

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: 22nd September, 2023

To,

The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Subject: Diversion of 166.41 ha forest land (150.31 ha Reserve Forest and 16.10 ha Protected Forest) in the forest compartment No. RF-720, RF-721 & PF-720-B of Parasia Range under West Chhindwara Forest Division for the Mahadeopuri Underground Coal Mining Project in favour of M/s Western Coalfield Limited (WCL) in Chhindwara District of Madhya Pradesh State (Online No. FP/MP/MIN/37580/2018) - regarding.

Madam/Sir,

I am directed to refer to the Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh letter no. F-1/828/2021/10-11/3918 dated 29.08.2023 uploaded on PARIVESH portal on dated 01.09.2023 on the above cited subject forwarding the required information. The examination of the said information has revealed that:

- i. The compliance of the conditions stipulated in Stage-II approval dated 11.10.1986 in case of already diverted forest land of 865.824 ha shall be submitted.
- ii. As per the Mine lease agreement the lease was valid for the period of 20 years which was valid till the year 2013 starting from the date 20.08.1993 whereas the Stage-II approval under the FCA, 1980 was granted for the period of 30 years. Moreover, as per Chapter-7 of the handbook of guidelines, Para 7.6 says that "the validity of clearance granted under FC shall be coterminous with the life of the mine as per the approved mine plan subject to a maximum of 30 years as provided in the MMDR Act, 1957 as amended up to Mines and Minerals (Development and Regulation) Amendment Act, 2015". In view of the above facts, the State Govt. needs to examine the matter along with validity of lease and submit a report on the violation of the Forest (Conservation) Act, 1980.
- iii. The State Govt. has not clarified whether the surrendered area of 699.414 ha forest land has been reclaimed/ restored as per the condition no. 6 of the Stage-II/Final approval dated 11.10.1986.
- iv. The user agency in online Part-I reported that the EC application is yet to be submitted whereas the State Govt. reported that the present proposed area 166.41 ha is included in the EC dated 17.05.2007. Therefore the above variation needs clarification.
- v. The Cost Benefit analysis 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 has not been submitted and same needs submission.
- vi. The copy of revised Mining plan for revised mining lease area of 172.87 ha shall be submitted.
- vii. The 3D subsidence report envisage that maximum value of subsidence and tensile strain likely to occur in the forest areas is 11.42 mm/m. Accordingly, the user agency has to bear the amount of NPV and undertaking in this regard shall be submitted. Further, the NPV amount has not been included in the cost benefit analysis.

- viii. The user agency has submitted a NOC for ground water abstraction which is valid up to 28.09.2023. Further, a minor tank is located adjacent to the proposed forest land for diversion therefore, comments of the water resource department needs submission.
- ix. On examination of comprehensive KML file submitted by State Govt. for 865.824 ha forest land, the DSS Analysis reported that:
- Software calculated area of forest land surrendered by the user agency is found 700.858 ha instead of 699.414 ha as mentioned by the user agency in the proposal. Further, the surrendered area has been found in four (4) patches and a gap in between the two patches have been noticed through KML file. Therefore, State Govt. may be requested to submit the complete KML file of the Mining lease of Mahadeopuri under-ground coal mining project.
 - Software calculated area of forest land proposed for surface utilization is found 1.839 ha.
 - Still the complete KML file as per the purpose wise/ components wise utilization of the forest land as well as Non-forest land as mentioned in the online Part-I has not been submitted by the State Govt.
 - The State Govt. may also be requested to check the KML file of the proposed forest land for diversion because the KML file of diversion area uploaded on PARIVESH does not includes the area for surface utilization (1.832 ha). Hence, the total forest land for diversion works to be 167.909 ha (166.07 ha as per KML area of proposed forest land + 1.832 ha for surface utilization).
- x. The KML file of 2.75 ha Non-forest land which was earlier given for CA shall be submitted.
- xi. In the transportation plan it has been mentioned that coal is being hauled through direct haulage from the UG mine and tipped into the surface bunker. From this surface bunker the coal is being transported to E.D.C. siding of PENCH area through road transportation. However, details of forest land if any involved in the transportation of mined out mineral and how the requirement of electricity, water will be met has not been submitted which needs submission.
- xii. This is also important that State Government should clarify whether the User Agency is seeking approval from fresh FC or renewal of FC, since Stage-II on the same land was accorded. It is reiterated that the validity of the old lease or new lease if any should also be informed.**

Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal.

Yours sincerely,

(Dr. Surabhi Rai)
Deputy Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.