

**BEFORE THE NATIONAL GREEN TRIBUNAL  
AT PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO.59 OF 2024**

**IN SUO MOTO MATTER:**

**In Re: DEFORESTATION FOR MINING RESUMES IN HASDEO,  
LOCALS, ACTIVISTS ALLEGE DETENTION**

**AFFIDAVIT ON BEHALF OF RESPONDENT NO.4 PURSUANT  
TO ORDER DATED 06.02.2025**

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Filed by:



**KUNAL VERMA**

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Place: New Delhi

Date: 21.04.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL  
AT PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO.59 OF 2024**

**IN SUO MOTO MATTER:**

**In Re:      DEFORESTATION FOR MINING RESUMES IN  
                 HASDEO,      LOCALS,      ACTIVISTS      ALLEGE  
                 DETENTION**

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4  
PURSUANT TO ORDER DATED 06.02.2025**

I, Hem Raj, S/o Shri Nanag Ram, aged about 55 years, working as Superintendent Engineer with RRVUNL/ Respondent No.4 Company, do hereby solemnly say and affirm as follows:

1. That I am the authorized representative of the Respondent No.4 - M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited. (**'RRVUNL'**) and well versed with the facts and circumstances of the case and as such competent to swear the present affidavit.

2. That Respondent No.4, RRVUNL, which is a State of Rajasthan undertaking, has been impleaded as a party to the captioned proceedings, vide order dated 21.03.2024.
3. That, during the course of hearing on 06.02.2025, this Hon'ble Tribunal was pleased to direct the Respondent No.4 to file affidavit showing status of matters pending before the Hon'ble Supreme Court, before Hon'ble High Court of Chhattisgarh and before this Hon'ble Tribunal pertaining to coal block situated in Parsa East and Kanta Basan Coal Block in Hasdeo Arand Forest Area. A True Copy of the order dt. 06.02.2025 passed by this Hon'ble Tribunal in Original Application No.59 of 2024 is annexed herewith and marked as **Annexure A-1**.
4. That Respondent No.4 is filing the present affidavit in furtherance to the order dated 06.02.2025 passed by this Hon'ble Tribunal.
5. That, Respondent No.4 submits that the details and current status of matters/cases are pending before Hon'ble Supreme Court of India, Hon'ble High Court of Chhattisgarh and this Hon'ble Tribunal, pertaining to the

same subject coal block/mine, namely Parsa East and Kanta Basan Coal Block, are as follows:

**A. SUPREME COURT OF INDIA:**

**Writ Petition (Civil) No.510 of 2023** in the matter of  
**“Sudiep Shrivastava Vs. Union of India & Ors.”**

**PARTIES**

**Petitioner:**

1. Sudiep Shrivastava

**Respondents:**

1. Union of India through Ministry of Environment Forest & Climate Change
2. State of Chhattisgarh
3. Rajasthan Rajya Vidyut Utpadan Nigam Limited
4. Parsa Kente Collories Limited
5. Rajasthan Collieries Ltd.

**Prayer(s) in Writ Petition (C) No.510 of 2023 filed under Article 32 of the Constitution of India:**

- a) Issue an appropriate Writ /Order/Direction to Direct the State of Chhattisgarh to notify entire Hasdeo Aranya as conservation Reserve u/s 36 A of the, Wildlife Protection Act 1972;

- b) *Issue an appropriate Writ / Order/ Direction to stop mining in PEKB Coal Block of the Hasdeo Aranya and to restore the area in its original form;*
- c) *Issue an appropriate Writ / Order/ Direction to quash the Mining Permission Dated 02.02.2021 granted for Phase II PEKB Coal Block of the Hasdeo Aranya by MoEFCC;*
- d) *Issue an appropriate Writ / Order/ Direction to, quash the Mining Permission Dated 25.03.2022 granted for Phase II PEKB Coal Block of the Hasdeo Aranya by State of Chhattisgarh;*
- e) *Issue an appropriate Writ / Order/ Direction to quash the Forest Issue an appropriate Writ / Order/ Direction to quash the Forest Land Diversion Order Dated 06.04.2022 granted for Parsa Coal Block of the Hasdeo Aranya by State of Chhattisgarh;*
- f) *Issue an appropriate Writ / Order/ Direction to quash the Stage I Forest Clearance Dated 13.02.2019 and Stage II Forest Clearance Dated 21.10.2021 granted for Parsa Coal Block of the Hasdeo Aranya by MoEF & CC;*
- g) *Issue an appropriate Writ / Order/ Direction to quash the Environment Clearance Dated 10.08.2018 granted for PEKB Coal Block of the Hasdeo Aranya by MoEFCC;*

h) Issue an appropriate Writ /Order/Direction to quash the Environment Clearance Dated 12.07.2018 granted for PEKB Coal Block of the Hasdeo Aranya by MoEFCC.

It is most respectfully submitted that Prayer clause (b), (c) and (d) quoted above directly pertain to the mining activity in Parsa East and Kanta Basan Coal Block (**"PEKB"**) and the validity of the forest clearance granted by the MoEF and State of Chhattisgarh in relation to Parsa East and Kanta Basan Coal Block.

A True Copy of Writ Petition (Civil) No.510 of 2023 pending before the Hon'ble Supreme Court of India is filed as **Annexure A-2.**

**Current status:**

The Hon'ble Supreme Court vide order dated 05.11.2024 has issued notice in the said Writ Petition. A True Copy of the order dt. 05.11.2024 passed by the Supreme Court in Writ Petition (Civil) No.510 of 2023 is annexed herewith and marked as **Annexure A-3.**

The matter was last listed on 07.01.2025, wherein the Hon'ble Supreme Court has directed the MoEF to place on record the Biodiversity Assessment Report (**BAR**) and posted the matter for further consideration on 18.03.2025. A True Copy of the order dt. 07.01.2025 passed by the Supreme Court in Writ Petition (Civil) No.510 of 2023 is annexed herewith and marked as **Annexure A-4**.

That the Hon'ble Supreme Court vide last order dt. 03.04.2025 has directed the listing of the matter on 14.05.2025. A True Copy of the order dt. 03.04.2025 passed by the Supreme Court in Writ Petition (Civil) No.510 of 2023 is annexed herewith and marked as **Annexure A-5**.

**B. HIGH COURT OF CHHATTISGARH AT BILASPUR:**

**Writ Petition (Civil) No.1346 of 2016 in the matter of "Forest Right Committee Vs. Union of India & Ors."**

**PARTIES**

**Petitioner:**

1. Forest Rights Committee, Ghatbarra (Deleted)
2. Hasdeo Arand Bachao Sangharsh Samiti
3. Jainandan Singh Porte

**Respondents:**

1. Union of India through Ministry of Environment Forest & Climate Change
2. Union of India through Ministry of Tribal Affairs, Govt of India

3. State of Chhattisgarh
4. District Level Forest Rights Committee, Surguja
5. Rajasthan Rajya Vidyut Utpadan Nigam Limited

**Prayer(s) in Writ Petition No.1346 of 2016 (As Amended)**  
**filed under Article 226 of the Constitution of India:**

- (i) Set aside the order dated 08.01.2016 issued by Respondent no.4.
- (ii) hold that the Rights granted under The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 cannot be cancelled or revoked;
- (iii) any other relief which this Hon'ble Court may deem fit be granted;
- (iv) *Set aside the order dated 02.02.2022 issued by Respondent R-1, aside the consequential orders dated 25.03.2022 and 05.05.2022 issued by Respondent State Government R-3.*

It is most respectfully submitted that Prayer clause (iv) quoted above directly pertain to the validity of the forest clearance granted by the MoEF and State of Chhattisgarh in relation to Parsa East and Kanta Basan Coal Block.

A True Copy of Writ Petition (Civil) No.1346 of 2016 pending before the Hon'ble High Court of Chhattisgarh is filed as **Annexure A-6**.

**Current Status:**

The matter is in the weekly list and is likely to be listed for final hearing in the High Court of Chhattisgarh at Bilaspur.

C. **NATIONAL GREEN TRIBUNAL, CENTRAL ZONE, BHOPAL:**

**Original Application No.05 OF 2025 (C.Z.); (OLD NO.1080 of 2024)**

**RE: Anita & Anr. Vs. State of Chhattisgarh ("Identical Suo Moto")**

**PARTIES:**

**Petitioner:**

Anita and anr.

**Respondent:**

1. State of Chhattisgarh, through Additional Secretary, Environment, Forest and Climate Change,
2. Ministry of Environment, Forest and Climate Change, Through its Secretary,
3. Principal Chief Conservator of Forests
4. District Magistrate, Korba
5. District Magistrate, Sarguja
6. Chhattisgarh Environment Conservation Board (CECB)

7. Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL)

**Relief Sought:**

Citizen Action Group of India sent a Letter Petition dated 19.11.2024 complaining about illegal cutting of more than 15,000 trees in Hasdeo Forest which comes within district Korba and Sarguja in the State of Chhattisgarh for carrying out proposed coal mining project of Parsa East District Kente Basan.

**Current Status:**

That vide order dated 23.12.2024, the matter was directed to be listed before the Central Zone Bench of this Hon'ble Tribunal at Bhopal on 05.03.2025. A True Copy of the order dt. 23.12.2024 passed by this Hon'ble Tribunal in Original Application No.1080 of 2024 is annexed herewith and marked as **Annexure A-7**.

In the above-mentioned O.A. No.05 of 2025 (Central Zone) (Old O.A. No. 1080 of 2024), this Hon'ble Tribunal had constituted a 7- member Joint Committee, vide its order dated 07.11.2024, and directed the Joint Committee to submit a factual report before this Hon'ble Tribunal. The said Joint Committee submitted its report dated 16.12.2024 in the above-mentioned matter. A True Copy of the Report of the 7-member Joint Committee dated 16.12.2024 appointed by this Hon'ble Tribunal in Original Application No.1080 of 2024 is filed as **Annexure A-8**.

6. That, this Hon'ble Tribunal vide final order and judgment dt. 03.04.2025, was pleased to accept the factual report of the 7-member Joint Committee appointed by this Tribunal in O.A. No. 05 of 2025 (C.Z.) and held that the Joint Committee has taken the matter with reference to allegation of tree cutting and found that necessary permissions have been taken by the project proponent. This Hon'ble Tribunal further held that no violation has been reported in the joint committee report thus, no further action is required by this Tribunal.

7. This Hon'ble Tribunal eventually while accepting the 7-member joint committee report and noting its factual observations, disposed off the letter petition proceedings for the same subject PEKB Coal Block Phase-II mining while directing the Answering Respondent to carry out the necessary plantation to maintain the ecology in the area. A True Copy of the Final order and Judgment dt. 03.04.2025 passed by this Hon'ble Tribunal in O.A. No.05 of 2025 (C.Z.) is annexed herewith and marked as **Annexure A-9**.

8. That apart from the above, that this Hon'ble Tribunal, vide final order dt. 29.11.2024, has dismissed Miscellaneous Application No.

12 of 2024 (CZ) in Appeal No. 16 of 2019 (CZ) for restoration of appeal filed by the Hasdeo Arand Bachao Sangharsh Samiti (Intervenor herein) challenging the EC dated 12.07.2019 for the adjacent Parsa Coal Block falling in the Hasdeo Arand forest area. A copy of the final order dt. 29.11.2024 passed by this Hon'ble Tribunal in M.A. No. 12 of 2024 (C.Z.) in Appeal No. 16 of 2019 (C.Z.) in the matter of "*Hasdeo Aranya Bachao Sangharsh Samiti Vs. Union of India & Ors.*" is annexed herewith and marked as **Annexure A-10.**

9. That, Respondent No. 4 seeks liberty of this Hon'ble Tribunal to file a further additional affidavit as may be required at the appropriate stage of the present proceedings.

*[Signature]*

**DEPONENT**

Superintending Engineer (Fuel)  
RVUN, Jaipur

**VERIFICATION**

I, Hem Raj, the abovenamed deponent, do hereby verify that the contents of the foregoing reply affidavit are true and correct to my knowledge and no part of it is false and no material has been concealed therefrom.

Signed and Verified at Jaipur on this 21<sup>st</sup> day of April, 2025

*[Signature]*

**DEPONENT**

Superintending Engineer (Fuel)  
RVUN, Jaipur



**ATTESTED**

*[Signature]*  
OATH COMMISSIONER  
RAJASTHAN HIGH COURT  
JAIPUR BENCH, JAIPUR

21 APR 2025

Item Nos. 08 to 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 59/2024  
(IA No. 137/2024, IA No. 136/2024)

News item titled "Deforestation for mining resumes in Hasdeo locals activists allege detention" appearing in The Hindu dated 22.12.2023

WITH

Original Application No. 128/2024

News Item titled "Activists allege thousands of trees felled in Hasdeo for coal mining" appearing in www.downtoearth.org.in dated 04.01.2024

WITH

Original Application No. 133/2024

News item titled "हसदेव में पेड़ों की कटाई, टीएस सहिदेव ने कहा-सीएम वशिष्ठदेव साय खुद आदविसी, जरूर समझेंगे जल जंगल जमीन का अस्तित्व" appearing in ETV Bharat.com dated 26.12.2023

Date of hearing: 06.02.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Mr. Atmaram N.S. Nadkarni, Senior Advocate (Through VC) with  
Mr. Kunal Verma, Ms. Yugandhara Pawar Jha, Ms. Lavanya  
Dhawan, Mr. Shivraj Pawar & Mr. Ritik Gupta, Adv. for R - 4  
Mr. Upendar Thakur, Adv. for MoEF & CC (Through VC)  
Mr. Abhishek Pandey, Adv. for R - 2 & 3  
Mr. Abhinay Sharma, Ms. Deeksha Prakash & Ms. Parul Khurana,  
Adv. for CECB (Through VC)  
Mr. Archit Krishna, Adv. in I.A No. 136/2024  
Ms. Shibani Ghosh, Adv. in I.A No. 137/2024

**ORDER**

1. Learned Senior Counsel appearing for the Respondent No. 4, M/s. Rajasthan Rajya Utpadan Nigam Limited has submitted that on the same issue Writ Petition (C) No. 510/2023 is pending before the Hon'ble Supreme Court, Writ Petition (C) No. 1346/2016 is pending before the High Court of

Chhattisgarh and O.A. arising out of Old O.A. No. 1080 of 2014 is pending before the Central Zonal Bench of the Tribunal.

2. During the course of hearing, he has handed over the tabulated chart showing status of pending matters as under:

Court	Case No.	Parties	Relief Sought	Status/Order
1. Supreme Court of India	Writ Petition (C) No. 510 of 2023	<b>Petitioner:</b> 1. Sudiep Shrivastava <b>Respondents:</b> 1. Union of India through Ministry of Environment Forest & Climate Change 2. State of Chhattisgarh 3. Rajasthan Rajya Vidyut Utpadan Nigam Limited 4. Parsa Kente Collieries Limited 5. Rajasthan Collieries Ltd.	a) Issue an appropriate Writ / Order/Direction to Direct the State of Chhattisgarh to notify entire Hasdeo Aranya as conservation Reserve u/s 36 A of the, Wildlife Protection Act 1972; b) Issue an appropriate Writ / Order/Direction to stop mining in PEKB Coal Block of the Hasdeo Aranya and to restore the area in its original form; c) Issue an appropriate Writ / Order/Direction to quash the Mining Permission Dated 02.02.2021 granted for Phase II PEKB Coal Block of the Hasdeo Aranya by MoEFCC; d) Issue an appropriate Writ / Order/Direction to, quash the Mining Permission Dated 25.03.2022 granted for Phase II PEKB Coal Block of the Hasdeo Aranya by State of Chhattisgarh; e) Issue an appropriate Writ / Order/Direction to quash the Forest Issue an	1. The Hon'ble Supreme Court vide order dated 05.11.2024 has issued notice in the said Writ Petition. A True Copy of the Supreme Court order dt. 05.11.2024 passed in Writ Petition (Civil) No.510 of 2023 is annexed herewith and marked as <b>ANNEXURE R-1</b> . 2. The Matter was last listed on 07.01.2025, wherein the Hon'ble Supreme Court has called for the Biodiversity Assessment Report (BAR) from MoEF and posted the matter for further consideration on 18.03.2025. A True Copy of the Supreme Court order dt. 07.01.2025 passed in Writ Petition (Civil) No.510 of 2023 is annexed herewith and marked as <b>ANNEXURE R-2</b> .

			<p>appropriate Writ /Order/Direction to quash the Forest Land Diversion Order Dated 06.04.2022 granted for Parsa Coal Block of the Hasdeo Aranya by State of Chhattisgarh;</p> <p>f) Issue an appropriate Writ /Order/Direction to quash the, Stage I Forest Clearance Dated 13.02.2019 and Stage II Forest Clearance Dated 21.10.2021 granted for Parsa Coal Block of the Hasdeo Aranya by MoEF &amp; CC;</p> <p>g) Issue an appropriate Writ /Order/Direction to quash the, Environment Clearance Dated 10.08.2018 granted for PEKB Coal Block of the Hasdeo Aranya by MoEFCC;</p> <p>h) Issue an appropriate Writ /Order/Direction to quash the, Environment Clearance Dated 12.07.2018 granted for PEKB Coal Block of the Hasdeo Aranya by MoEFCC.</p>	
2. High Court of Chhattisgarh	Writ Petition (C) No. 1346 of 2016	<p><b>Petitioner:</b> Forest Rights Committee, Ghatbarra (Deleted) Hasdeo Arand Bachao Sangharsh Samiti Jainandan Singh Porte</p> <p><b>Respondents:</b> Union of India through Ministry of Environment</p>	<p>(i) Set aside the order dated 08.01.2016 issued by Respondent No.4.</p> <p>(ii) Hold that the Rights granted under The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006</p>	The matter is listed in the weekly list and is likely to be taken up for final hearing in the High Court of Chhattisgarh in February, 2025.

		<p>Forest &amp; Climate Change Union of India through Ministry of Tribal Affairs, Govt of India State of Chhattisgarh District Level Forest Rights Committee, Surguja Rajasthan Rajya Vidyut Utpadan Nigam Limited</p>	<p>cannot be cancelled or revoked; (iii) Any other relief which this Hon'ble Court may deem fit be granted; (iv) Set aside the order dated 02.02.2022 issued by Respondent R-1, aside the consequential orders dated 25.03.2022 and 05.05.2022 issued by Respondent State Government R-3.</p>	
<p>National Green Tribunal (Central Zone)</p>	<p>O.A. No. _____ of 2025 (CZ)  <b>Old No.:</b> O.A. No. 1080 of 2024</p>	<p><b>Petitioner:</b> Anita and anr. <b>Respondents:</b> State of Chhattisgarh through the Addnl Chief Secretary, Environment, Forest and Climate Change Ministry of Environment Forest &amp; Climate Change, through its Secretary Principal Chief Conservator of Forest (PCCF) Chhattisgarh District Magistrate, Korba District Magistrate, Surguja, Chhattisgarh Environment Conservation Board (CECB) Rajasthan Rajya Vidyut Utpadan Nigam Limited</p>	<p>Citizen Action Group of India sent a letter petition dated 19.11.2024 complaining about illegal cutting of more than 15,000 trees in Hasdeo Forest which comes within district Korba and Sarguja in the State of Chhattisgarh for carrying out proposed coal mining project of Parsa East District Kente Basan.</p>	<p>That vide order dated 23.12.2024, the matter has been directed to be listed before the Central Zone Bench of this Hon'ble Tribunal at Bhopal on 05.03.2025. A True Copy of the order dt. 23.12.2024 Original Application No. 1080 of 2024 is annexed herewith and marked as <b>ANNEXURE R-3</b> A copy of the report of the Joint Committee dated 16.12.2024 is annexed as <b>ANNEXURE R-4</b>.</p>

3. Learned Counsel for the Applicant seeks adjournment to verify and place on record the status and details of the pending matters within three weeks.

4. Learned Senior Counsel for the Respondent No. 4 has also submitted that he will place on record these details by way of affidavit, which are disclosed during the hearing. Let the same be also done within three weeks.

5. List on 25.04.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 06, 2025  
O.A No. 59/2024,  
O.A No. 128/2024  
& O.A No. 133/2024  
HB..



**//True Copy//**

**IN THE SUPREME COURT OF INDIA**

(CIVIL ORIGINAL JURISDICTION)

WRIT PETITION (CIVIL) No. 510 OF 2023**{PUBLIC INTEREST LITIGATION}****IN THE MATTER OF**

SUDIEP SHRIVASTAVA

.....PETITIONER

**VERSUS**

UNION OF INDIA &amp; ORS.

