is inform that M/s.SCCL has submitted information to the District Forest Officer vide GM,YLD ref No.YLD/EST/2023/12/588 Dt. 10.4.2023 and submission was made within time and any delay was not intentional. It has taken further (3) months by the state forest department time to sent the report to the Gol. Therefore based on the submissions made here it is requested to kindly accept and consider the proposal for recommendation.

In view of the above, stating all the above facts the State Government are requested to submit the information to Gol, MoEF& CC, New Delhi for consideration

I/196810/2023

of this proposal.

Encl: As above.

Yours faithfully,

Signed by Rakesh Mohan

Dobriyal

Date: 24-12-2023 18:23:50

Reason: Approved

Prl. Chief Conservator of Forests
Head of Forest Force(HoFF)

Advance Copy submitted to the Director General of Forests & Special Secretary to the Govt, MoEF& CC, Gol, Indira Paryawarana Bhawan, Jorbagh Road, New Delhi - 110003 for information and necessary action.

Copy to

The Conservator of Forests, Bhadradi Circle and the District Forest Officer, Bhadradi Kothagudem for information

Sri Surendra pandey, IFS (Retd.), Advisor (Forestry), The SCCL, Singareni Bhavan, Red Hills, PB.No.18, Khairatabad, Hyderabad - 500004 for information

General Manager, M/s Singareni Collieries Corporation Limited, Yellandu Area, Bhadradi Kothagudem District for information.