

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

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

पत्रांक- 1114

राँची, दिनांक- 13.9.19

सेवा में,

क्षेत्रीय मुख्य वन संरक्षक, हजारीबाग।

वन संरक्षक, प्रादेशिक अंचल, चतरा।

वन प्रमण्डल पदाधिकारी,

चतरा दक्षिणी वन प्रमण्डल।

विषय:- मेरार्रा सी0सी0एल0 के पुरनाजीह ओ0सी0पी0 परियोजना हेतु 323.49 हे0 वनभूमि अपयोजन का प्रस्ताव के संबंध में।

प्रसंग:- 1. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्रांक F.No. 8-61/2018-FC-DFA-I दिनांक 22.08.2019
2. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्रांक F.No. 8-61/2018-FC-DFA-II दिनांक 22.08.2019

महाशय,

उपर्युक्त विषयक संदर्भ में भारत सरकार के प्रासंगिक पत्रों की छायाप्रति इस पत्र के साथ आवश्यक कार्रवाई हेतु संलग्न है।

अनुरोध है कि विषयगत अपयोजन प्रस्ताव में भारत सरकार के उक्त दोनों पत्रों द्वारा की गई पृच्छाओं का निराकरण प्रतिवेदन अपने मन्तव्य सहित उचित माध्यम से इस कार्यालय को अविलम्ब उपलब्ध कराने की कृपा की जाय।

अनु0-यथोक्त।

विश्वासभाजन,

ह0/-

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

ज्ञापांक- 1114

दिनांक- 13.9.19

प्रतिलिपि:- मुख्य महाप्रबंधक (पर्यावरण एवं वन), सी0सी0एल0, दरभंगा हाउस, राँची को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

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

कार्यालय-वन संरक्षक, प्रादेशिक अंचल, चतरा।

ज्ञापांक 146

दिनांक 01/02/2020

प्रतिलिपि वन प्रमंडल पदाधिकारी, चतरा दक्षिणी वन प्रमंडल को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित। अनुरोध है कि उक्त दोनों प्रासंगिक पत्रों द्वारा की गई पृच्छाओं का निराकरण प्रतिवेदन अपने मन्तव्य के साथ इस कार्यालय में अविलंब समर्पित करना सुनिश्चित किया जाय, ताकि अग्रेतर कार्रवाई किया जा सके।

वन संरक्षक
प्रादेशिक अंचल, चतरा
01/02/2020

DFA-4

91



F. No. 8-61/2018-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.
Dated: 22 August, 2019

To
The Secretary,
Ministry of Mines,
Government of India,
Shastri Bhawan, New Delhi

Sub: Proposal for diversion of 323.49 ha of forest land for Purandih OCP mine in favour of M/s Central Coalfields Limited (CCL) in Chatra District, Jharkhand.

Sir,

I am directed to refer to the State Government's letter no. Van Bhumi-27/2016-3612/V.P. dated 27.06.2018 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and to inform that said proposal was placed before Forest Advisory Committee (FAC) in its meeting held on 31st July, 2019. The detailed minutes of the FAC meeting held on 31st July, 2019 may kindly be accessed on the website of this Ministry (www.parivesh.nic.in).

The FAC, after thorough deliberations on the proposal and also taking note of the various provisions of the Coal Bearing Areas (Acquisition) Act, 1957 inter-alia recommended to obtain clarification of the Ministry of Mines on the following:

- (i) Is there any provision of lease area in CBA 1957?
- (ii) Can project area, for which mining plan is approved by competent authority, shall be taken as one lease area to analyse the *fait accompli* situation as referred by Hon'ble supreme court in Lafarge Umiam v/s Union of India case in 2011.
- (iii) Can Forest land be acquired under CBA 1957?
- (iv) What procedure shall be adopted legally to restore back the reclaimed forest land after completion of mining (which was acquired through CBA 1957) to forest department for uniform management.

In view of the above, I am directed to request the Ministry of Mines, Government of India to submit their comments, as per the observation of FAC, to this Ministry for further necessary action in the matter.

Yours faithfully,

(Sandeep Sharma) 22.08.19

Assistant Inspector General of Forests (FC)

Copy to:-

- 1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
- 2. The Dy Director General of Forests (Central), Regional Office, MoEF&CC, Ranchi
- 3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Jharkhand, Ranchi.
- 4. User Agency.
- 5. Monitoring Cell (Forest Conservation Division)
- 6. Guard File.

(Sandeep Sharma) 22.08.19

Assistant Inspector General of Forests (FC)

6
22-8-2019
INDIRA BHAWAN

03.9.19



F. No. 8-61/2018-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

DFA-I

90

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.
Dated: 22 August, 2019

To
The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: **Proposal for diversion of 323.49 ha of forest land for Purandih OCP mine in favour of M/s Central Coalfields Limited (CCL) in Chatra District, Jharkhand.**

Sir,

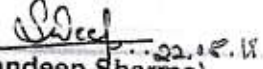
I am directed to refer to the State Government of Jharkhand's letter no. Van Bhumi-27/2016-3612/V.P. dated 27.08.2018 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and to inform that said proposal was placed before Forest Advisory Committee (FAC) in its meeting held on 31st July, 2019. The detailed minutes of the FAC meeting held on 31st July, 2019 may kindly be accessed on the website of this Ministry (www.parivesh.nic.in).

The FAC, after thorough deliberations on the proposal and also taking note of the various facts of the proposal inter-alia recommended obtaining following information from the State Government:

- (i) State Government shall identify land bank of degraded forest land. KML files/shape files for exact 650 ha of degraded forest land as CA requirement for project proposal shall be submitted.
- (ii) The State Government shall also inform the status of 81.20 ha of land (832.94-751.74=81.20ha) with in total project area of 832.94 ha
- (iii) State Government shall submit necessary certificate to confirm whether the site selected for non-forest use and also for compensatory afforestation is important from Religious/Archaeological point of view or not.
- (iv) Certificate that the Compensatory area is free from encroachments and encumbrances shall be given by the state Government.
- (v) State Government shall also analyse the proposal in light of observation of Hon'ble Supreme Court in case of Lafarge Umiyam V/s Union of India in 2011.
- (vi) State Government shall submit details of the officials responsible for violation of provisions of FCA 1980 and appropriate action initiated against such persons/authorities as per provisions under relevant Acts.
- (vii) State Government shall submit detail of safety zone area.
- (viii) State Government shall provide details about the gaps/shortfall observed in the process of reclamation of the mined area by CCL in other mines within the state.

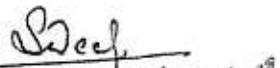
In view of the above, I am directed to request the Ministry of Mines, Government of India to submit their comments, as per the observation of FAC, to this Ministry for further necessary action in the matter.

Yours faithfully,


(Sandeep Sharma)
Assistant Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
2. The Dy Director General of Forests (Central), Regional Office, MoEF&CC, Ranchi
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Jharkhand, Ranchi.
4. User Agency.
5. Monitoring Cell (Forest Conservation Division).
6. Guard File.


(Sandeep Sharma)
Assistant Inspector General of Forests (FC)

20.8.19
मिनिश कुमार
03.9.19