.....RESPONDENTS

**PAPER- BOOK**

(FOR INDEX KINDLY SEE INSIDE)

**WITH****I.A. NO. \_\_\_\_\_ OF 2023**

(APPLICATION FOR INTERIM DIRECTION)

**AND****WITH I.A. NO. \_\_\_\_\_ OF 2023**

(APPLICATION FOR EXEMPTION FROM FILING OFFICIAL TRANSLATION)

COUNSEL FOR THE PETITIONER: **NEHA RATHI**

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**SECTION: II****PROFORMA FOR FIRST LISTING**

The case pertains to (Please tick/check the correct box):

- |                          |  |                                   |
|--------------------------|--|-----------------------------------|
| <input type="checkbox"/> | Central Act: (Title)   | <b>CONSTITUTION OF INDIA</b>      |
| <input type="checkbox"/> | Section  | <b>UNDER ARTICLE 14 AND 21</b>    |
| <input type="checkbox"/> | Central Rule : (Title)   | <b>-NA-</b>                       |
| <input type="checkbox"/> | Rule No(s):  | <b>- NA -</b>                     |
| <input type="checkbox"/> | State Act: (Title)   | <b>- NA -</b>                     |
| <input type="checkbox"/> | Section :  | <b>- NA -</b>                     |
| <input type="checkbox"/> | State Rule : (Title)   | <b>- NA -</b>                     |
| <input type="checkbox"/> | Rule No(s):  | <b>- NA -</b>                     |
| <input type="checkbox"/> | Impugned Interim Order: (Date)   | <b>- NA -</b>                     |
| <input type="checkbox"/> | Impugned Final Order/Decree:   | <b>-NA-</b>                       |
| <input type="checkbox"/> | High Court : (Name):   | <b>-NA-</b>                       |
| <input type="checkbox"/> | Names of Judges:   | <b>-NA-</b>                       |
| <input type="checkbox"/> | Tribunal/Authority ; (Name)  | <b>- NA -</b>                     |
| 1.                       | Nature of matter [ <input checked="" type="checkbox"/> Civil <input type="checkbox"/> Criminal |                                   |
| 2.                       | (a) Petitioner/appellant No.1 :  | <b>SUDIEP SHRIVASTAVA</b>         |
|                          | (b) e-mail ID:   | <b>-NA-</b>                       |
|                          | (c) Mobile Phone Number:   | <b>-NA-</b>                       |
| 3.                       | (a) Respondent No.1:   | <b>UNION OF INDIA</b>             |
|                          | (b) e-mail ID:   | <b>- NA -</b>                     |
|                          | (c) Mobile Phone Number:   | <b>- NA -</b>                     |
| 4.                       | (a) Main category classification:  | <b>08 (0812)</b>                  |
|                          | (b) Sub classification:  | <b>OTHER PIL MATTER</b>           |
| 5.                       | Not to be listed before:   | <b>- NA -</b>                     |
| 6.                       | (a) Similar disposed of matter with citation, if any & case details:                           | <b>NO SIMILAR DISPOSED MATTER</b> |
|                          | (b) Similar Pending matter with case details:  | <b>C.A. NO. 4395 OF 2014</b>      |

7. **Criminal Matters:**(a) Whether accused/convict has surrendered Yes  No (b) FIR No. **-NA-** Date: **-NA-**

(c) Police Station:

**-NA-**

(d) Sentence Awarded:

**- NA -**

(e) Period of sentence undergone including period of Detention/ Custody Undergone:

**- NA -**

## 8. Land Acquisition Matters:

**- NA -**

(a) Date of Section 4 notification:

**- NA -**

(b) Date of Section 6 notification:

**- NA -**

© Date of Section 17 notification:

**- NA -**

## 9. Tax Matters: State the tax effect:

**- NA -**

## 10. Special Category (first Petitioner/ appellant only):

**- NA -** Senior citizen > 65 years  SC/ST  Woman/child Disabled  Legal Aid case  In custody**- NA -**

## 11. Vehicle Number (in case of Motor Accident Claim matters):

**- NA -**

**(NEHA RATHI)**  
 COUNSEL FOR THE PETITIONER  
**CODE NO. :2613**  
**Email: [neha305@gmail.com](mailto:neha305@gmail.com)**  
**MOBILE NO: 8860867102**

New Delhi

Dated: 20.04.2023

**SYNOPSIS AND LIST OF DATES**

That the present petition is being in public interest under Article 32 of the Constitution of India for the enforcement of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India. This instant Writ Petition is challenging the State of Chhattisgarh Order dated 25.03.2022 granting permission of non forest use and mining in Phase II Area Forest Land of 1136 Hect of the Parsa East Kete Basan Coal Block (here in after referred as PEKB) and MoEFCC order dated 02.02.2022 allowing the Project Proponent RRVUNL and MDO PKCL to mine in Phase II Area of the PEKB Block.

It is noteworthy that the original order issued under Section 2 of the Forest Conservation Act 1980 dated 28.03.2012 grating Non Forest Use permission for 1898.9 Hect has been quashed by the NGT Judgment passed in Appeal No. 73 of 2012 filed by the petitioner herein. There is no Section 2 Order for the entire Forest Land in question yet non forest working permission have been granted by aforesaid orders impugned in the instant Writ Petition.

That the petitioner herein has challenged the aforesaid Orders by filing IAs No. 2007 of 2022 and 71316 of 2022 in Civil Appeal No. 4395 of 2014 which has been filed by the respondent RRVUNL against the Judgment of the NGT Dated 24.03.2014 passed in the Appeal No. 73 of 2012 by which Forest Clearance granted to the PEKB Coal Block and the Minister's Order Dated 23.06.2011 has been quashed. This Hon'ble Court has issued notices on the said IAs on 10<sup>th</sup> May 2022, however as an abundant precaution the instant Writ Petition has been filed by the Petitioner herein to meet the any hyper technical objections.

That as per the NGT Act 2010, in normal circumstances the challenge to any project's Environmental Clearance or Forest Clearance lies before the NGT by filing an Appeal u/s 16 of the NGT Act.

However, because of the pendency of the aforesaid Civil Appeal No. 4395 of 2014, the NGT has not heard the Appeals filed by the petitioner herein against the subsequent Clearances granted by the MoEFCC to the impugned PEKB and other Coal Blocks and has adjourned them sine-die whose details are as follows.

Appeal No. 10 of 2018 (Against Production Capacity Expansion of PEKB Coal Block from 10 MTPA to 15 MTPA. – Adjourned Sine Die on 10.09.2018 ordered to be listed only after Decision of the Supreme Court in CA No. 4395 of 2014)

Appeal No. 12 (CZ) of 2019 (Against Environmental Clearance of Parsa Coal Block which is adjacent to PEKB - Adjourned on 02.09.2021 ordered to be listed only after Decision of the Supreme Court in CA No. 4395 of 2014)

In the aforesaid circumstances, the petitioner herein finding no other option and also to save the multiplicity of the proceedings, has filed the IA No. 2007 of 2022 and 71316 of 2022 in the Civil Appeal No. 4395 of 2014 challenging the MoEFCC and State Govt permissions granted to use Phase II of the PEKB Land.

That the Writ Petition No. 371 of 2019 Dinesh Kumar Soni vs Union of India and Ors. has also challenged the Environmental Clearance Dated 21.12.2011 granted to the PEKB Coal Block and the same has been tagged

with the Civil Appeal No. 4395 of 2014 and is pending. The issues raised in the Writ Petition No. 371 of 2019 and the Civil Appeal are overlapping as far as forest and environment issues are concern. Thus, it is logical to hear all the matters together. It is Noteworthy that the challenge before the NGT against the EC dated 21.12.2011 has been dismissed on the ground of limitation and has never been decided on merit.

**FACTUAL MATRIX OF THE CHALLENGE :**

The main grounds for the challenge includes that the Coal Blocks were initially categorised as "NOGO" where mining permission could not have been granted. The MoEF it self has submitted a note to Cabinet Committee of Infrastructure that Coal Block classified as "NOGO" has minimal deposit and coal available in "GO" coal blocks is sufficient to meet the demand of the country. The said GO-NOGO classification was replaced by Violate-InViolate subsequently and the Coal Blocks were also categorised as "InViolate" under new system. The impugned Coal Blocks are so Bio Diversity wise rich that they were classified as InViolate again. The National Mining Policy 2019 does not allow mining in the dense forested areas classified as "NOGO" or "InViolate"

The ICFRE and Wild Life Institute (WII) which has carried out a comprehensive Bio Diversity Assessment Study in sums and substance have noted the irreparable damage coal mining would cause in the region and while the WII was categoric to recommend that there should not be any mining in the Hasdeo Area beyond the area already broken in the PEKB Block and the areas should be declared as a Conservation Reserve u/s 36 A of Wild Life Protection Act 1972, the ICFRE too has recommended treating the Hasdeo Aranya as Bio Conservation Area however casting

exception for Four Coal Blocks namely PEKB, Parsa, Tara and Kete Extension where mining could be done as some clearances have been granted. Except Tara all other blocks are allotted to RRVUNL which has transferred the blocks for mining to Adani owned private companies in violation of the CMSP Act 2015 which is the subject matter of the Dinesh Kumar Soni Vs Union of India (WP 371 of 2019). The concession given by the ICFRE is contradictory to its own findings and observations given in the report.

### **COAL AVAILIBILITY ASPECT :**

India currently has 3.61 Lakh Million Ton Coal Geological Reserve (About 75% minable reserve) against the current demand of around 1000 Million Ton PA. This demand is projected to go up as 1500 MTPA by 2030 and further 2200 MTPA by 2050. Considering the country's commitment given in climate treaties the use of Coal would decline gradually. It is submitted that by 2070 we would not be able to use more than 1,00,000 Million Ton Coal out of our deposits. Since less than 15% coal lies beneath dense forested blocks like PEKB, Parsa, Tara and Kete Extension, there is no need to sacrifice the Dense Forests which are also crucial catchment of the Rivers. Water Security is in any case a crucial aspect which can not be ignored.

### **LEGAL QUESTIONS ARISES FOR CONSIDERATION IN THE INSTANT MATTER :**

Following Legal Questions arises for consideration in the instant matter considering the relevant legal provisions of Forest Clearance Procedure.

- A. Whether the FCR Rule 7 (2) (c) of 2003 or Rule Rule 9 (5) (e) (ii) (B) of FCR 2022 obliges the State Government to consider all

- available options of coal blocks before forwarding the Forest Clearance Proposal ?
- B. Whether the FAC and MoEFCC is bound to consider all available alternatives coal blocks and required to choose only where least ecological damage is possible to achieve "Sustainable Development".
  - C. Whether the "Precautionary Principle" warrants that State and Centre both are obliged to categorized the Coal Blocks in terms of their Ecological Value before allowing their diversion?
  - D. Whether the MoEFCC and State Government can ignore the findings of the "Go-NoGo" study and Violate InViolate classification?
  - E. Whether the FAC/MoEFCC can ignore the findings and recommendations of the WII specially when such recommendations were made in compliance of the NGT Judgment ?
  - F. Whether the ICFRE or any Agency can make recommendations contrary to its own findings and observations ?
  - G. Whether the reliance on "Anthropocentric" reasons by the ICFRE in making recommendations is in violation of the NGT Judgment as well which has rejected similar reasons relied by the then Minister?
  - H. Whether the ICFRE can ignore WII recommendation of "No Mining" when the Wild Life Issues were entrusted to the WII being the specialized premier institute in this field ?

The instant Writ Petition is also challenging the Environmental Clearance granted to the RRVUNL for PEKB Coal Block Dated 10.08.2018 in the light of the ICFRE and WII Reports recommendations and findings.

It is submitted that the said order was challenged before the NGT by filing an Appeal No. 10 of 2018 but the same has been dismissed by the NGT on 19.12.2022 without hearing the Appeal on merits citing the earlier dismissal of Appeal No. 33 of 2013 on the ground of delay against the Environmental Clearance Dated 21.12.2011. The Ld NGT has wrongly stated in the order referring to this Hon'ble Court's order dated 28.04.2014 that "quashing of Forest Clearance has been stayed", whereas only direction no.4 was stayed.

*7. On consideration, we do not find any merit in the appeal. Earlier EC was upheld which cannot be taken to be nullity. Quashing of forest clearance stands stayed. Due process has been followed. No damage to environment is shown. Thus, we are inclined to dismiss the appeal, However, learned counsel for the appellant submitted that IA has been filed by the appellant in proceedings pending before the Hon'ble Supreme Court in Civil Appeal No. 4395/2014, Rajasthan Rajya Vidyut Utp. Nigam Ltd. vs. Sudiep Shrivastava & Ors. against judgment of this Tribunal dated 24.03.2014 in Appeal No. 73/2012. It is submitted that order of this Tribunal should not prejudice remedy of the appellant in the said IA.*

*8. Accordingly, this Appeal is dismissed without prejudice to the remedies of the parties in pending proceedings before the Hon'ble Supreme Court.*

Similarly the NGT has also dismissed off the Appeal No. 12 (CZ) of 2019 and Appeal No. 16 (CZ) of 2019 filed against the Environmental Clearance dated 12.07.2019 granted by the MoEFCC to Parsa Coal Block which is adjacent to PEKB. It is noteworthy that the NGT has noted in its order dated 19.12.2022 that the Petitioner (Sudiep Shrivastava) herein has filed

IA's in the CA No. 4395 of 2014 challenging the Forest Clearance granted to the project. The NGT held as ;

*9. On due consideration, while we condone delay in filing the appeal, we do not find any merit on merits. Main ground against the EC is quashing of forest clearance by the Tribunal earlier which stands stayed by the Hon'ble Supreme Court. Due process has been followed. No damage to environment is shown. Thus, we are inclined to dismiss the appeals. However, learned counsel for the appellants submitted that IA has been filed by the appellants in proceedings pending before the Hon'ble Supreme Court in Civil Appeal No. 4395/2014, Rajasthan Rajya Vidyut Utp. Nigam Ltd. vs. Sudiep Shrivastava & Ors. It is submitted that order of this Tribunal should not prejudice remedy of the appellant in the said IA.*

*10. Accordingly, these Appeals are dismissed without prejudice to the remedies of the parties in pending proceedings before the Hon'ble Supreme Court.*

In the light of the aforesaid facts and circumstances the instant Writ Petition is being filed.

**LIST OF DATES**

- 2009-2011 The MoEFCC and MoC conducted a joint exercise to classify 602 Coal Blocks in terms of ecological value. The exercise is known as GO-NOGO Classification of Coal Blocks. Initially 223 Coal Blocks amongst 602 were classified as category A (NoGo), however by adopting more stringent norms the final list has 153 Coal Blocks as Category A (NoGo) while remaining 449 were classified as category B (Go).
- March 2011 The MoEF submitted a note to Cabinet Committee of Infrastructure (CCI) and strongly defended the GoNoGo Classification and stated that the Coal Deposit classified as NoGo are only 8.5% of Explored Coal Deposits and just 11.5% of partially explored coal blocks. The MoEF strongly contended that coal deposits available outside the NOGO area is sufficient meet the coal demand of the country.
- 20/21.06.2011 The Forest Advisory Committee (FAC) recommended the rejection of the coal mining proposal of Tara, PEKB and Parsa Coal Block of Chhattisgarh noting that they are categorized as NoGo beside other important bio diversity features.

- 20/21.06.2011 The then Minister of State Environment of Forest (I/C) overruled the advice of the FAC and recommended grant of Stage I Forest Clearance for Tara, PEKB and Parsa Coal Block of Chhattisgarh.
- 21.12.2011 Environmental clearance that was granted by the Ministry of Environment & Forests to M/s Rajasthan Rajya Vidyut Utpadan Nigam Ltd (RRVUNL) with regards to the Parsa East and Kanta Basan Opencast Coalmine Project (10 MTPA) and Pit Head Coal Washery (10 MTPA) located in Hasdeo-Arand Coalfields, in villages Parsa, Kente, Basan, Salhi, Hariharpur, Ghatbara, Parogiya, Tehsil Udaupur, Dist. Sarguja, Chhattisgarh.
- 28.03.2012 The Forest Clearance granted by the State of Chhattisgarh to the Parsa East Kente Basan (PEKB) Coal Block was challenged in *Appeal No. 73 of 2012* before the National Green Tribunal on the grounds that the said area located in dense forest was declared as "NoGo" area for mining after a joint study of Ministry of Environment & Forest and Ministry of Coal and also that the said area is a known Elephant Habitat where the man elephant conflict likely to increase if mining was allowed.
- 30.08.2012 The MoEF on the recommendation of the GOM dropped the GoNoGo classification and decided to identify coal blocks in the category of "Violate" and "InViolate".

- 24-03-2014 The NGT, by its judgement, allowed the *Appeal No. 73 of 2012 of the Petitioner herein* and quashed the impugned forest clearance granted for PEKB Coal Block dated 28.03.2012 along with the Minister's Order dated 23.06.2011.
- 28.04.2014 RRVUNL preferred an appeal against the said judgment by way of *Civil Appeal No. 4395 of 2014* and the same is pending before this Hon'ble Court. This Hon'ble court, vide its interim order dated 28.04.2014, grants a working permission to the RRVUNL under which it is under operation till date. The other directions were not stayed.
- 24.09.2014 This Hon'ble court vide its judgement in *WP (Crl.) 120 of 2012*, quashed the allocation of all the coal blocks in the country (including the Parsa East Kente Basan Coal Block) except the two allocations made to the Central Government public sector undertaking not having any joint venture.
- 25.09.2014 The NGT dismisses the Appeal No. 33 of 2013 filed by the petitioner herein against the Environmental Clearance of the PEKB Block on the ground of the limitation. The dismissal on limitation was also confirmed by this Hon'ble Court.
- 2014-2015

The MoEFCC with the help of the Forest Survey of India (FSI) identified the coal blocks as Violate and In-Violate. It is submitted that all coal blocks namely Tara, Parsa East Kete Basan, Parsa and Kete Extension have been classified as InViolate. A total 73 Coal Blocks have been classified as InViolate.

- 2014-2018 The MoEFCC did not ordered any Comprehensive Study by ICFRE and WII as directed by the NGT by its Judgment impugned in CA No. 4395 of 2014.
- 25.01.2018 The FAC without bothering for a comprehensive study, treated the PEKB Case as "Fait-Accompli" and allowed mining in the PEKB without any change in the mining plan.
- 12.04.2018 The FC Division of the MoEFCC wrote to State Government about continuing of mining in PEKB without any change in the mining plan.
- 10.08.2018 The MoEFCC despite being aware about "No Change in Mining Plan" condition imposed by the FAC, enhances the production capacity of the PEKB Mine from 10 MTPA to 15 MTPA.
- 17.09.2018 The NGT adjourn the Appeal filed be the petitioner herein for Sine-Die noting that it would be heard only after final decision of the Supreme Court in CA 4395 of 2014.

- 15.01.2019 The FAC despite objection taken by the State of Chhattisgarh regarding absence of a comprehensive study recommended Stage I forest clearance for Parsa Coal Block which was also part of the Minister MoEF order dated 23.06.2011 which was quashed by the NGT in the judgment impugned in CA 4395 of 2014.
- 28.01.2019 During the hearing of the CA 4395 of 2014, this Hon'ble Court inquire about the status of implementation of the directions of the NGT including the Comprehensive Study by ICFRE and WII.
- 29.01.2019 The State of Chhattisgarh and not the MoEFCC ordered a Study by ICFRE and WII, however the cost was supposed to be borne by RRVUNL.
- 13.02.2019 Despite the Comprehensive Study was ordered and pending, the MoEFCC granted Stage I Forest Clearance for Parsa Coal Block for Forest Area of 841 Hect which would result in 96000 tree felling.
- 12.07.2019 The MoEFCC further grants Environmental Clearance to Parsa Coal Block.
- 20.09.2019 The NGT adjourn the Appeal filed by the petitioner herein for Sine-Die noting that it would be heard only

after final decision of the Supreme Court in CA 4395 of 2014 and tagged it with Appeal No. 185 of 2018.

July 2021

The ICFRE and WII submitted its draft reports which were later accepted as final reports by the State of Chhattisgarh. In these reports WII categorically opposed any mining permission beyond the area already broken in the PEKB Block and recommended the entire Hasdeo Aranya to be notified as Conservation Reserve u/s 36 A of Wild Life Protection Act 1980. The ICFRE too has recorded similar findings and observations but conceded to allow mining in Four Coal Blocks namely Tara, PEKB, Parsa and Kete Extension just because some permissions have already been granted for mining. The exception carved is contradictory to its own observations and findings is evident from a careful reading.

07.10.2021

The Notification for Lemru Elephant Reserve has been finally issued by the State of Chhattisgarh. All the impugned coal blocks where ICFRE has conceded mining are falling within 1 to 5 KM of the Boundary of the Elephant Reserve. The said fact was not considered by the FAC either.

21.10.2021

The FAC without mentioning WII report and without discussing the ICFRE Report's observations and findings recommended grant of Stage II Forest Clearance to Parsa Coal Block.



- 27.10.2021 The MoEFCC issued Stage II Forest Clearance for Parsa Coal Block.
- 13.12.2021 The FAC again did not even mentioned the WII report and its strong opposition for granting any new mining permissions and without even discussing the ICFRE Report's observations and findings recommended grant of Phase II Mining Permission to PEKB Coal Block which other wise was not supposed to ne granted before 2028 as per original Forest Clearance which stands quashed.
- 02.02.2022 The MoEFCC issued an order grating mining permission in Phase II of the PEKB Block advancing it by 6 years from the original clearance. No Reasoned Order as directed by the NGT has been passed and no new Section 2 of the FCA order has been passed either.
- 25.03.2022 State of Chhattisgarh too has granted mining permission in Phase II of the PEKB Block, however no Section 2 order has been passed.
- 06.04.2022 State of Chhattisgarh passed Section 2 FCA Order for diversion of 841 Hect Forest Land of Parsa Coal Block.

- 10.05.2022 This Hon'ble Court has issued Notice on IA No. 2007 and 71316 of 2022 filed by the petitioner herein in CA No. 4395 of 2014 for challenging the Mining Permission granted for PEKB Second Phase and Parsa Coal Block.
- 19.12.2022 The NGT dismissed the Appeals filed by the Petitioner herein challenging the Environmental Clearance granted to PEKB and Parsa Coal Block which were adjourned sine-die earlier, without hearing them on merit while holding that the order would not act as any prejudice to the rights of the parties in pending proceedings in this Hon'ble Court in CA No. 4395 of 2014.
- 20.04.2023 Hence this petition;

IN THE SUPREME COURT OF INDIA  
(CIVIL ORIGINAL JURISDICTION)

WRIT PETITION (CIVIL) No. .... Of 2023

**{PUBLIC INTEREST LITIGATION}**

**IN THE MATTER OF:**

SUDIEP SHRIVASTAVA  
S/O LATE SHRI VISHNU  
PRASAD SHRIVASTAVA  
R/O MUNGELI NAKA  
BILASPUR-495001,  
DISTT. BILASPUR,  
CHHATTISGARH

... PETITIONER

VERSUS

1. UNION OF INDIA  
THROUGH SECRETARY,  
MINISTRY OF ENVIRONMENT,  
FORESTS & CLIMATE CHANGE,  
GOVERNMENT OF INDIA,  
PARYAVARAN BHAVAN,  
JOR BAGH, NEW DELHI – 110003
2. STATE OF CHHATTISGARH  
THROUGH ITS PRINCIPAL SECRETARY  
DEPARTMENT OF FOREST  
MAHANADI BHAWAN, MANTRAKAYA  
NAVA RAIPUR- CHHATTISGARH
3. RAJSTHAN RAJYA VIDYUT  
UTPADAN NIGAM LTD  
R.C. DAVE MARG,  
VIDYUT BHAWAN,  
JYOTI NAGAR, JAIPUR  
RAJASTHAN

4. PARSA KENTE COLLIERIES LTD.  
32,6TH FLOOR, TRINITI PLOT NO. 05,  
SWAGE FARM, NEW SANGANER ROAD  
JAIPUR RAJSTHAN- 302019
5. RAJASTHAN COLLIERIES LTD.  
32,6TH FLOOR, TRINITI PLOT NO. 05,  
SWAGE FARM, NEW SANGANER ROAD  
JAIPUR RAJSTHAN- 302019

... RESPONDENTS

**A WRIT PETITION IN PUBLIC INTEREST UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA, FOR THE ENFORCEMENT OF THE RIGHTS OF THE CITIZENS UNDER ARTICLES 14 AND 21 OF THE CONSTITUTION OF INDIA, SEEKING CANCELLATION FOREST CLEARANCE GRANTED FOR PEKB COAL BLOCK TO RRVUNL**

To,

THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS COMPANION JUDGES OF  
THE HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE  
PETITIONERS ABOVE-NAMED

**MOST RESPECTFULLY SHOWETH: -**

1. That the present petition is being in public interest under Article 32 of the Constitution of India for the enforcement of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India. The instant petition is challenging Mining Permissions granted on Densely Forested Land of PEKB (Parsa East and KenteBasan) and Parsa Coal Block by MoEFCC and State of Chhattisgarh. The aforesaid Coal Blocks have been classified as "NOGO" and "InViolate" by the MoEFCC itself. The Wild Life Institute of India (WII) has categorically opposed mining in

the entire HasdeoAranya Forest Area beyond the area already broken in PEKB Coal Block. The ICFRE (Indian Council of Forest and Research Education) too has recorded serious findings and irreparable damage mining would cause to the HasdeoAranya Forest and how it will act as silent trigger for more Man Elephant Conflict. The Petitioner by way of the present Public Interest Litigation is seeking direction to the Union of India to cancel all the non-forest use and mining permissions granted to PEKB and Parsa Coal Block and to direct the State of Chhattisgarh to Notify entire HasdeoAranya Forest including, PEKB, Parsa, Tara, Kente Extension coal blocks as Conservation Reserve U/s 36 A of the Wild Life Protection Act 1972, as recommended by the Wild Life Institute (WII) in its Report.

