

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

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

Dated: 01st September, 2020

To,

The Principal Secretary (Forests),
Department of Forest and Environment,
Government of Uttar Pradesh,
Lucknow.

Subject: Proposal of Renewal for diversion of 185.84 ha of Forest Land in favour of M/s. Northern Coalfields Limited for Coal Mining in Kakari Open Cast Coal Mining in Sonbhadra District in the State of Uttar Pradesh (Online No. FP/UP/MIN/29061/2017)-reg.

Madam/Sir,

I am directed to refer to the proposal received Online vide No. FP/UP/MIN/29061/2017 from the Government of Uttar Pradesh on the above-mentioned subject matter; seeking prior approval of the Central Government as per provisions contained in Section-2 of the Forest (Conservation) Act, 1980, and to request that after examination of the said proposal the Ministry has observed the following:

- i. The clear recommendation of CCF has not been provided in Part-III; as well as on the basis of improper recommendation of CCF the proposal has been recommended by Nodal Officer. Therefore, recommendation of the C.C.F & Nodal Officer needs a review. They are required to submit clear recommendations and the recommendations shall be on agreeing renewal proposal or not in specific "Yes" or "No". Reasons for agreement/disagreement shall also be cited with the proposal;
- ii. DFO, Renukoot vide their letter no. 2869/ रेनुकूट/15-38 dated 13.02.2019 had reported violation of section 2 of FCA, 1980 in this matter. The details about specific issues pertaining to contravention of section 2 of FCA, date of violation, extent of violation, officials responsible for violation, any other information relevant to this proposal shall be submitted;
- iii. The State Government has not submitted the complete compliance of the Ministry's earlier approval vide order no. 8-350/1987-FC dt. 30.05.1989;
- iv. Site Inspection Report of the concerned CCF has not been submitted with the proposal which is mandatory as proposed renewal of lease is having extent > 40 ha;
- v. The NOC from other land owning agencies other than State Forest

Department (if any) has not been submitted with the proposal;

- vi. The State Government has not clarified whether the Environmental Clearance issued vide order dt. 11.05.2005 is valid for the instant proposal or not;
- vii. The State Government has not submitted the valid lease documents for the instant proposal;
- viii. The State Government has not submitted details i.e. kml file with respect to the CA land where plantation has been carried out as per approval order no. 8-350/1987-FC dt. 30.05.1989;
- ix. As per the DSS analysis report, the following shortfalls has been observed:
 - a. The calculated area of proposed diversion as per kml file submitted is found to be 183.91 ha whereas applied area for diversion in the renewal proposal is 185.84 ha;
 - b. As per SoI Map, some portion of Forest land applied for renewal is falling in the state of Madhya Pradesh;
 - c. A shift of Forest KML boundary applied for renewal has been observed w.r.t. location forest patch i.e. 185.84 Ha as shown in SoI Map;
 - d. SoI Map shows some Forest patches are not covered in the Forest land i.e. 185.84 ha applied for renewal.

In view of the above, the State Government may submit the above requisite information for further consideration of the proposal in the Ministry.

Yours faithfully,

Sd/-
(Brijendra Swaroop)
Dy. Inspector General of Forests

Copy to:

1. The PCCF & (HoFF) Government of Uttar Pradesh, Lucknow.
2. The DDG (Central), Regional Office (Central Zone), Lucknow.
3. The Nodal Officer, O/o the PCCF, Government of Uttar Pradesh, Lucknow.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.