### **INTRODUCTION OF THE PETITIONER**

2. That the Petitioner herein name is Mr. Sudeip Shrivastava, Phone No. 9200031775, PAN: AXWPS7094K, Aadhar No. XXXX XXXX 2167. The annual income of the Petitioner is 9.49 LPA. The Petitioner is a public-spirited person, a practicing advocate and an activist, based in Chhattisgarh and has been actively involved in raising various economic, developmental, environmental, and social issues. He was one of the Petitioner in the matter of Prof. Yashpal (Supra) reported as **(2005) 5 SCC 420** and also one of the Applicant in the Coal Scam Case **(2014) 9 SCC 516 and 614** in which his application was allowed.

**2A.Cause of Action:** A Civil Appeal No. 4395 of 2014 RRVUNL Vs Sudieep Shrivastava and Ors. Involving similar issues and same coal blocks has been pending in this Hon'ble Court. The aforesaid Civil Appeal has arisen

out of the Final Judgment of the NGT pronounced in the Appeal No. 73 of 2012 (Sudiep Shrivastava vs State of Chhattisgarh and Ors.) on 24.03.2014 by which the Minister's Order dated 23.06.2011 and the Forest Clearance Dated 28.03.2012 has been quashed. The instant petition is being filed to challenge the new permissions granted to same coal blocks.

**2B. The nature of injury caused to the public:** The nature of Allowing mining in Coal Blocks classified as "NOGO" and "InViolate" areas is violative of Principles of Sustainable Development, Precautionary Principle, Inter-Generational Equity injury caused to the public.

**2C.** The Petitioner herein has no personal interest or any private/oblique motive in filing the instant petition, except to the extent of being a member of general public.

**2D.** There is no civil, criminal, revenue or any litigation involving the Petitioner herein, which has or could have a legal nexus with the issues involved in the PIL (except Civil Appeal No. 4395 of 2014 pending before this Hon'ble Court).

**2E.** The Petitioner herein has not sent any representation to any of the Respondents with regard to the issue raised in the instant writ petition.

### **BRIEF FACTS**

Allowing mining in Coal Blocks classified as "NOGO" and "InViolate" areas is violative of Principles of Sustainable Development, Precautionary Principle, Inter-Generational Equity.

### **IMPORTANCE OF HASDEO ARANYA FOREST –**

3. **ECOLOGICAL IMPORTANCE** – That the HasdeoAranya Forest is one of largest and unfragmented Dense Forest Patch outside the Protected Area Network. This forest is contiguous to the AchanakMar Tiger Reserve and falls in the middle of the largest central Indian wild life corridor starting from Satpura TR, Pench TR, Kanha TR, Bhoramdeo Sanctuary, Achanakmar TR in the west and extend beyond the Badalkhol Sanctuary towards PAs of Jharkahnd and Odisha in the East. In terms of the Rich Bio Diversity of the area, the para 40 of the NGT Judgment passed in Appeal No. 73 of 2012 (impugned in CA 4395 of 2014) would read as;

*40. Working plan of South Sarguja forest lists 29 species of fish, 14 species of reptiles, 111 species of birds, 34 species of mammals [some of them from schedule I of Wildlife (Protection) Act, 1972], 51 species of medical plants, 86 species of trees, 38 species of scrubs, 19 species of herbs, 17 species of climbers, 12 species of grasses found in the entire area of South Sarguja forest. As understood universally, to define any area as a "bio-diversity rich area" it is not necessary to only have a good forest cover, rather what is more important is the species (floral and faunal) composition in the area in question and whether these species are endemic and unique and as such deserving priority for conservation. ...*

4. **HYDROLOGICAL IMPORTANCE** : That the HasdeoAranya Forest Area is the immediate and main Catchment Area of the HasdeoRiver which is main tributary of the Mahanadi. On the down stream there is HasdeoBango Dam which is the biggest irrigation infrastructure of the Chhattisgarh, irrigating 2.55 Lakh Hec., supplying water for 12000 MW Power Plants and water to Four Districts of the State. Any more coal

mining as open cast is detrimental to the water holding capacity of the Dam.

**SEVERE STATUS OF HUMAN-ELEPHANT CONFLICT (HEC) :**

5. That the condition of the Human- Elephant Conflict (HEC) is already severe in the HasdeoAranya Coal Field (HAC) Area which includes Surajpur, Sarguja, Katghora and Korba Forest Divisions. In WII Report, out of 647 Forest Compartment of the HasdeoAranya, Elephant presence has been recorded in 148 Compartment between 2018-2020. The Human Casualty figure is also high in comparison to other elephant areas of the country. Crop and Property losses figures runs in thousands every year. It is noteworthy the conflict has intensified in **Sarguja Forest Division** post opening of the PEKB Mine in February 2013.

<b>Year</b>	<b>Human Casualty</b>	<b>Human Hurt</b>	<b>Crop Damage Cases</b>	<b>Property/Ho use Damage Cases</b>
2013-14	1	0	909	104
2014-15	1	0	1563	121
2015-16	9	0	3309	580
2016-17	10	0	2539	502
2017-18	9	2	380	170

The conflict is already severe & mining disturbance is only increasing it.

6. That the PEKB Coal Block of HasdeoAranya were allotted to RRVUNL in 2007 and the RRVUNL has formed a Joint Venture ParsaKente Collieries Ltd. with Adani Enterprises Limited in which private company has 74% majority and controlling stake. The Coal Block for securing clearances,

land acquisition, mining and supply for the life time was transferred to the PKCL.

7. That in 2009-10 the MoEFCC and Ministry of Coal agreed to have a joint study to classify Coal Blocks as "GO" and "NOGO" so that pristine forested areas be saved from mining. The joint study was conducted in Nine Coal Fields of the country leaving many Coal Fields where mining is already on like Korba, Raniganjetc out of the purview of this study.
8. That the 605 Coal Blocks which were studied in the study 222 Coal Blocks were classified as category A (NOGO) and remaining 383 Coal Blocks were classified as category B (GO). A bare perusal of the result would reveal that amongst Nine Coal Fields, HasdeoAranya was the only one whose 100% Area and all Coal Blocks were classified as Category A (NoGo). A true copy of the chart of the GoNoGo result coal field wise is marked and annexed herewith as **Annexure P-1 (Pages 66 to 86)**.
9. That the Ministry of Coal did not agree with the said results and wanted more coal blocks out of NOGO area. Thus the parameter for identification of the category A (NOGO) area were hiked and only un-fragmented and compact Forested Coal Blocks were classified as category A (NOGO). In the Second Round of the study out of 602 Coal Blocks, 149 Coal Blocks were classified as category A (NOGO) and remaining 449 Coal Blocks were classified as category B (GO). The methodology for such identification and the said results were given in the PIB Press Release Dated 13.12.2011 which was based on a Parliament Answer. It is again important to note that despite hiked parameters, HasdeoAranya came out as the only Coal Field whose 100%

area and all the Coal Blocks were classified as category A (NOGO). The PIB Press Release issued by MoEFCC Dated 13.12.2011 is being marked and filed herewith as **Annexure P2 (Pages 87 to 88)**.

10. That as mentioned in the aforesaid Press Release about the issue being considered by the Cabinet Committee on Infrastructure (CCI), the MoEFCC too has submitted A cabinet Note to the CCI in 2011 and asserted that Go-NoGo classification has been done on the scientific and objective basis and needs to be adhered with.

Para 9 :

- a. Diversion of forest lands for coal mining in Category-A areas, which are rich repository of biological wealth of the country will have avoidable serious impacts on forests and wildlife. In case coal mining is undertaken in these areas, even after best efforts in afforestation and reclamation, it will not be possible to retrieve their intricate biological features of biodiversity. –*
- b. A decision to ignore findings of the study, based on objective parameters, may invite judicial intervention, which may include subjecting the decision of the MoEF on diversion of forest land to judicial approval/ concurrence as has happened in the recent past.*
- c. The 1,40,311 Ha classified as category A is only 8.11% and 11.50% of the potential coal bearing area and of the explored coal bearing area of the country, respectively, as has been indicated in para 4.1 of the Draft Note. The coal may be extracted from the coal bearing areas that have not been classified as category A, so far, may be sufficient to meet current demand.*

11. A bare perusal of the aforesaid reasons are enough to not to grant any coal mining permission in the areas classified as category A "NoGo". A true copy of the MoEFCC Cabinet Note of 2011 is marked and annexed herewith as **Annexure P-3 (Pages 89 to 93)**.
12. That the FAC considered the mining proposal of Tara and PEKB Coal Block of HasdeoAranya in its meeting dated 20-21/06/2011 and recommended to reject the mining proposals in this eco fragile zone noting that earlier proposal to mine coal in this area has already been rejected.
13. That on 23<sup>rd</sup> June March 2011, the then Minister of State (i/c) passed an order and overruled the FAC recommendations and ordered to be granted Forest Clearance to Tara, PEKB and after five years to Parsa Coal Block by citing six reasons.
14. That the petitioner herein filed the Appeal No. 73 of 2012 before the NGT against the Forest Clearance granted to PEKB Block and in which also assailed the Minister's Order Dated 23.06.2011.
15. That the NGT in its judgment has relied on this Hon'ble Court in Godavarman (Supra) (2012) 3 SCC 277 and it has quoted;

*28. Understandably, there is a reason for the State Governments to persistently follow up the opening of the coalfields as there power generation plants are linked to the coal blocks. However, these are anthropocentric reasons the merit of which needs to be evaluated*

*in context with ecocentric reasons in order to understand whether the development proposed is sustainable. In our considered view such reasons adduced by the Minister order dated 23rd June, 2011 per se therefore, cannot be the basis for rejecting the FACs advice.....*

16. That the NGT Principal Bench allows the Appeal and has quashed the Minister of Environment and Forest's Order dated 23.06.2011 by which the Minister has overturned the advice given by Forest Advisory Committee (FAC) which has rejected the Coal Mining Proposals in the Ecologically Fragile Region of HasdeoAranya Forest specifically of PEKB, Tara and Parsa Coal Block. The NGT in Appeal No. 73 of 2012 has also quashed the Section 2 FCA order issued by the State of Chhattisgarh granting Forest Clearance to the PEKB Block in favour of the RRVUNL by the operative part of the Judgment.

*Hence, the order:*

*1. Order dated 23rd June, 2011 passed by the respondent no. 2-MoEF Government of India and consequential order dated 28th March, 2012 passed by the respondent no. 1 State of Chhattisgarh under [section 2](#) of the Forest (Conservation) Act 1980 for diversion of forest land of PEKB Coal Blocks are set-aside;*

*2. The case is remanded to the MoEF with directions to seek fresh advice of the FAC within reasonable time on all aspects of the proposal discussed herein above with emphasis on seeking answers to the following questions: (i) What type of flora and fauna in terms of bio-diversity and forest cover existed as on the date of the proposal in PEKB Coal Blocks in question. (ii) is/was the PEKB Coal Blocks habitat to endemic or endangered species of flora and fauna. (iii) Whether the migratory route/corridor of any wild animal particularly, elephant passes through the area in question and, if yes, its need. (iv) Whether the area of PEKB Block has that significant conservation/protection value so much so that*

*the area cannot be compromised for coal mining with appropriate conservation/management strategies. (v) What is their opinion about opening the PEKB Coal Blocks for mining as per the sequential mining and reclamation method proposed as well as the efficacy of the translocation of the tree vis-a-vis the gestation period for regeneration of the flora? (vi) What is their opinion about the Wildlife Management plan finally prescribed. (vii) What conditions and restriction do they propose on the mining in question, if they favour such mining? Liberty is granted to the FAC to seek advice/opinion/specialised knowledge from any authoritative source such as Indian Council of Forestry Research and Education Dehradun or Wildlife Institute of India including the sources indicated in the present case by the parties.*

*3. The MoEF shall pass a reasoned order in light of the advice given by the FAC in accordance with law and pass appropriate order in accordance with law.*

*4. All work commenced by the respondent no. 3 project proponent and respondent no. 4 pursuant to the order dated 28th March, 2012 passed by the respondent no. 1 State of Chhattisgarh under section 2 of the FC Act 1980, except the work of conservation of existing flora and fauna, shall stand suspended till such further orders are passed by the MoEF in accordance with law.*

*5. No order as to costs.*

17. That this Hon'ble Court while hearing the Civil Appeal No. 4395 of 2014 filed by RRVUNL against the aforesaid judgment stayed the Direction No. 4 by the order dated 28.04.2014. A true copy of the order dated 28.04.2014 passed in the CA No. 4395 of 2014 is marked and filed herewith as **Annexure P-4 (Pages 94 to 95)**.
18. That the MoEFCC got the Coal Blocks classified as Violate and In-Violate category with the help of Forest Survey of India and Central Water Commission. The 73 Coal Blocks classified as In-Violate for mining includes Tara, Parsa, Parsa East, KeteKete Extn. A true Copy of the list

of the In-Violate Coal Blocks is marked and filed herewith as **Annexure P- 5. (Pages 96 to 98)**

**MOEFCC INTERPRETATED THE SUPREME COURT'S INTERIM ORDER DIFFERENTLY AT DIFFERENT OCASSIONS TO HELP THE PROJECT PROPONENT**

19. Initially the MoEFCC treated the Supreme Court order as total stay and did not do any thing to order the study as directed. Later on when it comes to the grant of more permissions to the Project Proponent, it considered the applications, termed the case as "fait-accompli" in the meeting of the FAC dated 25.01.2018 though with out any change in mining plan, and went ahead to grant more permissions. A true copy of the relevant page of the FAC minutes dated 25.01.2018 is marked and annexed herewith as **Annexure P-6. (Pages 99 to 104).**

**MoEFCC has downgraded the classification of the Forest :**

20. A bare perusal of the FAC minutes would reveal that Out of 1898 Hectare of Forest Land of PEKB, 1654 Hectare is shown as Revenue Forest whereas the Protected and Reserve Forest notified under the Forest Act was shown as remaining 244 Hectare. As a matter of fact, the component of Protected Forest notified under the Indian Forest Act is 1654 Hect whereas Revenue Forest is only 244 Hect. in that sum. The said fact is reflected in the ICFRE Report aswell;

*Operational Parsa East &KantaBasan Coal Block (PEKB) falls under Fathepur, Matringa and Ghatbara Protected Forest constituting of compartments such as P-2002 to P-2005, P-2007 & P-2008, P-2106 and P-2111, and Ghatbara, Kete, Parsa and Hariharpur as its fringe villages. The vegetation is dominated by Moist Peninsular Low-Level Sal Forests and patches of Southern Moist Mixed Deciduous Forests with moderately dense forest canopy and open forests and*

*scrub. Very dense forest canopy can be seen in compartments like P-2002 to 2004. (Page 268 of ICFRE Report )*

21. That on 12<sup>th</sup> April 2018 the FC Division of the MoEFCC send a letter to the State of Chhattisgarh stating that FAC has asked to implement conditions of the earlier Forest Clearance as the matter has become "fait-accompli". Even on this day the MoEFCC did not bother to conduct comprehensive study by ICFRE and WII as directed by the NGT. The aforesaid letter further says that no mining would be allowed in Phase II area forest land of 1136 Hect. Till the final decision of the CA No. 4395 of 2014 and the permission is limited to Phase I of Forest Land and that too without any change in Mining Plan. A true copy of the MoEFCC letter dated 12.04.2018 is marked and annexed herewith as **Annexure P-7. (Pages 105 to 107).**
  
22. That during the 2014 to 2019 though the MoEFCC though was aware that no new mining permission could have been granted till the Bio Diversity Study is completed, has further granted several Mining related permissions to RRVUNL in which Adani is the MDO partner; which are as follows.
  - A. Prospecting Permission in 2017 for Kete Extension Coal Block which is 98% Dense Forest out of 1760 Hectare.
  - B.** Capacity Expansion of PEKB Coal Block in EC dated 10.08.2018 from 10 MTPA to 15 MTPA, despite FAC direction of No Change in mining plan whereas the capacity expansion is just not possible without changing the mining plan as the quantity of Over Burden and Mineral removal would change accordingly and so is the area of mining.

A true copy of the PEKB Coal Block Environmental Clearance Dated 10.08.2018 is marked and filed herewith as **Annexure P-8. (Pages 108 to 121).**

23. That the petitioner herein has challenged the Environment Clearance Order Dated 10.08.2018 of PEKB Block by filing an Appeal No. 185 of 2018 before NGT which on 17.09.2018 in the very first hearing adjourned the matter sine-die citing the pendency of the Civil Appeal No. 4395 of 2014. A true copy of the NGT order passed in Appeal No. 185 of 2018 dated 17.09.2018 is marked and filed herewith as **Annexure P-9. (Pages \_\_\_\_ to \_\_\_\_\_)**
24. That on 15.01.2019 the FAC of the MoEFCC recommended the Stage I Forest Clearance of the Parsa Coal Block despite the State Government's objection regarding absence of any comprehensive bio diversity study of the region. A true copy of the relevant page of the FAC Minutes Dated 15.01,2019 marked and filed herewith as **Annexure P-10. (Pages 124).**
25. That the Civil Appeal No. 4395 of 2014 was heard on 28.01.2019 by this Hon'ble Court in which Hon'ble Court inquire about the status of the compliance of the NGT Directions and also directed to file status report on the compliance of the NGT directions.
26. That the State of Chhattisgarh which has objected before the FAC regarding absence of the comprehensive study, on 29<sup>th</sup> January 2019 ordered the ICFRE/WII to conduct a comprehensive study covering all

seasons of a year and gave 18 Month time to submit the report and asked the MoEFCC to wait for the study report before proceeding further.

27. That the MoEFCC instead of waiting for the Bio Diversity Study Report further granted Stage I forest clearance dated 13.02.2019 for Parsa Coal Block. A true copy of the Stage I Forest Clearance granted to Parsa Coal Block Dated 13.02.2019 is marked and filed herewith as **Annexure P-11. (Pages 125 to 128).**
28. That the all the aforesaid permissions have been challenged by the petitioner herein by filing an application for Directions IA No. 58363 of 2019 in the civil appeal No. 4395 of 2014. This Hon'ble Court has issued notice on the said IA on 28.04.2019.
29. That despite the aforesaid notice issued by this Hon'ble Court, yet the MoEFCC proceeded to grant Environmental Clearance granted to Parsa Coal Block dated 12.07.2019 without waiting for the Bio Diversity Assessment Study Report of ICFRE and WII. A true copy of the Environmental Clearance dated 12.07.2019 marked and filed herewith as **Annexure P-12. (Pages 129 to 143).**
30. That the petitioner herein has challenged the Environment Clearance Order Dated 12.07.2019 of Parsa Block by filing an Appeal No. 10 (CZ) of 2019 before NGT which on 10.09.2018 in the very first hearing adjourned by tagging the matter with Appeal No. 185 of 2018 and adjourned it for sine-die citing the pendency of the Civil Appeal No. 4395 of 2014.

31. That it is only in July 2021 the ICFRE and WII submitted their report to the State Government with their findings, observations and recommendations. The WII said a categoric No to mining in the area beyond the area already broken in PEKB Block and recommended the entire HasdeoAranya be declared as "NoGo" area and notify as Conservation Reserve u/s 36 A of Wild Life Protection Act 1972. On the other hand, the ICFRE though recording similar observations and findings about irreparable damage to the pristine eco system, have conceded to allow mining in Four Coal Blocks Namely Tara, Parsa, PEKB and Kete Extension in complete contradiction of its own observations and findings.
32. The Wild Life Institute (WII) in its recommendations have stated as following :

**WILD LIFE INSTITUTE (WII) RECOMMENDATIONS:**

WII has categorically opposed mining in any new area beyond the area already broken in the ongoing PEKB Block and recommended to declare the area as Conservation Reserve under the WP Act 1972 in following words :

*The HACF and the landscape surrounding it support rich biodiversity with a multitude of mammalian species including elephants and also harbours forest-dependent communities. Therefore, sustaining the forest cover and maintaining its overall ecological integrity is essential. It is pertinent that Chhattisgarh Forest Department with due consultation and involvement of local communities identify areas within HACF and the landscape*

*surrounding it for declaration as Conservation Reserve (CR) under the Wildlife (Protection) Act, 1972. Under the ambit of a CR, habitat improvement activities such as restoration of grasslands and restoration of degraded forests; improving surface water availability in relatively drier tracts during summer, regulating forest fires, and improving overall protection can benefit biodiversity.*

***As certain portions of the PEKB block has already been opened for mining, the mining operation may only be permitted in the already operational mine of the block. The other areas in HACF and landscape surrounding it should be declared as "no-go areas" and no mining should be carried out considering the irreplaceable, rich biodiversity and socio cultural values.***

*The coal mines along with the associated infrastructure development would result in loss and fragmentation of habitat. Mitigating such effects on wildlife, particularly the animals with large home ranges such as elephants is seldom possible. The human-elephant conflict in the state is already acute and has been escalating with huge social and economic costs on the marginal, indigenous local communities. Any further threat to elephants' intact habitats in this landscape could potentially deflect human-elephant conflict into other newer areas in the state, where conflict mitigation would be impossible for the state to manage. Opening up of coal blocks for mining in the HACF would compromise the*

*imperatives of biodiversity conservation and livelihood of forest-dependent local. Even the effects of the operational PEKB mine need to be tactfully mitigated too, wherever possible.*

*The assessment findings are in conformity with the study undertaken jointly by the Ministry of Coal and Ministry of Environment, Forests and Climate Change across nine coal fields across the country during the year 2009, where it was concluded that the Hasdeo–Arand coal fields in north-central Chhattisgarh is identified as a 'no-go' area. The findings of this joint study of 2009 culminated into an important policy decision towards facilitating an objective, transparent and informed decision regarding forest lands being diverted for coal mining projects. However, the findings of the study were set aside during 2011. Considering the need to reconcile country's developmental needs with conservation priorities, the recommendations of the 2009 joint study holds substantial importance for ecologically balanced sustainable growth."*

### **THE WII REPORT** **ON HUMAN ELEPHANT CONFLICT –**

*Elephant occurrence was reported by the Forest Department in 148 out of 647 compartments in HACF and the landscape surrounding it with an area of 363.98 km<sup>2</sup> during the period 2018 to 2020. The elephant occurrence is not restricted to any particular area and is spread across the landscape (Map21, page 56). A conservative estimate of about 40 to 50 elephants could use different parts of*

*the landscape at different times of the year. Human–elephant conflict in the form of crop losses and occasional property damage is widespread too. Elephant conservation and management in the landscape hinges on effective conflict resolution strategies by actively engaging with local communities and at the same time enriching the habitat condition for elephants.*

***Chhattisgarh human-elephant conflict situation is a paradox with a relatively low number of elephants (15% of the reported human deaths due to HEC). In addition to loss of human lives, crop loss and damage to property due to HEC are severe. There is continuous dispersal of elephant herds from the neighbouring states of Jharkhand and Odisha. The study carried out by WII in collaboration with Chhattisgarh Forest Department from the year 2017 onwards clearly highlight that elephants have large home ranges. The forests that elephants currently occur are highly fragmented and degraded due to incompatible land-use. Infrastructure development and mining are further fragmenting the habitats making conflict mitigation a huge challenge. In fragmented habitats conventional fencing approaches minimally work due to high perimeter to area ratio of habitats.***

***The HACF and the landscape surrounding it are part of the elephant range in northern Chhattisgarh and serves as both habitat and corridor for movement. The Korba Forest Division had also reported occurrence of tigers in the vicinity of HACF and the landscape surrounding it. The habitat connectivity between Hasdeo - Arand area and***

***Achanakmar TR, Boramdeo WS and Kanha TR is strong, and may support sporadic tiger dispersal.***

A true copy of the Executive Summary of WII Report and some relevant pages is marked and annexed herewith as **Annexure P- 13. (Pages 144 to 186).**

33. That the aforesaid WII recommendation clearly restrict any more permission of mining to be granted even in the PEKB Block which has its Second Phase Forest Area of 1136 Hect out of 1898 Hect till Septemebrr 2022. Even today 1093 Hect of the Forest in Phase II is intact with atleast 3 Lakh Trees standing on it.
34. That the ICFRE too has recorded similar findings and observations in its report and executive summary some of which are reproduced herein for the instant perusal;

**ICFRE OBSERVATIONS AND FINDINGS :**

***ES 9.1.3 Likely impacts on forest and flora:***

***Out of the total coal bearing area in HAC, 1502 sq.km falls in the forest, which is reported to be the largest un-fragmented forests in Central India consisting of pristine Sal (Shorearobusta) and teak forests outside the official protected area system which is an important corridor for movement of flagship species like elephants and tigers in Chhattisgarh. Mining related land use changes will have negative impact on forest cover/density, forest type, forest fragmentation. In addition, forest fragmentation will contribute to decreased***

*patch/corridor connectivity, increased edge effect, change in micro-climate and promote invasive species if not taken adequate mitigation measures.*

***ES 9.2.1 Likely impacts on terrestrial and avifauna :***

*Major disturbances to habitats such as that in the case of mining will not only cause habitat loss and fragmentation (as understood generally), but can affect avi faunal habitat, wild fauna including large mammals and individual herd"s home ranges. Such disturbances can lead to abandonment of habitats as threats to home ranges have a threshold limits. Infrastructure development and mining will have negative impact on quality habitat available due to fragmentation and mitigation will be a huge challenge. The effect of mining on elephant habitat may not reflect in the same habitat but could be a silent trigger for Human Elephant Conflict (HEC) in some other area within the landscape.*

***ES 9.3.2 Likely impacts on the drainage and aquatic diversity:***

*Mining in forested landscape involves significant land use changes that most likely result in geo-morphological/hydrological changes in the river water courses. In the present scenario, mining is being done in a relatively small geographical area as compared to the total extent of the all the coal blocks allotted/re-allotted and identified (23 coal blocks as on date) in the entire HAC; however, the direct and indirect impacts are significantly evident from the observable changes in the forest cover and natural drainages. Deterioration in the quality and quantity of surface water is an*

*important issue and is likely to increase further with the expansion of mining. Majority of the drainage that drains the core and buffer zone of the coal blocks are of primary and secondary feeder streams and therefore, they will be greatly affected due to retention, flow restriction, low discharge, reduced channel morphology, etc.*

**The socio economic impact of mining on aboriginal tribals :**

The ICFRE has also recorded that the mining in the concern area would also adversely affect the livelihood, identity and culture of the Tribals.

***ES 10.1 Likely Impacts***

***Socio-Economic:*** *Hasdeo-Arand Coalfield (HAC) area is a home to socially, economically backward vulnerable schedule population dominated by scheduled tribes and others traditional forest dwellers. Over 90% of the households are dependent on agriculture and forest produce for their livelihoods from forests. The forests also maintain the hydrological and other ecosystem services on which the locals are dependent for agriculture and other allied activities. Cumulative Impact of displacement due to mining operations will have serious impact on community in form of loss of livelihood, identity and culture."*

- *Overall, the ecological processes of Sal forest in the HAC area the stand density clearly show rich diversity at the ground level, but decreasing diversity with shrub, and ultimately dominated with Sal at the top canopy. Sal ecology favours a mixture of shrub species and saplings at lower level consisting of NTFPs on which the forest fringe villagers and the large mammals are dependent for livelihood and forage respectively.*

- *The livelihood of local communities Hasdeo-Arand area is closely dependent on forest resources and therefore the current anthropogenic disturbance is confined to the population living in forest fringe villages for NTFPs from the forests, revenue land /forest and riparian land for agriculture purpose for their sustenance and fuel wood/fodder from forest.*

- *The HAC landforms are also home for rich avi-fauna and large mammals. Currently the occurrence of elephant in HAC (CSFD, 2018-19) are highly fragmented and degraded due to incompatible land use. In addition, there is continuous dispersal of elephant herd from the neighbouring states of Jharkhand and Odisha. The study carried out by WII in association with Chhattisgarh Forest Department since 2017 clearly indicates that elephants have large home range based on the quality habitat.*

*The HAC is a notified Scheduled Area under the 5th Schedule of the Constitution of India due to preponderance of tribal population. The society is dominated with scheduled communities to the extent of 76.33% of total population, comprising of Scheduled Tribes (69.74 %) and Scheduled Castes (3.92 %).*

### **ICFRE ON HUMAN ELEPHANT CONFLICT :**

The ICFRE too has noted the severity of the Human Elephant Conflict in following words admitting that more than 60 deaths per annum occurring due to HEC in the HasdeoAranya area.

*The entire HAC landscape comprise of 649 forest compartments spread over 12 forest ranges in 4 forest divisions. As reported by the State Forest Department, the elephant occurrence is recorded*

*in 148 out of 647 compartments during 2018-2020 in all the 12 forest ranges.*

***Chhattisgarh human-elephant conflict (HEC) situation is relatively low in number (< 300. Which is < 1% of India's wild elephant population) but significant levels of HEC with over 60 human lives are lost every year due to conflict (15% of the reported human deaths due to HEC) from HAC. In addition to loss of human lives, crop loss and damage to property due to HEC are severe.***

*The effect of mining on elephant habitat may not reflect in the same habitat, but could be a silent trigger for Human Elephant Conflict (HEC) in some other area within the landscape.*

It is important to note that after mining has commenced in PEKB in 2013, Elephant Herds are venturing in to the Forest of Madhya Pradesh as well and causing damage over there too, where they were not going in the past. A true copy of the Executive Summary and some relevant pages of the ICFRE Report is marked and filed herewith as **Annexure P-14 (Pages 187 to 254)**.

35. That the recommendations made by ICFRE are reproduced here for instant perusal;

**ICFRE RECOMMENDATIONS:**

*Further, keeping in view, the demand for coal and thereby, socio-economic and industrial development of the area under consideration for mining, it suggested that:*

*The allotted four contiguous coal blocks falling within the Gej-Jhink watershed viz., Tara (15), Parsa (13) PEKB (14) &Kente Extension (12) **that are either already opened or in advance stage of getting the statutory clearances/ToR approved**, can be considered for mining with strict environmental safeguards including appropriate conservation measures for management of surface water and biodiversity.*

*The total extent of 4 coal blocks of Tara, Parsa, PEKB, Kente Extension put together comprises of 80.95 sq.km, having a mineable reserve of 1143.49 MT (geological reserve of 1475.81 MT) to meet the coal requirement from HAC.*

**WHY ICFRE RECOMMENDATIONS OF ICFRE TO ALLOW MINING IN FOUR BLOCKS DESERVES TO BE REJECTED:**

36. That the aforesaid recommendation of the ICFRE is not only contrary to the findings by the ICFRE but also beyond the mandate of the ICFRE. It is noteworthy that "Clearances already granted or at advance stage of approval" has no relevance as the NGT Judgment has quashed the Minister MoEF's order dated 23.06.2011 by which clearance was granted to PEKB, Tara and stated that Parsa could be considered for mining after 5 years.
37. That the ICFRE is wrong in giving weightage to such clearances or permissions which are nullity in law. Moreover, the said order of the Minister has also barred no more mining proposal from the HAC and Kete Extension is beyond the scope of that letter yet the ICFRE has

favoured mining in the Kete Extension Coal Block which is having its 98% area as dense forest.

38. That it is further important to point out that large areas of PEKB, Parsa and Kete Extension Coal Blocks areas are of those forest compartments which forms part of Chornoi Water Shed Watershed have been classified as Bio Diversity Conservation Area by the ICFRE itself. However these compartments have been exempted without any scientific reason by the ICFRE in following terms:

*Total of 337 forest compartments covering an area of 938 sq.km in Chornai watershed and 140 forest compartments covering an area of 330.51 sq.km in Ton-Teti watershed are suggested for Biodiversity Conservation Area (BCA).*

*However, a part of BCA comprising of two forest compartments No. P2114 and P1998 that are falling within PEKB operational mine and allotted Parsa coal block are suggested to be exempted from BCA.*

Further the Kete Extension Coal Block is largely falls in the drainage of Charnoi River whose drainage has been suggested as Bio Conservation Area (BCA) by the ICFRE itself has been wrongly shown as falling in Gej-Jhink drainage area in the recommendation section in order to give a pre meditated clearance.

*In terms of occurrence of coal blocks within HAC, PEKB coal block is in contiguous with Tara (15) and Parsa (13) on the western side (draining to GejJhink watershed); Kente Extension (12) and*

*Pindraki (19) on the eastern side i.e., largely draining to Chornai (Figure ES.4).*

**ICFRE has itself recorded that allowing mining in these four coal blocks (12 to 15) would have more severe impact.**

*More importantly, the cumulative impacts perceived out of the mining in the contiguous coal blocks i.e., 12-15 & 19 as well as its adjacent ones 20-21 would perhaps be more severe on the HAC landscape and the drainage system particularly the AtemNadi, a part of the Gej-Jhink watershed and the ChornaiNadi, a part of the Chornai watershed.*

**Block wise additional Specific Facts, Why Recommendation Of The ICFRE to allow mining in 4 Coal Blocks should not be accepted –**

That as per Wild Life Presence Maps of the WII Report, all these coal blocks are habitat of the many species of fauna. The ICFRE has conceded the mining in Coal Blocks Namely PEKB, Tara, Parsa and Kete Extension. A bare glance on the Elephant Occurrence map would reveal that all these four coal blocks are heavily roamed by the Wild Elephants. Further the Human Casualty Location Map due to Man Elephant conflict a bare glance would reveal that three are three locations of Human Casualty are on the edge of the PEKB Coal Block area with two of them are at the edge of the Mine. The disturbance caused by the Coal Mining is surely a reason behind the increased Human Elephant Conflict.

1. **PEKB** – A NoGo and Inviolable Coal Block as per both the study has 3.67 Lakh Trees in the area as per 2009 tree census. There were in

1.25 Lakh Trees in Phase I and Phase II has 2.42 Lakh Trees. Ist phase area has already been chopped off and another 43 Hectare Forest of Phase 2 was cleared on 27-28 September 2022. Part of PEKB area mostly of 2<sup>nd</sup> phase is Drainage of Charnoi and Tori Tonti watershed, which has been recommended to be preserve as Bio Conservation Area by the ICFRE itself. However, the same area has been exempted without any scientific or ecological reasoning. As per WII recommendation, the PEKB Mine should be restricted to the area already broken i.e., Phase I and remaining area should be declared NoGo along with all other Blocks.

As per WII, even to continue the mining in Phase I, the Wild Life Conservation Plan and Mine Closure Plan requires substantial change as suggested by the WII in Annexure – 1 and Annexure – 2. The said changes have not been done till date yet the mining even in the second phase of the PEKB and Parsa block has been permitted which should have been declared as NoGo areas and a Conservation Reserve under Wild Life Protection Act 1972 as per the recommendations made.

- 2. TARA-** It is important to recall that Tara has its maximum portion as Very Dense Forest and infact 2<sup>nd</sup> highest Dense Forested Coal Block amongst the 602 studied in the Go-NoGo study. This has almost 8 Lakh Trees in the area which would be felled. Entire Water of GejJhink watershed is also going in Hasdeo River thus it is one watershed of Hasdeo, unnecessarily fragmented to carved out an exception. Block has been categorized as “In-Violate”.

**3. Kete Extension** – Important to note that even the order of the then Minister of Environment and Forest dated 23.06.2011 has not permitted mining in this block. In categorical terms that order has also directed that no mining should be permitted beyond Tara, PEKB and Parsa. The Kete Extension has 98% of its 1762 Hectare area as Dense Forest of 0.5 to 0.7 crown density and above with part as very dense forest. It also has more than 6 Lakh Trees which would be felled if the mining is allowed. It is also clear that Kete Extension's more than 80% area is part of Drainage of Charnoi and Tori Tonti watershed **is** evident from the map at page of ICFRE Report, which has been recommended to be preserve as Bio Conservation Area by the ICFRE itself. Block has been categorized as "In-Violate".

Further the State Govt it self has objected to the Land Acquisition by the GOI/RRVUNL of the Kete Extension coal block on the ground that its Man Elephant conflict area and close to Proposed Elephant Reserve.

**4. PARSА** – This Coal Block falls between Tara and PEKB and has been classified as NoGoaswell as InViolate by the subsequent study. As per 2009 census, 95,000 plus trees having a girth size of more than 30 Centi Meters would be chopped off to clear the mining. The Gram Sabhas of the concern villages are complaining since 2018 about the fake and forged documents prepared as the Gram Sabha Resolution for the Forest Clearance process of the Coal Block. Part of this coal block is also within drainage of Chornoi and Tori Tonti which ought to have been declared as Bio Conservation Area as per ICFRE own reasoning and assessment.

Forest Cover of these Blocks clearly depict the wide corridor covered with vegetation with complete forest on both east and west side as evident from the Forest Cover Map of ICFRE Report.

**MITIGATING MEASURES SUGGESTED WONT BE ENOUGH :**

39. That the WII has also examined weather by applying all mitigating measures suggested, the damage to Flora and Fauna could be mitigated, and has concluded that it is not possible in following words;

*10. In the operational mine of PEKB, a thorough impact assessment carried out enlists range of impacts on different faunal groups. Considering the impacts, a diversity of mitigation strategies has been proposed for PEKB. **Notwithstanding the mitigation strategies prescribed, it is understood that mitigating all the impacts on faunal groups such as mammals due to largescale mining is impossible.** This is particularly true in the case of wide ranging animals with large home ranges like elephants.*

**MINING PLAN VIOLATION NOTED BY THE ICFRE : CLEAR EVIDENCE THAT MDO IS DELIBERATELY LEAVING DEEPER SEAM : CAUSING LOSS TO RRVUNL**

40. The ICFRE itself has noted the anomaly of mining plan in following words and has actually recommended reducing of the Mine Size;

*ES 11.2 Observation about opening the PEKB Coal Block for mining as per the Sequential Mining– NGT Query As proposed in the*

*mining plan, the mine pit has been opened all along the strike length of coal seam for a length of 6.12 km along mine surface with 650 -700 m wide and up to a depth of 40-45 m depth. The extensive mining operations is being carried out by three contractors confined to their designated area of mining in the entire strike length of coal seams. This has resulted in inadequate bench width in over burden (OB) benches ranging from 8 to 12 m than that of 20 m minimum bench width planned. Height of the benches in OB is below 6 m and well maintained except at cross-section C-1, on dip side three benches have height more than 6 m (534 m to 501.9 m).*

- Opening of such a long mine face for extensive mining has seriously impacted the land degradation. Such practice will not only expose huge area but also result in land degradation which is not specific to particular time, but carry further for the entire life of the mine.*
- Therefore, it is suggested that opening of long mine face shall be minimized by undertaking intensive mining i.e. mining in smaller strike length up to the bottom of the ore body with simultaneous backfilling.*

**The ICFRE has recorded that mining is not being done as per Mining Plan:**

*The approved mining plan and mine closure plan has envisaged cumulative stripping ratio of 4.13 cum/ton up to 8th year of mining. However, it is observed during the survey in September 2020 (9th year of mining operation) the total overburden generated is 146.32 million cum and coal extracted is 63 million*

*tonnes, which amounts to stripping ratio of 2.32 cum/tonnes, which is much lesser than the envisaged stripping ratio indicating mine development is not commensurate with quantum of extraction of coal as envisaged in the mining plan. Therefore, it is suggested that the overburden benches have to be advanced sufficiently to ensure safe, scientific and sustainable mining. Backfilling of mine pit has not been progressed as indicated 5th year of Mine Stage Plan.*

41. That it is submitted that the MDO operator has deliberately not mining as per the mining plan and the Seam VI has not been touched whereas maximum depth of 45 Meter is much short to the maximum mineral depth of 225 Meter. By this way mineral lying in the more deep area would be left out causing sheer loss to the RRVUNL.
42. That the Lemru Elephant Reserve has been notified on 07.10.2021 and all the impugned coal blocks are falling in the 1 to 5 Km circle of the same, the MoEFCC is obliged to reappraise the proposal again as any mining is not permitted in the Buffer of a Wild Life Reserve, however it has not being done. A true copy of the Notification Dated 07.10.2021 of Lemru Elephant Reserve is marked and annexed herewith as **Annexure P- 15. (Pages 255 to 261)**.
43. That the MoEFCC in order to help the project proponent and its MDO operator, granted Stage II Forest Clearance without thee being any FAC meeting for its considerations. The MoEFCC order dated 21.10.2021 regarding the proposal of the Forest Land Diversion of 841 Hect of Forest Land did not even mentioned the WII Report and its recommendations and only appreciated the recommendations of the ICFRE Report without considering its observations and findings. It is

further pertinent to mention that the FAC on earlier occasion has noted the rejection of Lemru Elephant Reserve which has been reversed and the Reserve has been notified. A true copy of the MoEFCC Order dated 21.10.2021 is marked and filed herewith as **Annexure P-16 (Pages 262 to 266)**.

44. That in the FAC meeting dated 28.10.2021 while considering the PEKB mining permission on Phase II of the PEKB Block again did not even mentioned the WII Report and its recommendations and only appreciated the recommendations of the ICFRE Report without considering its observations and findings. As per the description provided in the FAC minutes dated 28.10.2021 out of 1136 Hect , 256 Hect is Very Dense Forest (VDF) of 0.7 crown density and above which is rare in the country and hardly constitute 2% of the total land mass. The remaining 880 Hect is Dense Forest having crown density between 0.4 and 0.7 crown density.
45. That the aforesaid WII recommendation clearly restrict any more permission of mining to be granted even in the PEKB Block which has its Second Phase Forest Area of 1136 Hect out of 1898 Hect.
46. That by the decision dated 28.10.2021 taken by the FAC, a Sub Committee was formed to visit the PEKB block to see the compliance of the conditions of the old clearance. A true copy of the relevant page of the FAC Minutes dated 28.10.2021 is marked and filed herewith as **Annexure P- 17 (Pages 267 to 276)**.

47. That on 23.12.2021 the FAC again considered the PEKB matter and without even mentioning the WII Report or its Recommendations went ahead to recommend grant of mining permission to PEKB Phase II Forest Land of 1136 Hect. The compliance of the conditions mentioned by the Sub Committee is also far from the real status. A true copy of the relevant page of the FAC Minutes dated 23.12.2021 is marked and filed herewith as **Annexure P-18 (Pages 277 to 283)**
48. That the MoEFCC granted permission to mine Phase II Forest Land 1136 Hect. on 02.02.2022 advancing it by 6 years as per old clearance which has been quashed already. It is further pertinent to mention that contrary to the NGT Directions there were no reasons assigned for allowing mining in the PEKB Block by the MoEFCC either. A true copy of the MoEFCC letter written to State of Chhattisgarh dated 02.02.2022 is marked and filed herewith as **Annexure P- 19 (Pages 284 to 285)**.
49. That on 25.03.2022 the State of Chhattisgarh Forest Department too granted permission for mining in the Phase II of the PEKB Block over 1136 Hect Forest Land. A true translated copy of the State Govt Order dated 25.03.2022 is marked and filed herewith as **Annexure P-20 (Pages 286 to 288)**.
50. That the Section 2 Order under the FCA dated 28.03.2012 for the entire 1898 Hect Forest Land stands quashed and there is no order u/s 2 has been passed. It is also pertinent to mention that the MoEFCC which was directed by the NGT to pass a reasoned order has also not passed any

reasoned order to allow non forest use of 1898 Hect of Forest Land of PEKB Block.

51. That on 06.04.2022 the State of Chhattisgarh passed a Section 2 Order for non forest use of 841 Hect of Forest Land of Parsa Coal Block on the basis of the Stage II clearance granted by the MoEFCC. The Parsa Coal Block was covered by the Hon'ble Minister's Order dated 23.06.2011 and thus covered by the NGT Judgment. A true translated copy of the Section 2 Order for non forest use of 841 Hect of Forest Land of Parsa Coal Block Dated 06.04.2022 is marked and filed herewith as **Annexure P- 21 (Pages 289 to 294)**
  
52. All the aforesaid orders dated 02.02.2022 of the MoEFCC, State of Chhattisgarh Orders dated 25.03.2022 and 06.04.2022 have been challenged by the petitioner herein by filing IA No.2007 and IA No. 71316 of 2022 in the Civil Appeal 4395 of 2014. However as an abundant precaution the instant Writ Petition is being filed.

**CHHATTISGARH ASSEMBLY HAS PASSED THE RESOLUTION TO CANCEL ALL COAL BLOCKS OF HASDEO ARANYA –**

53. That on 26<sup>th</sup> July the Chhattisgarh Assembly has passed an unanimous resolution to cancel all the allotments of the Coal Blocks made in HasdeoAranya. The Assembly is supreme body of the State and any resolution passed therein is binding on the State Government. The Forest Clearance and Land/Water etc are State subjects as per the Constitutional scheme, the resolution passed is binding, Thus no mining can take place in the said area. A true translated copy of the Assembly

Certificate containing the passed Resolution dated 06.08.2022 is marked and filed herewith As **Annexure P-22 (Page 295)**.

**CHHATTISGARH GOVERNOR HAS ISSUED DIRECTION OF STAY OF WORK IN PARSA COAL BLOCK-**

54. The Hon'ble Governor of the Chhattisgarh on 23.10.2021 has directed the State Government to inquire in to the allegations of the creation of Fake Gram Sabha resolutions for forest clearance of the Parsa Coal Block and further directed to stay any work related to the Parsa Coal Block. The Coal Blocks are admittedly in the 5<sup>th</sup> Schedule Area and thus Governor has a Constitutional Duty as well as power to direct the Government to stay the Coal Mining Projects. However, the State of Chhattisgarh did not comply with the aforesaid directions and went on to grant Forest Clearance on 06.04.2022. It is submitted that in the Schedule 5 area and with regard to the Forest Rights Act 2006 the Governor's directions need to be adhered by the State Government. A true translated copy of the Governor's letter dated 23.10.2021 is marked and filed herewith As **Annexure P-23 (Pages 296 to 297)**.

**COAL SUPPLY FOR RRVUNL AND IN INDIA**

**ICFRE has considered Coal Demand and Supply situation : Yet Correct Picture was not Shown**

55. That since the ICFRE has travelled much beyond from its mandate of the study and considered the Coal Demand and Supply position to made its recommendations to allow coal mining in four coal blocks even contrary to its own Observations and Findings. However the correct picture was

not shown by the ICFRE with regard to the HAC and RRVUNL. It also appears that the final recommendations in the report prepared by the ICFRE to allow mining in Four Coal Blocks by carving out untenable exceptions contrary to own findings and observations and also contrary to WII recommendations had been done with pre meditated mind which is apparent from following omissions and commissions;

- A. The Seven issues framed by the NGT in its Direction No.2 of the Judgment are confined to Wild Life and Environment Sustainability Issue and does not cover Coal Supply situation.
- B. Scope and Objective of the study also does not include the aspect of coal supply or availability.
- C. The ICFRE in the very introduction para of the Report of the report has recorded an incorrect fact that the HAC is having third largest coal deposit in the country with 17% of Country's Coal Reserve. As a matter of fact only 1.6% of the Country's Coal Deposit lies in the HAC.
- D. Background has not noted that the clearances granted and the Minister's order (by which certain exceptions were carved to overturn FAC Advice) has been quashed by the NGT thus they are non-est.
- E. The ICFRE made RRVUNL and PEKB Mine officials (Adani Group Employee) people part of study by interacting with them on regular basis whereas the Respondent No. 1 (Appellant before the NGT) was not made part of the study interaction ever despite the NGT Direction to take information from all connected with the case.

48 That the ICFRE Report going much beyond its mandate included an entire Chapter about Coal Supply and Usage in India. It is submitted that even on this count the ICFRE has not calculated the Coal Resources availability outside the HasdeoAranya which is much huge than meeting the current and future demand of coal of the Country. The ICFRE Report has stated

*The total coal resources of India is reported to be 326495 million tonnes as on 1st April 2019; of which about 59908 million tonnes (18%) of coal resources are reported to occur in the state of Chhattisgarh, which has third highest resources base of coal in India next to Jharkhand and Odisha (Table 2.3).*

However, in the introduction para of the HasdeoAranya Coal Field (HAC), the ICFRE has stated incorrectly that 17% of Indian Coal Deposit lies in the HAC.

### *1.1 INTRODUCTION*

***The study area i.e., the Hasdeo-Arand Coalfield is the third largest in terms of coal reserves (17%) in the country with an area of 1879.8 sq.km spread over from north Korba to south Surguja and Surajpur districts of Chhattisgarh (Figure 2.1 and 2.2). The next-largest is Korba Coalfield that lies over an area of 530 km<sup>2</sup>. About 80% of the coal resources are reported to be under forest land use and the total estimated coal reserves is 5.179 billion tonnes out of which 1.369 billion tonnes are proven reserve. Out of the total coal bearing area, 1502 sq.km falls in the forest, which is reported to be the largest un-fragmented forests in Central India consisting of pristine Sal***

***(Shorearobusta) and teak forests outside the official protected area system, which is an important corridor for movement of flagship species like elephants and tigers in Chhattisgarh. (Page 19 of ICFRE Report)***

However, a careful look at the charts printed on page 37 of the ICFRE Report would reveal that HAC has 5,529 million Ton of coal deposit against Country's Coal Deposit of 3,26,495 Million Ton which means that HAC has just 1.6% of Indian Coal Deposit beneath it. In the Chhattisgarh State which has 59,908 Million Ton Coal Deposit, HAC's share is just 9%. The same chart would also reveal that Mand Raigarh Coal Field has largest deposit in Chhattisgarh with 32370 Million Ton and Korba Coal Field with 11829 Million Ton coal deposit. While entire Korba Coal Field is out of NoGo classification, almost half of the Mand Raigarh Deposits which are virgin at present are out of NoGo classification and were classified as Go areas.

**MOST OF INDIAN COAL IS UP TO 0-300 METER DEPTH :**

56. That it is further shocking to note that the ICFRE as if it was holding brief for the RRVUNL/Adani has compared the coal seam depth of the HAC Blocks with Korba Coal Fields and concluded that mining in HAC is cheaper because of less depth. First of all, the said consideration is clearly beyond the Mandate and the Scope of the instant study moreover, the ICFRE has not compared the HAC with MandRaigarh CF Blocks or the Sohagpur CF Blocks or other Coal Deposits of the country which would have given much clearer picture.

57. That the depth of Coal Deposits has been described in four major categories i.e., 0-300, 300-600, 600-900- and 900-1200-Meter depth and majority of Indian Coal Deposit is available in 0-300 Meter Category. A bare perusal of the relevant page of the Coal Inventory available on MoC website would reveal that out of 3.61 Lakh Million Ton Coal Deposits identified in the country, 55% i.e., 1.98 Lakh Million Ton is in the category of 0-300 Meter category. Another 32% coal is in 300-600 Meter Category. Thus, ICFRE's conclusion that mining in HAC alone is cheaper is not correct. Moreover, if we add the huge cost of Environment Depletion, the cost of Mining would be much higher. A true copy of the Coal Inventory Dated 01.04,2022 is being marked and annexed herewith as **Annexure P-24. (Pages 298 to 310)**

**RRVUNL IS NOT GETTING THE BENEFIT OF CAPTIVE COAL BLOCK BUT PRIVATE COMPANY IS THE GAINER :**

58. It is further pertinent to note that the cheaper cost of mining is not being passed on to the RRVUNL in any case. The RRVUNL is actually ends up paying more to its own Coal then what is being supplied from CIL Mines despite travelling almost 100 KM More.

Following is the Coal Cost Paid by RRVUNL as per data sheet submitted before RSERC for the Month of September, October and November 2017.

Source of Coal	GCV in Sept. 2017 per Kcal/Kg	Rate Per Metric Ton In Rs.	GCV in Oct. 2017 per Kcal/Kg	Rate Per Metric Ton In Rs.	GCV in Novem. 2017 per Kcal/Kg	Rate Per Metric Ton In Rs.
PEKB-PKCL	4319.81	4001.24	4422.65	3973.67	4341.67	4064.37

SECL-CIL	4319.81	3930.22	4407.41	3921.68	4341.11	4038.61
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Note GCV 4300 -4600 Kcal/Kg is G-10 Grade of Coal

A true copy of the Price Notification of CIL Dated 27.11.2020 and Relevant page of the RRVUNL tariff petition of 2017 is marked and filed herewith as **Annexure P- 25 (Pages 311 to 313) and Annexure P-26 (Page 314 to 317).**

### **NO THREAT TO SHUTDOWN OF RRVUNL POWER PLANTS**

#### **AMPLE COAL STILL LEFT IN PHASE I PEKB AREA :**

59. That the total minable coal in the PEKB Mine was 452 Million Ton in which only around 100 Million Ton has been mined till date. The Mine has been divided in Phase I and Phase II and it is admitted position that out of 137 Million Ton Coal which was envisaged to be mined from the PEKB in first 15 years, around 37 Million Ton is still available to mine. It is also evident from the ICFRE report that the MDO Operator has not touched the Seam VI of the mine which is fully available to mine coal which has 42 Million Ton Coal. In that case the same would be enough to fulfil the demand of the RRVUNL for atleast 5 years. In these five years, the alternate coal block could be allotted and developed by the RRVUNL.

The Land Use can be described as following ;

<b>Total Area of Mine</b>	<b>Forest Land</b>	<b>Agri&amp; Govt Land</b>	<b>Mining Area</b>	<b>Non mining area</b>
2711(2682 Hect.)	1898 Hect	784 Hect	2388.5 (Mirable Coal)	293.5 Hect

			452 Million Ton)	for Infra Washery and Dump
Phase I 1300.5 Hect.	762 Hectare	538.5 Hect	978 Hect (137 MT As per Mining Plan)	293.5 Hect
Phase II 1382 Hect.	1136 Hectare	246 Hect.	1382 Hect.	Nil

60. That out of total land i.e. 2682.5 Hect, Phase I land is 1300.5 Hectare (762 Hectare Forest and 538.5 Hect Non forest) out of which Mining Area was 977.991 Hect. The Phase II Mining area would be 1411 Hect out of which 1136 Hect is Forest. Considering the fact that all three minable coal seam spread in the entire area of the block's mineralized zone, it is safe to assume that the minable Coal Reserve availability in the First Phase area would not be less than 200 Million Ton. The RRVUNL should be directed to file the Geological Report of the Coal Block to prove that Phase I coal deposit is not sufficient.
61. That the Respondent No. 1 herein from the data available from the On Line Coal Block Information System (OCBIS) prepared by the CMPDI Ltd has prepared a comparative chart of the different Coal Deposits of the HAC with MandRaigarh and Sohagpur CF. It is essential to point out that the ICFRE too has relied on the same OCBIS data for the instant study as stated on the Page 10 of the MoEFCC affidavit.

62. The Central Mine Planning and Design Institute (CMPDI) have identified the coal blocks in Hasdeo-Arand Coalfield (<https://www.cmpdi.co.in/OCBIS/dashboard.php>).

**ALTERNATIVE COAL BLOCKS OF "GO" CATEGORY ARE AVAILABLE FOR RRVUNL:**

63. That the RRVUNL could get new coal blocks with sufficient Reserve which are available both in Sohagpur Coal Field, Singrauli Coal Fields and MandRaigarh Coal Field which are accessible for RRVUNL. Most of the Coal Blocks of these coal fields are of "GO" category as per the "GO-NOGO" category. It is further pertinent to mention that the total area of the Coal Blocks of PEKB, Parsa, Kete Extension is around 5800 Hectare out of which about 80% is Dense Forest. Total Geological Reserve of these Coal Blocks is about 1100 Million Ton coal. It is submitted that the alternate block suggested in the following tables would require much less land and even much less forest to provide equal or even more coal.

**LIST OF SOHAGPUR COAL FIELD COAL BLOCKS WHICH ARE STILL UNALLOTTED AND COULD BE ALLOTTED TO RRVUNL :**

Name of the Coal Block	Area	Category as Per GoNoGo Study	Geological Reserve
NigwaniBarkeli A	4854 Hect.	B-GO only 20% Forested Area	1200 Million Ton
Senduri	2277 Hect.	B-GO	280 Million Ton
Jamui	1470 Hect	B- GO	208 Million Ton

**LIST OF MAND RAIGARH COAL FIELD COAL BLOCKS WHICH ARE STILL UNALLOTTED AND COULD BE ALLOTTED TO RRVUNL :**

Name of the Coal Block	Area	Category as Per GoNoGo Study	Geological Reserve
Dolesara Near Tamnar Distt. Raigarh	1514 Hect.	B-GO	450 Million Ton
JharpalamTangarghat Raigarh District	614 Hect.	B-GO	290 Million Ton
Jarekela Raigarh District	1904 Hect.	B-GO	585 Million Ton

**COAL INDIA INCREASING ITS PRODUCTION IN A BIG WAY:**

64. That by way of a Press Release dated 8<sup>th</sup> March 2021 the Coal India Ltd. (CIL) has announced mega expansion in coal production of a total of 496 million Ton per annum in two phases of 303 MTPA and 193 MTPA. It is stated in the said Press Release that 81 MTPA production would be available from these expansion projects as early as on April 2024. It is noteworthy that a major portion of this expansion in coal mining is coming in SECL area which is mostly in the State of Chhattisgarh. It is clear that Coal India Limited is increasing its production in big way from present 600 million Ton to 1000 Million Ton. Thus, the availability of the

CIL Coal would be much in abundance in the near future. A true copy of the Press Release dated 8<sup>th</sup> March 2021 issued by the CIL is marked and annexed herewith as **Annexure P- 27 (Pages 318 to 319)**.

65. That the CIL Coal is being allotted to State Owned PSU Power plants on long term linkage basis and the RRVUNL is also having linkage for some of its power plants. The total coal based power plant capacity of RRVUNL is 7580 MW and its 4340 MW capacity of different units having capacity of 250 MW, 500 MW and 660 MW situated in Suratgarh, Chhabra, Kalisindh has been linked to get coal from HAC Coal Blocks.
66. That the MoC submitted a monthly summary for the Coal Sector every month to the Union Cabinet and in the Summary of October 2022 submitted on 11.11.2022. A careful reading of the same would reveal that the Coal Linkage allotted to State of Uttar Pradesh, Gujarat and Madhya Pradesh for a capacity of 1600 MW, 4000 MW and 2640 MW have been lapsed/partially lapsed. The said Coal Linkage could be allotted to the RRVUNL in lieu of the Coal Blocks of the HAC. A true copy of the Coal Summary of October 2022 is marked and annexed herewith as **Annexure P-28 (Pages 320 to 325)**.

**THE RRVUNL'S COAL MINE IS ONLY GIVING WINDFALL PROFIT TO ADANI GROUP AND PSU & CONSUMERS ARE AT LOSS**

67. That the entire deal by RRVUNL with Adani Enterprises Limited for coal supply from PEKB Mine is heavily tilted in favour of the Adani group as it is not only getting heavy price for coal mining which is more than the price of coal of that respective grade from CIL, it is also getting upto

29% of the production in the garb of the reject fully free of cost. It is submitted that the said diversion of the Coal even in the form of Reject is being done in violation of the following;

- A. Coal Mines Special Provision Act 2015 under which the block has been allocated.
- B. Coal Block Allotment Agreement signed between Ministry of Coal and RRVUNL for the PEKB Coal Block.
- C. Coal Block Allocation Rules 2017

This aspect has been dealt in detail in the **connected matter WP (PIL) 371 of 2019** and for the sake of brevity the petitioner herein is not repeating it in detail. However, it is submitted that the PSU RRVUNL is at the huge loss while the entire gain is being cornered by the private company.

### **PEKB COAL BEING SUPPLIED TO ADANI'S OTHER POWER PLANTS**

68. That recently one very reputed News Website "Scroll.in" has reported a detail investigative News Report on the Coal Diversion of the PEKB Mine and how it is reaching to Adani owned Power Plants to fire them. These power plants are of Raipur Energen Limited Tilda Raipur, Raigarh Energy Generation Limited Raigarh and Essar Power Mahan of Singrauli District Madhya Pradesh all owned and controlled by the Adani Group. A true copy of the printout of the "Scroll" News Report titled as "Investigation: Adani power stations get coal from HasdeoArand mine allocated to Rajasthan" published on the Scroll.In website on 14.12.2022 is marked and filed herewith as **Annexure P-29 (Pages 326 to 335)**.

69. That a care full reading of the aforesaid investigative News Report would reveal that the RRVUNL has kept a much higher grade of coal as its rejection value i.e. G11 or having heat value of 4000 Kcal per Kg thus allowing Adani owned PKCL to sell the remaining quantity of Coal which PKCL is selling at throwaway prices to its own sister concerns.
70. That the RRVUNL is regularly claiming that the PKCL is sending Washed Coal i.e. having Calorific Value of 4000 Kcal/KG or more with Ash content less than 34%, whereas the data of ash content present in the coal supplied to atleast one Power Plant Suratgarh is not supporting this claim. As per Ash Utilisation Report for the year 2021-22 the Suratgarh TPS of the RRVUNL, the total quantity of the coal consumed by the TPS for the year 2021-22 was 2.4975 Million Ton, and the generated Ash from this coal was 0.9786 Million Ton which is 39.18% of the coal burnt. A true copy of the relevant pages of the Ash Utilisation Report 2021-22 is marked and filed herewith **as Annexure P- 30 (Pages 336 to 337)**.
71. That as per the RTI Information provided by the Railways on 14.03.2022, in the year 2021 total 38941 Wagons of coal was sent from the PEKB to Suratgarh. Since one wagon contain about 65 Metric Ton, the quantity of Coal supplied from the PEKB to Suratgarh comes to 2.53 Million Ton. Though the Coal supply data is of Jan-Dec 2021 period, similar supply was there in January to March 2021 period as well. Thus the quantity is almost similar to the total coal supplied to the Suratgarh TPS in the same year as per the Ash Utilisation Report which is 2.4975 Million Ton. It is important to note that the ash generated percentage is

39.18% which shows that in Suratgarh RRVUNL has received inferior grade of coal.

72. That the aforesaid would also points out that better grade of coal was actually being cornered by the Adani Group through PKCL supply to its other power plants. In order to substantiate the aforesaid assertion it is submitted that the Raipur Energen Limited (Adani owned Super Critical Power Plant of 1370 MW ) which has received 39345 wagons of socalled Reject Coal from the PEKB Mine in 2021 has generated less than 33% Ash after the combustion of the said coal. The total quantity of the coal received from the PEKB to the REL was 2.56 Million Ton considering per wagon load as an average 65 Metric Ton whereas the capacity of new coal wagon is upto 70 Metric Ton.

73. That the further shocking information is the distance of these power plants of the Adani from the PEKB Mine as if the supplied material would have been really "Coal Reject" as claimed by the appellant herein, the heavy transporting cost borne by the Adani Group companies would make the power plants un-viable. The distance of the Adani Power Plants from the PEKB Mine through Rail is given below;

1. Raipur Energen Limited Tilda – Distance 425 KM – Transporting Cost 1050/- per Metric Ton
2. Raigarh Energy Limited – Distance 475 KM - Transporting Cost 1150/- per Metric Ton
3. Essar Power Mahan (Acquired by Adani) – Distance 550 KM - Transporting Cost 1300/- per Metric Ton

It is equally pertinent to note that close to these power plants 19 Coal Washeries are situated in Bilaspur Division alone which could supply the "Coal Reject" with much-much less transporting cost to these power plants yet these power plants are choosing to get so called coal reject from PEKB Mine. Another aspect is that the Essar Power Mahan power plant is situated in the Singrouli Coal Field and this would have been perhaps first instance that the so called 'Coal Reject' is being supplied from One coal field from some other Coal Field bearing huge transportation cost. The Coal Reject is actually not rejected but good quality coal and being siphoned by the Private Company.

74. That by way of the Notification dated 21.05.2020 the MoEFCC has exempted the Power Plants situated more than 500 KM far from the Coal Mine to use washed coal mandatorily which was the earlier compulsion to get the coal washed if it is having more than 34% Ash content or G-12 or lower grade. Now no such compulsion is there yet the RRVUNL is still continuing with the farce of Coal Washing from the PEKB mine which has good quality of coal that could be used directly without washing it. The Washing charge as well as coal reject is actually a wind fall in favour of Adani group.

**NEW BLOCKS NEVER NEEDED BUT ALLOWED FOR ADANI ONLY:**

75. It is submitted that the PEKB has 452 million, Ton Movable Reserve out of which about 350 million Ton is still there to be mined. At the rate of 18 MTPA Requirement of RRVUNL for its 4340 MW Power Plant, it is still good enough for about 20 years, yet two more Coal Blocks Parsa and Kete Extension (98% Dense Forest) were allotted and Parsa has been

granted clearance already. This is just to allow Adani more and more coal in the garb of the Reject to fire its own Power Plant in totally free of cost. All the Coal Blocks have similar agreements with Adani owned companies which allows upto 29% of production to be taken away as "Reject".

### **CREA Report: DOES INDIA NEED NEW COAL MINES TO MEET ITS 2050 DEMAND**

76. That the CREA (Centre for Research on Energy and Clean Air) Report is based on Coal Vision Document of Coal India 2029-30 which says no new mines are required and CEA's optimal generation mix report which predicts that by 2029-30 Coal Power Share in generation would come down from present 76% to 52% of our total demand. The Non-Profit NGO CERA has examined two Government Document namely Coal Vision Document 2029-30 by Coal India Ltd. and Optimal Generation Mix 2029-30 by the CEA and has concluded following:

*The minable capacity of already allocated coal blocks is around 15 to 20% higher than the expected demand in 2030 Increasing coal production beyond what is required will lead to oversupply creating financial stress and turning into stranded assets Indian Government can increase coal production at existing mines to end coal import*

A true copy of the CREA Report is marked and annexed herewith as **Annexure P-31. (Pages 338 to 342)**

**HOW MUCH COAL THE COUNTRY NEEDS IN FUTURE AND FROM WHERE IT SHOULD BE PROCURED :**

77. That the requirement of Coal in the country is mainly for power generation as almost 80% of coal burnt in India is burnt for Power generation. The Ministry of Power regularly publish detail information about Installed Capacity, Generation, Supply, Plant Load Factor (PLF) of power plants and year wise growth on its website with the title "Power Sector at a Glance". A true copy of the Printout of Power Sector at a Glance printed directly from the MoP website is marked and annexed herewith as **Annexure P-32. ( Pages 343 to 349).**

78. That in the Parliament answer given by Minister of Coal to the question on 05.02.2020 has dealt the issue of Coal Supply to power plants in detail. The first para of the said answer is reproduced here to understand the demand aspect,

*According to the National Electricity Plan notified in 2018, the All India installed capacity is likely to be 479,419 MW in 2021-22 which inter alia consists of 217,302 MW of coal based capacity and 175,000 MW of RE based capacity. The installed capacity is likely to be 619,066 MW in 2026-27 which inter alia consists of 238,150 MW of coal based capacity and 275,000 MW of RE based capacity.*

A true copy of the Parliament Answer dated 05.02.2020 is marked and filed herewith as **Annexure P-33. (Pages 350 to 351).**

79. That currently we have installed power capacity as 4.09 Lakh MW which is short of 70,000 MW from the target fixed in the Electricity Plan however the Power availability situation is better showing that the demand assumption was on the higher side. That a comparison with the "Power Sector at a glance" available on the Ministry of Power website

with the Electricity Plan target would reveal that by 2022, the installed capacity of the Coal and Lignite has already reached 2.10 Lakh MW against the target of 2.18 Lakh, whereas the RE sources installed capacity has reached on 1.19 Lakh MW against the target of 1.75 Lakh MW. It is notable that no major electricity shortage has been noted and no Grid Failure has happened.

80. That the Plant Load Factor of Indian Power Plants on an average has remained below 60% since many years as evident from the PLF Chart available in "Power Sector at a Glance". It is further important to appreciate that the Energy demand and availability situation even the Peak Demand supply position has very negligible deficit i.e. less than 2% in last many years.
81. That as per the Central Electricity Authority (CEA) coal consumption on the basis of the Station Heat Rate (SHR) of different size Power Plant Units which is between 2600 to 2250 Kcal per KWH from 100 MW Sub Critical Units to 660 MW Super Critical Units and above. Since most of the Units operating in the country are Sub Critical and having a capacity of 250 to 500 MW, the average heat rate could be taken as 2400 Kcal/KWH.
82. That considering the aforesaid figures and data and assuming that the installed Coal Power Capacity would be 2.38 Lakh MW as per electricity plan in the future the Coal Requirement would be like this in three different scenario of 60% PLF which is current situation, 70% PLF and 85% PLF the highest requirement ;

<b>Total Coal Power Plants installed Capacity in 2026-27 and PLF</b>	<b>Coal Requirement Per MW of G-12 Grade as per CEA Norms</b>	<b>Total Coal Requirement for one year</b>
2,38,150 MW @85% PLF	2,38,150 x 5160 MT per annum	1229 Million Ton
2,38,150 MW @70% PLF	2,38,150 x 4250 MT per annum	1012 Million Ton
2,38,150 MW @60% PLF	2,38,150 x 3643 MT per annum	868 Million Ton

83. That a similar calculation can be done on the basis of the Generated electricity in Billion Units. Since 2400 Kcal heat is required to generate One Unit (KWH) of electricity, this translates in to 600 Gram of Coal having 4000 Kcal GCV is required to generate one Unit of Electricity. As per the "Long Term Electricity Demand Forecasting" published by the CEA in August 2019 the Electricity demand for the various five year interval on three different GDP growth scenario of 6.5%, 7.3% and 8%. As per the said projection the demand scenario would be like this;

84. **Table 1: Electrical Energy Requirement (in BU) from PAM**

<i>Year</i>	<i>7.3% GDP (BAU scenario)</i>	<i>8% GDP (optimistic scenario)</i>	<i>6.5% GDP (pessimistic scenario)</i>	<i>Projection by PEUM</i>
<i>2016-17</i>	<i>1152.4</i>	<i>1152.4</i>	<i>1152.4</i>	<i>1160.4</i>
<i>2021-22</i>	<i>1471.5</i>	<i>1477.5</i>	<i>1443.5</i>	<i>1566.0</i>
<i>2026-27</i>	<i>1886.9</i>	<i>1905.4</i>	<i>1776.9</i>	<i>2047.4</i>
<i>2031-32</i>	<i>2378.7</i>	<i>2458.9</i>	<i>2186.7</i>	<i>2530.5</i>

<i>2036-37</i>	<i>2976.3</i>	<i>3175.4</i>	<i>2691.07</i>	<i>3049.4</i>
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85. On the basis of the aforesaid the Energy Requirement of 2029-30 would be around 2200 BU for 8% GDP Growth, 2100 BU for 7.3% GDP Growth, 2000 BU for 6.5% GDP Growth and 2300 BU for PEUM. A true copy of the relevant pages of the "Long Term Electricity Demand Forecasting" published by the CEA in August 2019 is marked and filed herewith as **ANNEXURE P-34 (Page 352 to 353)**.
86. That considering the above projections the Coal Production by CIL in India is likely to cross 1000 Million Ton in near future and if we take SCCL and other Captive Coal Blocks production in to the account, the production would stand close to 1200 Million Ton of Coal. It is submitted that beside the Power Generation the Coal demand in other sectors are much less and hover around 200 Million Ton of coal per annum. In the Steel Sector the demand of Coking Coal has to be fulfilled by importing the same as there are not many deposits are available in India of Coking Coal. Thus the 1200 Million Ton Coal Production would be well above the requirement of the mineral in coming years.
87. That the Union of India too is aware about the changing scenario in the energy sector and as per the PIB Press Release dated 22.12.2022 the share of non fossil fuel based generation capacity would increase from present level of 42% to 64% by 2029-30. The Press Release is based on an answer given by Minister of Power in the Parliament and it also states;

*As per the the Generation Expansion Planning studies carried out by the Central Electricity Authority (CEA) for 2029-30, the share of non-fossil fuel based generation capacity in the total installed capacity of the Country is likely to increase from around 42% as on Oct, 2022 to more than 64% by 2029-30. This would reduce the dependence on fossil fuel in electricity generation and promote alternative sources of power like solar and wind. Further, the following steps have been taken to promote renewable power in the country:*

A true copy of the PIB Press Release dated 22.12.2022 is marked and annexed herewith as **Annexure P-35 (Page 354)**.

88. That at the time of the decision making by the bodies like EAC and FAC, a complete picture about the demand and supply of energy, its available sources and all available options are neither presented nor discussed. The clearances are being granted in a mechanical manner without application of mind. Similarly, the ICFRE too has not analysed the correct picture of energy supply and its options while conceding the mining proposal in four crucial coal blocks which have been categorised "NOGO" and "InViolate" earlier.
89. That on 19.12.2022 the NGT has dismissed the Appeals filed by the petitioner herein challenging the Environmental Clearance dated 10.08.2018 for PEKB without hearing the same on Merit. The NGT has observed that this order will not prejudice the rights of the parties in pending CA 4395 OF 2014. It is pertinent to mention that earlier these

appeals were adjourned sine-die by the NGT because of the pendency of the CA 4395 of 2014 in this Hon'ble Court. A true copy of the order dated 19.12.2022 passed in Appeal No. 185 of 2018 and Appeal No. 12 (CZ) of 2019 is marked and filed herewith as **Annexure P-36 (Pages 355 to 359) and Annexure P-37 (Pages 360 to 371)**.

**90.** That the Petitioner has not filed any other petition in the similar relief in this Court or in this Country

### **GROUND**

- A. Because, allowing mining in Dense Forested Block of PEKB, Parsa when several coal blocks in less or no forested areas are available is in violation Sustainable Development, Precautionary Principle and Inter-Generational Equity.
- B. Because, as per Forest Conservation Rules 7 (2) (c) of 2003 or Rule Rule 9 (5) (e) (ii) (B) of FCR 2022 obliges the State Government to consider all available options of coal blocks before allowing mining in any particular Coal Block.
- C. Because, the objective study like Go-NoGo and Violate- InViolate provides objectively selected coal blocks for mining while causing least damage to the Environment.
- D. Because, the NGT has directed to get expert advice on mainly Wild Life Issues and the Premier Institute of Govt of India WII has recommended "No Mining" in the area beyond the area already broken in the PEKB Coal Block.

- E. Because, the FAC has not considered the WII Report and selectively used ICFRE Recommendations to clear the mining in PEKB and Parsa coal Block.
- F. Because the ICFRE Report which has been relied by the MoEFCC and the FAC itself has noted that

*The cluster of four open cast coal blocks i.e., Kente Extension (12), Parsa (13), PEKB 14 & Tara (15) and other two contiguous blocks i.e., Sarma (20) and Laxmangarh (21) are on the Gej-Jhink watershed with AtemNadi and its headwater feeder streams flowing towards north. The cumulative impact of land use land cover changes due to these coal blocks will have influence of magnitude on the forest ecosystem and the Hydrology considering the quite larger area under peril.*

- H. Because it is settled proposition in law that any recommendation contrary to the findings or without any objective reason could not be sustained. Thus, even going by the ICFRE Report, no further permission in the PEKB Block, Parsa, Tara or Kete Extension to mine could be granted.
- I. Because, the observation of the ICFRE that these four coal blocks forms part of Gej-Jhink watershed thus a different watershed is factually wrong as further evident from its own finding.

### ***10.3.3 Drainage and Aquatic Biodiversity***

*The study area of HAC and its 10 km buffer falls under eleven watersheds viz., Gej, Jhink, Bamni, Anjan, Ton, Teti, Chornai, Hasdeo, Mand, Chuiya and Rehar. While, all the watersheds are part of the Hasdeo drainages that contribute to the Mahanadi*

*River, Rihar watershed forms part of the lower Ganga River basin (Figure 10.13). Of all the watersheds falling within the Mahanadi River sub-basin, mainly four viz., Bamni-Anjan, Ton-Teti, Gej-Jhink and Chornai are contributing to the flow in the Hasedo River and the Hasdeo-Bango Reservoir*

- J. Because, there is no scientific or objective basis to distinguish the area of these four coal blocks where ICFRE has conceded mining from other blocks.
- K. Because, there is no FAC Meeting held to consider the Parsa Coal Block before granting the Stage II Clearance.
- L. Because, the ICFRE recommendations are based on such anthropocentric reasons which are already condemned by the NGT in its Judgment.
- M. Because, this Hon'ble Court has held in T. N. GodavarmanThirumulpadCase (2012) 3 SCC 277]

*"17. Environmental justice could be achieved only if we drift away from the principle of anthropocentric to ecocentric. Many of our principles like sustainable development, polluter-pays principle, intergenerational equity have their roots in anthropocentric principles. Anthropocentrism is always human interest focussed and that non-human has only instrumental value to humans. In other words, humans take precedence and human responsibilities to non-human based benefits to humans. Ecocentrism is nature-centred where humans are part of nature and non- humans have intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. Ecocentrism is therefore life-centred, nature- centred where*

*nature includes both humans and non- humans. The National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ecocentrism."*

- N. Because, the ICFRE about the Coal Demand and clearance already granted (which are actually non-est as being quashed by NGT Judgment) are entirely anthropocentric reasons and thus needs to be ignored.
- O. Because, the EAC and the FAC has recommended Forest and Environment Clearance on the State Government's assertion that proposal for notifying the Lemru Elephant Reserve has been dropped, whereas on 07.10.2021 the same has been notified and all the blocks falls in the 1 to 5 KM buffer of the same.
- P. Because, the PEKB, Parsa, Tara and Kete Extension all forms part of crcial catchment of the HasdeoBango Reservoir which is largest irrigation infrastructure of the Chhattisgarh State.
- Q. Because, Water Security should get priority over energy security in any case.
- R. Because, the MoEFCC has a clear bias coupled with malafied to favour mining in the impugned coal blocks as evident from the chronology of the events.
- S. Because, the Tara, Parsa, Kete Ext, Parsa East Kete etc Coal Blocks of the HasdeoAranya Forest /Hasdeo Coal Fields has been classified as "InViolate" for Coal Mining hence no mining permissions could be granted on the same.

- T. Because, the PEKB, Tara and Parsa Coal Blocks have been classified as NOGO Coal Blocks and the coal available outside NoGo area is sufficient to meet the coal demand of the country.
- U. Because, the HasdeoAranya and specifically PEKB and adjacent Coal Blocks are falling in the Elephant Habitat/Corridor area and witnessing a severe Human Elephant Conflict, which would be aggravated by the Mining in the area.
- V. Because, the PEKB, Tara, Parsa and Kete Extension all are falling in GejJhink and Charnoi River catchment which all are Haseo River's tributary, mining in the area would severely affect the water security of the down stream area.
- W. Because, the HasdeoAranya and specifically the PEKB, Tara, Parsa and Kete Extension Coal Blocks all are having fragile eco system with large area under the Very Dense Forest of Crown Density of 0.7 or more which is scarce in the Country.
- X. Because, the HasdeoAranya is largest unfragmented dense forest of Highly Rich Bio Diversity outside the Protected Area Network and could not be compromised for coal mining,
- Y. Because, there is no Section 2 order have been passed by the MoEFCC and State of Chhattisgarh for the PEKB Coal Block post ICFRE/WII study.
- Z. Because, the Environmental Clearance of the PEKB for 10 MTPA was never decided on the merit and challenge was dismissed only on Limitation ground by NGT/SC.
- AA. Because, the Appeals challenging the Environmental Clearance for 15 MTPA for PEKB Dated 10.08.2018 and Environmental Clearance for Parsa Coal Block Dated 12.07.2019 have been not heard for long time

by the NGT because of the pendency of the CA No. 4395 of 2014 before this Hon'ble Court.

- BB. Because, the Appeals challenging the Environmental Clearance for 15 MTPA for PEKB Dated 10.08.2018 and Environmental Clearance for Parsa Coal Block Dated 12.07.2019 have been dismissed summarily without any hearing on the Merit by the NGT.
- CC. Because, the several coal blocks area available outside NOGO area for allotment to RRVUNL.
- DD. Because, the Phase I of the PEKB Coal Block still has substantial coal left to fulfil RRVUNL demand for the time in which RRVUNL can get alternative coal blocks.
- EE. Because, the RRVUNL is paying more to the PKCL for similar quality of Coal it is paying to the CIL.
- FF. Because, the CIL is increasing its production in big way and it can supply coal to RRVUNL.
- GG. Because, the RRVUNL is not getting any benefit of the Captive Coal Block and entire benefit is being siphoned by the Adani owned private company.
- HH. Because, the Mining is not being done as per mining plan as reported by the ICFRE and thus illegal mining.
- II. Because, the Wild Life Management Plan has not been upgraded as per the WII/ICFRE suggestions even for continuance of mining in Phase I of the PEKB Block.
- JJ. Because, inspite of ICFRE's suggestion to shorten the Long Mine Face of 6.2 KM, mining is continued in the same manner.
- KK. Because, no specific conditions have been added by the MoEFCC as per ICFRE suggestions.

**PRAYER**

In the abovementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may, in public interest, be pleased to:

- a) Issue an appropriate Writ /Order/Direction to Direct the State of Chhattisgarh to notify entire HasdeoAranya as Conservation Reserve u/s 36 A of the Wild Life Protection Act 1972.
- b) Issue an appropriate Writ /Order/Direction to stop mining in PEKB Coal Block of the HasdeoAranya and to restore the area in its original form.
- c) Issue an appropriate Writ /Order/Direction to quash the Mining Permission Dated 02.02.2021 granted for Phase II PEKB Coal Block of the HasdeoAranya by MoEFCC
- d) Issue an appropriate Writ /Order/Direction to quash the Mining Permission Dated 25.03.2022 granted for Phase II PEKB Coal Block of the HasdeoAranya by State of Chhattisgarh.
- e) Issue an appropriate Writ /Order/Direction to quash the Forest Land Diversion order Dated 06.04.2022 granted for Parsa Coal Block of the HasdeoAranya by State of Chhattisgarh.
- f) Issue an appropriate Writ /Order/Direction to quash the Stage I Forest Clearance Dated 13.02.2019 and Stage II Forest Clearance Dated 21.10.2021 granted for Parsa Coal Block of the HasdeoAranya by MoEFCC.
- g) Issue an appropriate Writ /Order/Direction to quash the Environment Clearance Dated 10.08.2018 granted for PEKB Coal Block of the HasdeoAranya by MoEFCC.

- h) Issue an appropriate Writ /Order/Direction to quash the Environment Clearance Dated 10.08.2018 granted for PEKB Coal Block of the HasdeoAranya by MoEFCC.
- i) Issue an appropriate Writ /Order/Direction to quash the Environment Clearance Dated 12.07.2019 granted for Parsa Coal Block of the HasdeoAranya by MoEFCC.
- j) Pass any further order or orders, as this Hon'ble Court may deem fit and proper in the interest of justice.

THROUGH:



**NEHA RATHI**

COUNSEL FOR THE PETITIONER

DRAWN AND FILED ON: 20<sup>TH</sup>, APRIL 2023  
NEW DELHI

**CANCELLED**



**IN THE SUPREME COURT OF INDIA**  
**WRIT PETITION (C) NO. \_\_\_\_\_ OF 202**  
 (UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)  
**(PUBLIC INTEREST LITIGATION)**

**IN THE MATTER OF:**

Sudiep Shrivastava

...Petitioner

**Verses**

Union of India & Ors.

...Respondents

**AFFIDAVIT**

I, **Sudiep Shrivastava S/o Late Shri Vishnu Prasad Shrivastava**  
**R/o Mungeli Naka Bilaspur-495001, Distt. Bilaspur,**  
**Chhattisgarh,** Petitioner in the instant Writ Petition, do hereby  
 affirm and state as under:

1. That I am the Petitioner/applicant in the instant petition/application and being full conversant with the facts and circumstances of the present case, I am fully competent and authorized to swear this affidavit.
2. I have read and got explained the contents of the accompanying Writ Petition and all accompanying Applications and I submit that they are true and correct as per my knowledge, information, belief and as per my records. I state that I have instructed Counsel to draft the Writ Petition on my behalf and as per my instructions the legal submissions are drawn by my counsel and believed by me to be true.

*Sudiep Shrivastava*

**17 APR 2023**

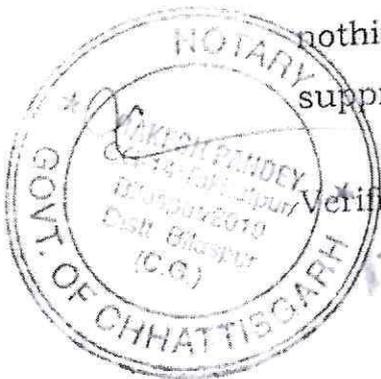
3. I state and certify that all annexures to the Writ Petition and all miscellaneous application are true copies of their respective originals and formed part of the records of the case.
4. That the source of the information is official documents, court records and information available in public domain, and information received from reliable sources.
5. That this petition only motivated by public interest. I affirm that I have no personal interest in this matter.
6. That I have done whatsoever enquiry that was possible and I state that no relevant facts are my knowledge have been withheld.

रवीश शर्मा

DEPONENT

### VERIFICATION

I, the above-named deponent, do hereby solemnly verify that the contents of my above affidavit are true and correct to my knowledge, information and belief. I further verify that nothing contained therein is false and no facts have been suppressed nor any material has been concealed therefrom.



पहचानकर्ता

Verified at Bilaspur on this 17<sup>th</sup> day of April, 2023.

17 APR 2023

2002  
SOLEMNLY AFFIRMED OR SWORN  
BEFORE ME BY THE WITHIN NAMED  
SIGNATURE / THUMB IMPRESSION

RAKESH PANDEY  
NOTARY, CIVIL DISTRICT-BILASPUR (C.D.)

रवीश शर्मा

DEPONENT

17 APR 2023

Journal

//True Copy//

ITEM NO.29

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SWrit Petition(s)(Civil) No(s).371/2019

DINESH KUMAR SONI

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

IA No. 97095/2022 - APPLICATION FOR PERMISSION  
IA No. 28837/2023 - APPLICATION FOR PERMISSION  
IA No. 49251/2019 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 49254/2019 - EXEMPTION FROM FILING O.T.  
IA No. 97098/2022 - EXEMPTION FROM FILING O.T.  
IA No. 168205/2019 - INTERVENTION/IMPLEADMENT  
IA No. 5925/2023 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES  
WITH  
W.P.(C) No. 510/2023 (PIL-W)  
IA No. 87170/2023 - CLARIFICATION/DIRECTION  
IA No. 87171/2023 - EXEMPTION FROM FILING O.T.

Date : 05-11-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE UJJAL BHUYANFor Petitioner(s) Mr. Prashant Bhushan, Adv.  
Ms. Neha Rathi, AOR  
Mr. Kamal Kishore, Adv.  
Ms. Kajal Giri, Adv.For Respondent(s) Dr. A.M. Singhvi, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Ms. Aanchal Mullick, Adv.  
Mr. Arshit Anand, Adv.  
Mr. Nidhiram, Adv.  
Mr. E. C. Agrawala, AORMr. Praneet Pranav, D.A.G.  
Mr. Abhishek Pandey, Adv.  
Mr. Prashant Kumar Umrao, AORMr. Atmaram Nadkarni, Sr. Adv.  
Mr. Kartik Seth, Adv.  
Ms. Maithili Moondra, Adv.  
Mr. Raghav Sharma, Adv.

Mr. Saurabh Chaturvedi, Adv.  
Mr. Chiranjeev Sharma, Adv.  
Mr. Pratiush Vishwanath, Adv.  
For M/S. Chambers Of Kartik Seth, AOR

Ms. Aishwarya Bhati, A.S.G.  
Ms. Archana Pathak Dave, A.S.G.  
Ms. Swarupama Chaturvedi, Sr. Adv.  
Mr. Gurmeet Singh Makker, AOR  
Ms. Prabhati Nayak, Adv.  
Ms. Ruchi Kohli, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Vide order dated 28.04.2023, this matter was directed to be listed along with C.A. No. 4395/2014 and other connected matters.
2. Learned counsel for the parties have handed over a copy of the order dated 16.10.2023, passed by this Court, in terms whereof C.A. No.4395/2014 already stands disposed of along with SLP(C) No.18103/2022.
3. Issue notice in W.P.(C) No. 510/2023 and in the application for interim relief, returnable on 17.12.2024(NMD).
4. The objection re: maintainability shall remain open.
5. List both matters on 17.12.2024(NMD).

(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR

(PREETHI T.C.)  
ASSISTANT REGISTRAR

  
//True Copy//

ITEM NO.8

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO. 371/2019

DINESH KUMAR SONI

PETITIONER

VERSUS

UNION OF INDIA &amp; ORS.

RESPONDENTS

(IA No. 28837/2023 - APPLICATION FOR PERMISSION, IA No. 97095/2022 - APPLICATION FOR PERMISSION, IA No. 49251/2019 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 49254/2019 - EXEMPTION FROM FILING O.T., IA No. 97098/2022 - EXEMPTION FROM FILING O.T., IA No. 168205/2019 - INTERVENTION/IMPLEADMENT, IA No. 5925/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 510/2023 (PIL-W)

(IA No. 87170/2023 - CLARIFICATION/DIRECTION, IA No. 87171/2023 - EXEMPTION FROM FILING O.T.)

Date : 07-01-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Prashant Bhushan, Adv.  
Ms. Neha Rathi, AOR  
Mr. Kamal Kishore, Adv.  
Ms. Kajal Giri, Adv.

For Respondent(s) Dr. A.M. Singhvi, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Ms. Aanchal Mullick, Adv.  
Mr. Arshit Anand, Adv.  
Mr. Nidhiram, Adv.  
Mr. E. C. Agrawala, AOR

Mr. Praneet Pranav, D.A.G.  
Mr. Abhishek Pandey, Adv.  
Mr. Prashant Kumar Umrao, AOR

Mr. Shrinivasan M Bogisam, Adv.

Mr. Mukesh Gautam, Adv.  
Mr. VMZ Chambers, AOR

Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Atmaram Nadkarni, Sr. Adv.  
Mr. Kartik Seth, Adv.  
Ms. Maithili Moondra, Adv.  
Mr. Raghav Sharma, Adv.  
Ms. Kriti Taneja, Adv.  
Mr. Pratiush Vishwanath, Adv.  
Mr. Chiranjeev Sharma, Adv.  
Mr. Saurabh Chaturvedi, Adv.  
Ms. Supriya Udey, Adv.  
M/S. Chambers Of Kartik Seth, AOR

Ms. Aishwarya Bhati, A.S.G.  
Ms. Swarupama Chaturvedi, Sr. Adv.  
Mr. Gurmeet Singh Makker, AOR  
Ms. Prabhati Nayak, Adv.  
Ms. Ruchi Kohli, Adv.  
Ms. Rajeshwari Shankar, Adv.  
Ms. Shagun Thakur, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Learned counsel(s) for: (i) The Union of India; (ii) State of Chhattisgarh; and (iii) entities impleaded as Respondents no. 4 and 5, seek and are granted four weeks' time to file their respective counter affidavits.
2. The Ministry of Environment, Forest & Climate Change shall file the Biodiversity Assessment report along with the counter affidavit.
3. Rejoinder affidavit, if any, shall be filed within two weeks' after receipt of the counter affidavit.
4. Post for further consideration on 18<sup>th</sup> March, 2025.

(POOJA SHARMA)  
COURT MASTER (SH)

(ANU BHALLA)  
COURT MASTER (NSH)

2466

ITEM NO.803

109  
COURT NO.3

ANNEXURE A-5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).371/2019

DINESH KUMAR SONI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

WITH

W.P.(C) No.510/2023 (PIL-W)

Date : 03-04-2025 This petition was mentioned today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Ms. Neha Rathi, AOR (mentioned by)

For Respondent(s) :Mr. E. C. Agrawala, AOR  
Mr. Prashant Kumar Umrao, AOR  
Mr. VMZ Chambers, AOR  
M/S. Chambers Of Kartik Seth, AOR  
Mr. Gurmeet Singh Makker, AOR

UPON being mentioned, the Court made the following  
O R D E R

List on 14.05.2025.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR

Signature Not Verified  
Digitally signed by  
ARJUN BISHT  
Date: 2025.04.03  
17:36:43 IST  
Reason: 



//True Copy//

IN THE HON'BLE HIGH COURT OF JUDICATURE FOR  
CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1346 of 2016

PETITIONER

:

Forest Rights Committee  
Ghatbarra & Ors.

*Versus*

RESPONDENTS

:

Union of India and Ors.

COVERING MEMO

The Hon'ble Court, vide order dated 02.05.2024 has allowed amendment of the Writ Petition in the instant case. The amendment has been carried out accordingly, and the counsel is hereby filing the amended Writ Petition, which may kindly be taken on record.

Place: Bilaspur

Date: 13.06.2024



Counsel for Petitioner  
Anushree Rajput

**111**  
IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. 1346 OF 2016

**PETITIONER:**

Forest Right Committee  
Ghatbarra & ors

**VERSUS****RESPONDENTS:**

Union of India & Ors

**SUBJECT HEAD: .....**

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**BILASPUR**  
**DATED**

**SHISHIR DIXIT**  
**(COUNSEL FOR THE PETITIONER)**

**IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (C) NO. OF 2016****PETITIONER:**Forest Right Committee  
Ghatbarra&ors**VERSUS****RESPONDENTS:**

Union of India &amp;Ors

**SYNOPSIS**

By way of present petition, the petitioners are challenging the order dated 8.1.2016 passed by the Respondent no. 4, whereby the community forest rights granted to the petitioner village under the provisions of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 has been cancelled to benefit the Respondent no. 5 Company.

**LIST OF DATES AND EVENTS**

<b>Date</b>	<b>Events</b>
18.12.2006	Parliament enacted Scheduled Tribes and Other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006
12.1.2009	Respondent no. 5 company applied for diversion of forest land before Ministry of Environment and Forest.
30.7.2009	Ministry of Environment and Forest vide letter addressed to all Chief Secretaries of all states directed to complete the process of recognition of forest rights under the Forest Rights Act.
2.3.2011	Respondent No. 5 Company submitted a revised proposal for diversion of forest.
10.3.2011	Proposal of Respondent no. 5 company was placed before Forest Advisory Committee
20-21 June 2011	Forest Advisory Committee rejected the proposal of Respondent no. 5 Company
6.7.2011	Ministry of Environment and Forest granted permission for diversion for Stage I

2.10.2011	Gram Sabha of Ghatbarra passed resolution protesting the coal mining in their area.
6.2.2012	Villagers of village Ghatbarra submitted resolution referring to gram sabha dated 2.10.2011 before forest department requesting to stop coal inspection done by company.
5.3.2012	Villagers of village Ghatbarra again submitted representation to the officials highlighting the issue of FRA and PESA and requested for stopping the coal inspection being done by the company.
15.3.2012	Stage II clearance granted by Ministry of Environment and Forest.
10.11.12	Villagers of village Ghatbarra again submitted representation stating gram sabha under the provisions of PESA as allegedly conducted in 2009 was fraudulent.
September 2013	Title of community forest rights under the FRA granted to Village Ghatbarra
19.2.2014/ 20.2.2014	Gram sabhas of Village Salhi, Hariharpur and Fatehpur conducted Special Gram Sabha and passed 2 resolutions.
24.3.2014	Hon'ble NGT quashed the forest clearance granted to Respondent company.
3.9.2014	Collector replied to resolution passed on 3.9.2014.
10.9.2014	National SC/ST commission replied to the complained made in November 2012
8.1.2016	Respondent no. 4 cancelled the Community Forest Rights granted to Village Ghatbarra.
26.2.2016	Representation made to State level monitoring committee requesting to withdraw the order dated 8.1.2016
01.03.2016	Villagers of village Ghatbarra organized a protest and submitted memorandum to collector.

**BILASPUR  
DATED**

**SHISHIR DIXIT  
(COUNSEL FOR THE PETITIONER)**

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) NO. \_\_\_\_\_ OF 2016

PETITIONER:

1. Forest Right Committee  
Ghatbarra through its  
President Banas Kumar  
S/o. Shri. Sundar Sai, aged  
about 40 years, R/o.  
Village Ghatbarra, Tehsil  
Udaypur, District Sarguja  
(CG)
2. Hasdeo Arand Bachao  
Sangharsh Samiti through  
its Covenor Umeshwar  
Singh Armo S/o. Shri  
Siyambar Singh, aged about  
35 years, R/o. Village  
Jampani, Post Madanpur,  
Tehsil Podi, District Korba  
(CG)
3. Jainandan Singh Porte S/o.  
Shri. Sukul Ram, aged  
about 40 years, R/o. Village  
Ghatbarra, Tehsil Udaypur,  
District Sarguja (CG)

VERSUS

**RESPONDENTS:**

1. Union of India through Secretary, Ministry of Environment and Forest, Government of India, Paryawaran Bhawan, C.G.O. Complex, Lodhi Road, New Delhi - 110003
2. Union of India through Secretary, Ministry of Tribal Affairs, Government of India, Shastri Bhawan, New Delhi- 110001
3. State of Chhattisgarh through Secretary, Department of Forest, Mantralaya, Naya Raipur (CG)
4. District Level Forest Rights Committee (DLC) Sarguja through O/o. Collector (Tribal Welfare), Ambikapur, District Sarguja (CG)
5. Rajasthan Rajya Vidyut Utpadan Nigam Ltd., Vidyut Bhawan, Jyoti Nagar, Janpath, Jaipur (Rajasthan)

**WRIT PETITION UNDER ARTICLE 226 OF THE  
CONSTITUTION OF INDIA****1. PARTICULARS OF THE PETITIONER:**

As mentioned in the cause title.

**2. PARTICULARS OF THE RESPONDENTS:**

As mentioned in the cause title.

3. PARTICULARS OF THE CAUSE/ORDER AGAINST WHICH THE PETITION IS MADE:

By way of present petition, the petitioners are challenging the order dated 8.1.2016(ANNEXURE-P/1) passed by the Respondent no. 4, whereby the community forest rights granted to the petitioner village under the provisions of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 has been cancelled to benefit the Respondent no. 5 Company.

SUBJECT MATTER IN BRIEF:

That, the village Ghatbarra comprises mostly of tribal population and village has been granted Community Forest Rights under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter FRA) by Respondent no. 4 through order no.10378/a-19(1) 2012-13. However, the villagers were surprised to receive order dated 8.1.2016 issued by Respondent collector, wherein it has been mentioned that Community Forest rights granted to village Ghatbarra is cancelled as they are interrupting in mining work and directed tehsildar to seize the record of right. That, protecting forest and biodiversity for sustainable use, as is the right and duty of the villagers under the Act, is seen as interruption in development in the eyes of Respondents who are destroying densely rich forest for making profits by clearing the forest and mining the

area. Subsequent to the cancellation order dated 8.1.2016, the petitioners had written a letter dated 26.2.2016 to (i) President, State level Monitoring Committee, Forest Rights Act (ii) Secretary, Ministry of Tribal Affairs, Union of India, (iii) Secretary, Scheduled Tribes and Scheduled Caste Development Department, Government of Chhattisgarh and (iv) Collector, Surguja. Subsequently on 1.3.2016, the villagers of Ghatbarra had organized a protest against the said order and submitted memorandum to the collector's office in Surguja. A copy of this memorandum was also sent to (i) Chief Secretary, Chhattisgarh Government, (ii) Secretary, Ministry of Tribal Affairs, Union of India (iii) Secretary, Scheduled Tribes and Scheduled Caste Development Department, Government of Chhattisgarh. However, no response has been received for the abovementioned letters and memorandum and appeal to withdraw the order dated 8.1.2016.

**4. WHETHER CAVEAT FILED IF YES, WHETHER COPY OF THE PETITION SUPPLIED TO THE CAVEATOR :-**

To the best knowledge of the petitioner no caveat has been filed with regard to instant matter and he has not received any notice of caveat.

**5. DELAY IN FILING THE PETITION , IF ANY AND THE EXPLANATION FOR IT, IF ANY :-**

The Petitioners declare that there is no delay in filing the instant writ petition.

**6. DETAILS OF THE REMEDIES EXHAUSTED :-**

The petitioners declare that no other alternative and efficacious remedy is available to them, except to approach this Hon'ble Court under Article 226 of the Constitution of India for the redressal of his grievances by way of this instant petition.

**7. MATTER PENDING OR FILED BEFORE ANY OTHER COURT ETC.:-**

The petitioner further declares that he had not previously filed any application, suit or writ petition with respect to the instant subject matter of this before neither any competent court of law nor any such is pending before any of them.

**8. FACTS OF THE CASE :-**

- 8.1 That, the Petitioner is a Forest Rights Committee constituted under the provisions of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, falling within the scheduled area of District Sarguja and the present petition is being filed through President, who has been authorized by the Petitioner Committee through resolution to prefer this instant petition. Copy of the Resolution is filed herewith as ANNEXURE-P/2. That, the village comprises mostly of tribal population and village has been granted Community Forest Rights under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter FRA) by Respondent no.

4through order no.10378/a-19(1) 2012-13. A copy of the order is filed herewith as ANNEXURE-P/3.

- 8.2 That, On December 18<sup>th</sup>, 2006, Parliament of India enacted the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter Forest Rights Act). As per the preamble of the said legislation it's objects are :

*To recognise and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded; to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land;*

*WHEREAS the recognised rights of the forest dwelling Scheduled Tribes and other traditional forest dwellers include **the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance** and thereby strengthening the conservation regime of the forests while ensuring livelihood and food security of the forest dwelling Scheduled Tribes and other traditional forest dwellers;*

*AND WHEREAS the forest rights on ancestral lands and their habitat were **not adequately recognized in the consolidation of State forests during the colonial period as well as in independent India resulting in historical injustice** to the forest dwelling Scheduled Tribes and other traditional forest dwellers who are integral to the very survival and sustainability of the forest ecosystem;*

*AND WHEREAS it has become necessary to address the long standing insecurity of tenurial and access rights of forest dwelling Scheduled Tribes and other traditional forest dwellers **including those***

*who were forced to relocate their dwelling due to State development interventions.*

8.3 That, The Forest Rights Act is a beneficial legislation intends to remedy the "historical injustice" done to the Scheduled Tribes - and other traditional forest dwellers, as well as the resultant of "long standing insecurity of tenurial and access rights" as a result of the failure to recognise their rights.

8.4 That, Sections 2(c) and 2(o) of the aforesaid legislation define the "classes" of persons who constitute "forest dwelling Scheduled Tribes" and "Other Traditional Forest Dwellers". As per section 2(c) of the Act, the term "forest dwelling scheduled tribe" means *the members of community of the Scheduled Tribes who primarily reside in and who depend on the forests or forest land for bona fide livelihood needs and includes the Scheduled Tribe pastoralist communities.* As per section 2(o) of the Act, the term "other traditional forest dweller", being the second class of persons entitled to rights under the Act, is defined as follows:

*"other traditional forest dweller" means any member or community who has for at least three generations prior to the 13<sup>th</sup> day of December, 2005 primarily resided in and who depends on the forest or forests land for bona fide livelihood needs.*

*Explanation: For the purpose of this clause, "generation" means a period comprising of twenty five years.*

8.5 That, section 3(1) of the Act goes on to prescribe a comprehensive list of the rights of forest dwellers who belong

- to these two classes. Section 3(2) of the Act states about diversion of forest land for the facilities mentioned therein and proviso to the aforesaid section clearly states that clearance if any granted to any developmental project shall be subject to the condition that the same is recommended by the Gram Sabha.
- 8.6 That, the Act further clearly states that forest rights conferred shall be free of all encumbrances and procedural requirements. The Act nowhere states that rights granted to individual or community can be revoked or cancelled. In fact, the Act merely provided for "Recognition" and "Vesting" of traditional rights enjoyed by the Villagers, rather than the grant of any fresh right, as seen to have been inferred by Respondent no. 4 in its order dated 8.1.2016. Further, the Act has been enacted by the Central government and power to frame rules rest entirely with the central government.
- 8.7 That, in the year 2006-07 the Ministry of Coal allotted Parsa East and Kete Basen captive coal block to Respondent no. 5 Company. That, thereafter the Respondent company applied for diversion of forest land admeasuring 2388.525 hectares before Ministry of Environment and Forest on 12.1.2009, thereafter the Respondent company again submitted a revised proposal on 2.3.2011 whereby the forest area was reduced and mining was to be done in 2 phases.

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- 8.7 That, in the year 2006-07 the Ministry of Coal allotted Parsa East and Kete Basen captive coal block to Respondent no. 5 Company. That, thereafter the Respondent company applied for diversion of forest land admeasuring 2388.525 hectares before Ministry of Environment and Forest on 12.1.2009, thereafter the Respondent company again submitted a revised proposal on 2.3.2011 whereby the forest area was reduced and mining was to be done in 2 phases.

8.8 That, the aforesaid proposal was placed before Forest Consultation committee for approval on 10.3.2011. The committee constituted a sub-committee to inquire and inspect and submit a report to consultation committee. The sub committee on 14-15 May 2011 visited the proposed area and after inspection submitted its report to the consultation committee. In the said report the sub committee raised various issues such as density of the forest and habitat of the wild animals and also that provisions of FRA are not within the knowledge of the villagers and procedure of FRA is not yet completed and is still pending. The Forest Advisory Committee after examining the issue and taking into consideration the forest area and wildlife habitation rejected the proposal on 20-21 June 2011. Copy of the rejection order of proposal is filed herewith as ANNEXURE-P/4. The Ministry ignoring the recommendation of the committee granted the permission of diversion for first phase for coal mining on 6.7.2011. Copy of the permission of diversion is filed herewith as ANNEXURE-P/5. However the conditions of completing the forest rights procedure was incorporated in the said permission. Thereafter the permission for diversion of forest land for second phase was granted to the company on 15.03.2012 in principle. Copy of permission for diversion of land for second phase is filed herewith as ANNEXURE-P/6.

8.9 That, the Ministry of Environment and Forest has vide its letter dated 30.07.2009 addressed to Chief Secretaries of all States directed to complete the process of recognition of all forest rights under the Forest Rights Act and directed that all the proposals for diversion of forest land for non-forest purposes shall be considered after the process of complete recognition of forest rights is completed and the consent of the concerned gram sabhas is obtained for the proposed diversion. Copy of letter dated 30.7.2009 is filed herewith as ANNEXURE-P/7.

8.10 That, herein the Ministry ignoring its own circular and also ignoring the fact that the process of recognition of forest rights was still pending, granted permission to the Respondent Company for diversion of forest land for non-forest purpose.

8.11. That, the Villagers of village Ghatbarra in exercise of their traditional Community Forest Rights have been performing their duty of protecting the wildlife, forest and biodiversity and have been protesting against the cutting down of trees and destruction of the wildlife and biodiversity by the Respondent Company. On 2.10.2011, the gram sabha of Ghatbarra passed a resolution protesting against the coal mining in their village area. Copy of Resolution is filed herewith as ANNEXURE-P/8. On 6.2.2012 villagers of village Ghatbarra and the Van Samiti, referring to the gram sabha resolution dated 2.10.2011 submitted an application before forest department requesting

to stop coal inspection being done by the company. Copy of letter dated 6.2.2012 is filed herewith as ANNEXURE-P/9.

8.12 That, on 5.3.2012 the villagers of Village Ghatbarra again submitted representations to the officials highlighting the issue of FRA and PESA and requested for stopping the coal inspection being done by the Respondent Company. Copy of letter dated 5.3.2012 is filed herewith as ANNEXURE-P/10.

8.13 That, on 10.11.2012 the villagers of Village Ghatbarra again submitted representation to the concerned officials and also addressed the same to the respondents 1 to 4, including the Ministry of Environment and Forest. This representation highlighted that the requisite Gram Sabha under provisions of PESA as allegedly conducted in 2009 was fraudulent. Further, the representation highlighted that the procedure of FRA is not yet complete and the Gram Sabha is yet to certify the completion of the forest rights recognition process, as is required under the guidelines of the order dated 30.07.2009 by the Ministry of Environment and Forests. Thereby, the villagers requested for cancellation of Land Acquisition process. It is - clearly evident from above that the community forest rights for Ghatbarra village had not been recognized. Copy of letter dated 10.11.2012 is filed herewith as ANNEXURE-P/11.

It may be noted that sections 12 B (3) of the The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of

Forest Rights) Amendment Rules, 2012 (hereinafter referred to as the FRA Amendment Rules) clearly outlines the responsibility of the State Administration to ensure the completion of the Forest Rights recognition process. It states that *"The District Level Committee shall ensure that the forest rights under clause (i) of sub-section (1) of section 3 relating to protection, regeneration or conservation or management of any community forest resource, which forest dwellers might have traditionally been protecting and conserving for sustainable use, are recognized in all villages with forest dwellers and the titles are issued."* Further, the section 12 B (4) adds *"In case where no community forest resource rights are recognized in a village, the reasons for the same shall be recorded by the Secretary of the District Level Committee."*

8.14 That, in June 2013 the forest rights committee of village Ghatbarra submitted claim application forms for recognition of Community Forest Rights (CFR) under the provisions of the Act. Pursuant to this, vide recommendation dated 3/9/2013, the District Level Committee recommended the recognition of the community forest rights of the Village Ghatbarra. Based on this, the Community Forest Rights of Ghatbarra village, pertaining to clause 8(h) and Annexure III of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Rules 2012, were recognized

through order no. 10378/a - 19 (1) 2012-13, and the title provided to the Gram Sabha of Ghatbarra. That, it is pertinent to mention here that claim for grant of Community Forest Resource Rights, pertaining to clause 8(i) and Annexure IV of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Rules 2012, is still pending before the authorities.

8.15 That, on 19.2.2014 and 20.2.2014 the Gram Sabhas of Village Salhi, Hariharpur and fatehpur conducted a special Gram Sabha and passed 2 important resolutions, firstly under the provisions of Section 5 of FRA for conservation of Forest and secondly for grant of patta for community forest resources and recommendation of Community forest Right of entire forest area. Copy of resolution dated 20.2.2014 is filed herewith as **ANNEXURE-P/12.**

8.16 That, the collector on 3.9.2014 in reply to the resolution of Gram sabhas of 3 villages issued a letter stating therein that patta for community forest resource has not yet been provided as in respect of the same guidance has been sought from the Government and community forest right has not been granted in Village Salhi, Fatehpur and Hariharpur as the said compartment has already been allotted for coal mining. Copy of letter dated 3.9.2014 is filed herewith as **ANNEXURE-P/13.**

8.17 That, on 10.9.2014 a letter in reply to the complaint made in November 2012 was received from the National SC/ST commission wherein a letter of Collector Sarguja was enclosed, which stated that the provisions of FRA have not been violated as rights have been recognized to individuals and community forest rights have been recognized in the name of "Gondwana Vikas Samiti". The contents of said letter has major contradiction has one letter says that procedure of FRA is pending and other letter states that CFR has been granted in the name of "Gondwana Vikas Samiti" prior to diversion of land which is a total incorrect fact as "Gondwana Vikas Samiti" has not received any CFR and even otherwise CFR for seven villages cannot be granted to one Samiti. Copy of letter dated 10.9.2014 is filed herewith as ANNEXURE-P/14.

8.18 That, Section 3 (1)(i) of the FRA provides the right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use and the same was being carried out villagers. However, the villagers were surprised to receive order dated 8.1.2016 issued by Respondent collector, wherein it has been mentioned that Community Forest rights granted to village Ghatbarra is cancelled as they are interrupting in mining work and directed tehsildar to seize the record of right. That, protecting forest and biodiversity for sustainable use, as is the

8.17 That, on 10.9.2014 a letter in reply to the complaint made in November 2012 was received from the National SC/ST commission wherein a letter of Collector Sarguja was enclosed, which stated that the provisions of FRA have not been violated as rights have been recognized to individuals and community forest rights have been recognized in the name of "Gondwana Vikas Samiti". The contents of said letter has major contradiction has one letter says that procedure of FRA is pending and other letter states that CFR has been granted in the name of "Gondwana Vikas Samiti" prior to diversion of land which is a total incorrect fact as "Gondwana Vikas Samiti" has not received any CFR and even otherwise CFR for seven villages cannot be granted to one Samiti. Copy of letter dated 10.9.2014 is filed herewith as ANNEXURE-P/14.

8.18 That, Section 3 (1)(i) of the FRA provides the right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use and the same was being carried out villagers. However, the villagers were surprised to receive order dated 8.1.2016 issued by Respondent collector, wherein it has been mentioned that Community Forest rights granted to village Ghatbarra is cancelled as they are interrupting in mining work and directed tehsildar to seize the record of right. That, protecting forest and biodiversity for sustainable use, as is the

right and duty of the villagers under the Act, is seen as interruption in development in the eyes of Respondents who are destroying densely rich forest for making profits by clearing the forest and mining the area. It is further pertinent to mention here that the forest clearance granted to the Respondent Company has been cancelled by the Hon'ble National Green Tribunal vide judgment dated 24.3.2014. A copy of the judgment dated 24.3.2014 is filed herewith as ANNEXURE-P/15.

8.19 That, Subsequent to the cancellation order dated 8.1.2016, the petitioners had written a letter dated 26.2.2016 to (i) President, State level Monitoring Committee, Forest Rights Act (ii) Secretary, Ministry of Tribal Affairs, Union of India, (iii) Secretary, Scheduled Tribes and Scheduled Caste Development Department, Government of Chhattisgarh and (iv) Collector, Surguja. Copy of letter dated 26.2.2016 is filed herewith as ANNEXURE-P/16. Subsequently on 1.3.2016, the villagers of Ghatbarra had organized a protest against the said order and submitted memorandum to the collector's office in Surguja. A copy of this memorandum was also sent to (i) Chief Secretary, Chhattisgarh Government, (ii) Secretary, Ministry of Tribal Affairs, Union of India (iii) Secretary, Scheduled Tribes and Scheduled Caste Development Department, Government of Chhattisgarh. Copy of memorandum dated 1.3.2016 is filed

herewith as ANNEXURE-1/17. However, no response has been received for the abovementioned letters and memorandum and appeal to withdraw the order dated 8.1.2016.

8.20 That, the impugned order dated 8.1.2016 is illegal and without application of mind and is liable to be set aside on the following grounds:-

### 9. GROUNDS

- (i) for the reason that, the Forest Rights Act, does not allow for the cancellation of rights that have been vested to an individual or community. The Act only provides for the recognition and vesting of rights and not of cancellation of rights granted.
- (ii) For the reason that the DLC is not empowered to issue any such order of cancelling the rights granted to community under the Act. Further the grounds for cancellation are invalid and an encroachment on the rights and duties ascribed to the gram sabha under the FRA. Therefore, the said order shows clearly shows bias of the administration towards mining activity.
- (iii) for the reason that the Act has been enacted by the central government and power to frame rules rest with the central government and State government cannot take any decision with respect to rights conferred in the Act.
- (iv) even otherwise the diversion permission granted to respondent company prior to grant of community rights is nonest and illegal as the committee had already rejected the proposal and the Act specifically states that diversion shall be subject to the condition that the same is recommended by the Gram Sabha and herein the gram

sabha has already rejected their proposal and therefore the permission is illegal and nonest in the eyes of law.

9(v) For the reason that the approval of the Central Government u/s 2 of the Forest Conservation Act 1980 dated 15.03.2012 was set aside as a necessary implication of the NGT dated 24.03.2014, as it sets aside the MoEF order dated 23.06.2011 (Annexure P-27). Till date, there is no new approval u/s 2 of the FCA for the entire forest area of 1898.328 ha. Without such an approval, no mining can be permitted in the forest area under the PEKB coal block, and thus the orders of the R-1 Respondent Ministry, MoEFCC dated 2.2.2022 allowing commencement of Phase II mining in PEKB and consequential orders of the State government dated 25.03.2022 and 5.5.2022 diverting forest land for mining purposes are bad in law and illegal.

9(vi) For the reason that section 4(5) of the FRA 2006 specifically prohibits any eviction or removal of forest dwellers from forest land without the complete settlement of forest rights on that forest land. Since community forest rights have not yet been settled with respect to the claims of the Gram Sabha of village Ghatbarra, the three above orders dated 02.02.2022, 25.03.2022 and 05.05.2022 are in violation of the FRA, and hence, illegal and non est.

9(vii) For the reason that the Forest (Conservation) Rules of 2003 (as applicable at the time of the orders dated 02.02.2022, 25.03.2022 and 05.05.2022) clearly stipulate that the final approval of the Central Government for diversion of forest land for non-forestry purposes under section 2 of the FCA can only be made after the settlement of forest rights over the concerned forest land, and the consent of the Gram Sabhas has been obtained. This is evident in the following rules-

Rule 6. "Submission of proposal seeking approval of the Central Government under section 2 of the Acts

---  
 (3)(e) The District Collector shall-

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal;

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests;"

Rule 8. "Submission of report on compliance to conditions stipulated in the in-principle approval and grant of final approval

...  
 (g) in case the Conservator of Forests finds that the compliance report is complete in all respect, he shall forward such report along with the report on completion of the process of recognition and vesting of forest rights and consent of the each Gram Sabha received from the District Collector referred to in sub-clause (f) of sub-rule (3) of rule 6, to the Nodal Officer within a period of fifteen days of its receipt from the Divisional Forest Officer:

Provided that in case the Conservator of Forests finds that the compliance report is incomplete, he shall communicate the shortcoming or shortcomings in the compliance report to the User Agency and the Divisional Forest Officer within a period of fifteen days of its receipt from the Divisional Forest Officer;"

9(vii) For the reason that by way of compliance with Rule 6(3)(e) of the Forest Conservation Rules of 2003, the Handbook issued by the Respondent Ministry R-1 contains detailed set of forms to be filled out by the District Collector (Annexure P-29) that certifies, inter alia, that

(a) *the complete process of recognition and vesting of forest rights under the FRA, 2006 has been carried out for the entire forest land proposed for diversion.*

(b) *the proposal for such diversion (with full details of the project and its implications, vernacular/ local language) have been placed before each concerned Gram Sabha or forest-dwellers, who are eligible under the FRA, 2006;*

(c) *each of the concerned Gram Sabha(s), has certified that all formalities/ processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion.*

(d) *the discussion and decisions on such proposals had taken pace only when there was a quorum of minimum 50 % of the members of Gram Sabhas present*

(e) *the diversion of forest land for facilities managed by the Government as required under Section 3 (2) of the FRA have been completed and the Gram Sabhas have given their consent to it.*

As no such certificate by the District Collector has been prepared in the instant case, no approval or order for diversion of forest land is valid, and hence, the orders dated 02.02.2022, 25.03.2022 and 05.05.2022 are invalid and illegal.

9(viii) For the reason that the claims of the Ghatbarra Gram Sabha under sections 3(1)(d) with respect to water bodies, 3(1)(i), 3(1)(k) and 3(1)(l) have neither been recognized, nor have they been rejected by the District Level Committee. In respect of 3(1)(i), Rule 12B(3) of

the Forest Rights Rules, 2008 specifically entrust the DLC with the responsibility of settling these rights -

*"The District Level Committee shall ensure that the forest rights under clause (i) of sub-section (1) of Section 3 relating to protection, regeneration or conservation or management of any community forest resource, which forest dwellers might have traditionally been protecting and conserving for sustainable use, are recognized in all villages with forest dwellers and the titles are issued."*

**10. Reliefs prayed :**

In views of the facts and circumstance mentioned above, the petitioner humbly prays for the following relief(s):-

- (i) Set aside the order dated 8.1.2016 issued by respondent no. 4.
- (ii) hold that the Rights granted under the The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 cannot be cancelled or revoked.
- (iii) any other relief which this Hon'ble Court may deem fit be granted.
- (iv) Set aside the order dated 02.02.2022 issued by Respondent R-1, and the consequential orders dated 25.03.2022 and 05.05.2022 issued by Respondent State Government R-3

**BILASPUR**

**SHISHIR DIXIT**

**DATED**

**(COUNSEL FOR THE PETITIONER)**

**CERTIFICATE**

It is certified that due care has been taken in the present case to comply with the provisions of Chhattisgarh High Court Rules.

**BILASPUR****SHISHIR DIXIT****DATED****(COUNSEL FOR THE PETITIONER)**

//True Copy//

Item No.10

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No.1080/2024

Anita &amp; Anr.

Applicants

Versus

State of Chhattisgarh and others

Respondents

Date of hearing: 23.12.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the applicant.

Respondents: Ms. Charu Singhal, Advocate for MoEF & CC.  
Mr. Atmaram Nadkarni, Senior Advocate (through VC)  
with Mr. Kunal Verma, Advocate for the Project  
Proponent.**ORDER**

1. Citizen Action Group of India have sent to this Tribunal a letter petition dated 19.01.2024, which has been treated and registered as O.A. No. 1080/2024, complaining about illegal cutting of trees at the instance of Project Proponent.

2. Vide order dated 07.11.2024, this Tribunal constituted a Joint Committee with direction to verify the factual position and submit its report within six weeks.

3. Report dated 20.12.2024 of the Joint Committee has been filed by CPCB.

4. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response from (1) State of Chhattisgarh through the Additional Chief Secretary, Environment, Forest and Climate Change, (2) Ministry of Environment, Forest and Climate Change (MoEF & CC) through its

Secretary, (3) Principal Chief Conservator of Forests (PCCF), Chhattisgarh, (4) District Magistrate, Korba (5) District Magistrate, Sarguja (6) Chhattisgarh Environment Conservation Board (CECB), (7) Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) who stand impleaded as respondents No. 1 to 7.

5. Mr. Atmaram Nadkarni, Senior Advocate and Mr. Kunal Verma have appeared on behalf of RRVUNL, and accepted notice on its behalf.

6. Learned counsel for respondent no. 7 has prayed for supply of copy of the O.A. and report of the Joint Committee and seeks time for filing of its response.

7. The Registry is directed to supply copy of O.A. to learned counsel for respondent no. 7.

8. Copy of the report of the Joint Committee is already uploaded on the NGT website and may be downloaded from the same.

9. Ms. Charu Singhal, Advocate has appeared for MoEF & CC and accepted notice on its behalf.

10. Even though the application has been listed before this Bench with approval and assignment under order of Hon'ble Chairperson, but in view of the fact that the place of accrual of cause of action lies within jurisdiction of the Central Zone Bench of this Tribunal at Bhopal, we are of the considered view that it will be appropriate if the application is heard by the Central Zone Bench of this Tribunal at Bhopal.

11. Accordingly, the Registry is directed to list the matter before the Central Zone Bench of this Tribunal at Bhopal on 05.03.2025 after obtaining orders from Hon'ble the Chairperson for transfer of the case.

12. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 and 3 to 6 requiring them to file their reply/response within two months before the Central Zone Bench of this Tribunal at Bhopal.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 23, 2024  
O.A. No. 1079/2024  
HB



//True Copy//

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 1080 of 2024

**IN THE MATTER OF:-**

Anita and Anr

...Applicants

Versus

State of Chhattisgarh

...Respondent(s)

**INDEX**

S. No.	PARTICULARS	PAGE NO.
1.	Report dated 16.12.24 of Joint Committee constituted for compliance of order dated 07.11.2024 along with Annexures, by representative of MoEF&CC	1-83

Filed by:

*Charu Singhal*

**[CHARU SINGHAL]**

**Advocate**

Enrolment No. D/1224-E/1995

Counsel for MoEF&CC Respondent No.7

228, M.C. Setalvad Lawyers' Chamber

Supreme Court of India,

NEW DELHI-110001

Mb.9810720565

New Delhi;

Filed on: 20.12.2024

File No. CC-12008/18/2024-IPCC & NATCOM  
Government of India  
Ministry of Environment, Forest and Climate Change  
(NATCOM CELL)

Dated the 16<sup>th</sup> December 2024

2504/2024/1712/2024  
17/12/2024

Subject: Original Application No. 1080 of 2024 in the matter of Anita and Anr. Vs State of Chhattisgarh and ors in the Hon'ble NGT(PB), New Delhi. Submission of Committee report reg..

This is with reference to the MOEFCC Order vide File No. FC-7/35/2024-FC dated 25.11.2024 regarding Original Application No. 1080 of 2024 in the matter of Anita and Anr. Vs State of Chhattisgarh and ors in the Hon'ble NGT(PB), New Delhi. Please find enclosed herewith the Report of the Committee constituted for compliance.

Regards,

Yours Sincerely

*Sharath Kumar Pallerla*  
16/12/24

(SHARATH KUMAR PALLERLA)  
Scientist 'G'

*Sci. E (CJS)*  
*[Signature]*  
16/12/24

*May like to see it*

*[Signature]*  
16/12/24  
*AI Co-7(B)*

*As discussed  
Sci E (CJS)*

To,  
Shri S. Sunder,  
Assistant Inspector General (FC),  
Ministry of Environment Forest and Climate Change,  
Indira Paryavaran Bhawan,  
Jor Bagh, New Delhi-110003

*[Signature]*  
17/12/24

CC to: DG(Forest)

All Committee Members

*[Signature]*  
17/12/24  
*Shamir Abbas, 2C*

**Factual report as per the Order dated 07/11/2024 passed by the Hon'ble Tribunal in OA 1080/2024 on the complaint of alleged illegal cutting of around 15000 trees in Hasdev forest for carrying out proposed coal mining project of Parsa East, District Kele Bason.**

Vide Order FC-7/35/2024-FC dated 25<sup>th</sup> November 2024 of Ministry of Environment Forest and Climate Change and subsequent nomination of the representatives, the following committee has been constituted in respect of the order in OA 1080/2024 dated 07/11/2024 passed by Hon'ble National Green Tribunal.

1. Sh. Nazimuddin, Scientist-F, Central Pollution Control Board (Representative of Central Pollution Control Board (CPCB))
2. Sh. Pramendra Shekar Pandey, Regional Officer, CECB, Korba (Representative of Member Secretary, Chhattisgarh Environment Pollution Control Board (CECB));
3. Sh. Ajeet Vasant, IAS, District Magistrate, Korba, State of Chhattisgarh;
4. Sh. Vilas Bhoskar, IAS, District Magistrate, Surguja, State of Chhattisgarh
5. Sh. C B Tashildar, IFS, Assist Inspector General of Forest (Central), Integrated Regional Office (IRO), MoEFCC, Nagpur (Representative of Director General, Forest, Ministry of Environment, Forest and Climate Change, Government of India (MoEFCC), New Delhi)
6. Dr. Ankur Awadhiya, IFS, Dy. Director, FSI, Dehradun (Representative of Director General, Forest Survey of India, Dehradun); and;
7. Sh. Sharath Kumar Pallerla, Scientist-G, MoEFCC (Representative of Ministry of Environment, Forest and Climate Change)

Sh. Ajeet Vasant, IAS, District Magistrate, Korba, State of Chhattisgarh, informed that the said area is outside the jurisdiction of the Korba District and, therefore, did not participate in the meeting(s).

The principal facts in the case are highlighted in the first paragraph of the Hon'ble Tribunal's order as: "Citizens Action Group of India has sent a letter petition dated 19.01.2014 complaining about illegal cutting of more than 15,000 trees in Hasdev forest which comes within district Korba and Surguja of State of Chhattisgarh for carrying out proposed coal mining project of Parsa East, District Kele Bason."

Since the members of the Joint Committee serve at different locations, a meeting of the members of the Joint Committee was held on 3<sup>rd</sup> December 2024 at 11.30 AM through Video Conference wherein details about the said complaint were discussed at length. An approach for factual verification of the complaint was discussed, which included documentary verification, followed by field verification, if necessary. It was decided that upon the outcome obtained from the documentary verification, the committee would meet again and decide on the field verification if necessary.

The following documents relevant to the case were collected and perused by the Committee:

- a. Permission for Phase-II Mining Operation dated 02/02/2022 accorded by the MoEF&CC, New Delhi under the provisions of the Forest (Conservation) Act, 1980, for diversion of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh-grant of permission for mining over phase-II area (**Annexure 1**).
- b. Permission for Phase-II Mining Operation dated 25/03/2022 accorded by the State of Chhattisgarh for non-forestry use of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of M/s Rajasthan Rajya

Vidyut Utpadan Nigam Limited in Villages Parsa and Kete, Tahsil Udaipur, District Sarguja, Chhattisgarh- (**Annexure 2**)

- c. Approval for felling of 15,307 trees vide Office of HoFF's letter number 14/उत्ता-1/536/2022-कटाई अनुंक° 51/1833 dated 11/12/2023- (**Annexure 3**)
- d. Direction of CCF Sarguja to DFO Sarguja in reference to the felling of 15,307 trees vide Office of CCF Sarguja's letter number मांिच°/नंक°-08/2023/7056 dated 12/12/2023- (**Annexure 4**)
- e. Report by the Divisional Forest Officer, Sarguja on Parsa East Kete Basen Coal Project under Sarguja Forest Division, Range Udaipur of Sarguja District (**Annexure 5**).
- f. Satellite Imagery Report from the Forest Survey of India (FSI), Dehradun (**Annexure 6**).

The Committee met again on 9<sup>th</sup> December 2024 at 4.30 PM and 12<sup>th</sup> December 2024 at 4.30 PM through Video Conference to deliberate based on the documents and report of DFO Sarguja and FSI Dehradun.

**Observations of the committee:**

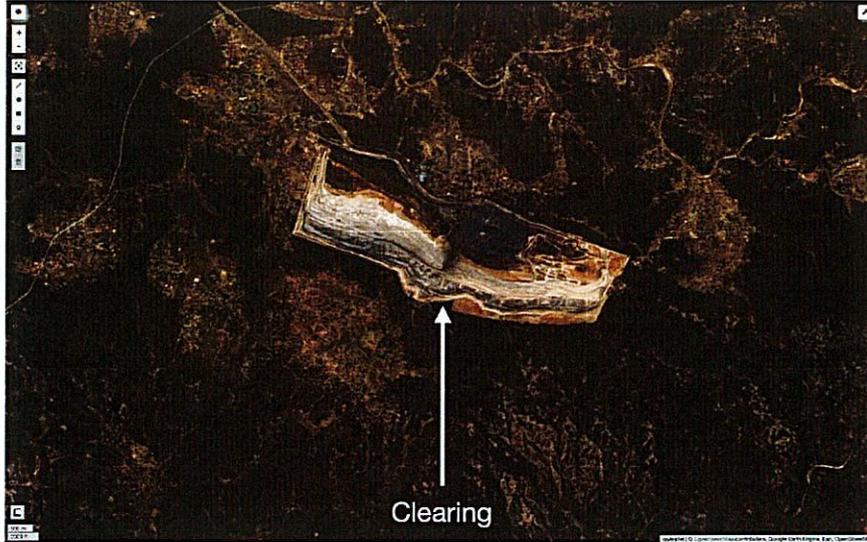
- The Rajasthan Rajya Vidyut Utpadan Nigam Limited had applied for the diversion of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) located in villages Parsa and Kete Bason, District Sarguja for captive coal block open cast mining.
- The Divisional Forest Officer, Sarguja, provided the details of tree felling for Phase-I and Phase-II of the PEKB coal mine block in a letter dated 9.12.2024, which is placed as Annexure-5. 15307 trees were felled in the Ninth year 2022-23 till 2024. The relevant portion is shown in the table below.

Table: Details of tree cutting till date

Phase and related approval by MoEF&CC	Area approved for mining (ha)	Details of tree cutting till date				Period of tree felling
		Area marked for tree cutting (ha)	No. of trees marked for felling	No. of trees felled till date	No. of trees retained	
Phase-II. Final approval accorded by the MoEF&CC vide letter F.N 8-31/2010-FC dated 02.02.2022	<b>1136</b>	43.63	7960	7960	0	Ninth year 2022-23
		<b>91.130</b>	<b>15307</b>	<b>15307</b>	<b>0</b>	<b>Ninth year 2022-23 till 2024</b>
		74.130	10944	10944	0	Tenth year 2024-25
	<b>PHASE-II TOTAL</b>	208.89	34211	34211	0	-

- A time series of satellite imagery provided by the Forest Survey of India, Dehradun, reveals the location of tree felling (**Annexure 6**). Relevant imageries of years 2022, 2023, and 2024 are placed below:

- 2022



- 2023



- 2024



- The committee deliberated on the above documentary evidence and felt that the field visit was not necessary in light of the above evidence.

**Conclusion:** The letter petition before the Hon'ble NGT pertains to tree felling for PEKB Coal Block. It is found that the State Forest Department has carried out tree felling during 2022-2024. The permission for Phase-II coal mining operations was accorded by the MoEFCC on 02.02.2022 and the State of Chhattisgarh on 25.03.2022, followed by consequential orders by APCCF (Production) and CCF Surguja.



Sh. Nazimuddin, Scientist – F  
(Representative of CPCB)



Sh. Pramendra Shekar Pandey,  
RO, Korba (Representative of CECB)



Sh. Vilas Bhoskar, IAS,  
District Magistrate, Surguja,  
State of Chhattisgarh



Sh. C B Tashildar, IFS,  
AIG (Central), IRO, MoEFCC, Nagpur  
(Representative of DGF, MoEFCC)

Pages 3 and 4 pertaining to  
FSI signed. Ankur  
16/12/24

Dr. Ankur Awadhiya, IFS,  
Dy. Director, FSI, Dehradun  
(Representative of DG, FSI)



Sh. Sharath Kumar Pallerla,  
Scientist-G, MoEFCC  
(Representative of MoEFCC)

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

Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi: 110003  
Dated: 02.02.2022

To

The Principal Secretary (Forests),  
Government of Chhattisgarh,  
Mahanadi Bhavan,  
New Raipur, Chhattisgarh

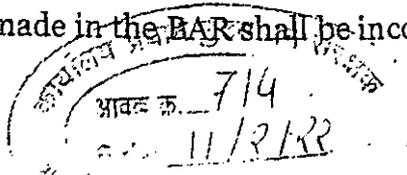
**Sub: Proposal for non-forestry use of 1898.328 ha of forest and (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh- grant of permission for mining over Phase-II area- reg.**

Sir,

I am directed to refer to the State Government letter no. 5-04/2010/10-2 dated 22.02.2021 and Ministry of Coal, Government of India's letter No. 103/13/2015/NA dated 23.11.2021 on the above subject seeking approval of the Central Government for grant of approval for Phase-II mining operations in the balance area of 1136 ha of forest land in Parsa East and Kete Basan Coal Block and Government of Chhattisgarh's letter no. 5-17/2018/10-2 dated 8.10.2021 forwarding a copy of report on Biodiversity Assessment Study and to inform that proposal of the State Government has been considered by the Forest Advisory Committee constituted by the Central Government under Section - 3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords approval for commencing Phase-II mining operation in the balance area of 1136 ha of forest land in respect of proposal involving non-forestry use of 1898.328 ha of forest and (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of RRVUNL, in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh subject to fulfilment of following conditions:

- i. The recommendation in the Biodiversity Assessment Report (BAR) have been made keeping in view the comprehensive scenario of current production levels, biotic interference, mitigating measures, etc vis-à-vis impact on surrounding resources. Therefore, no further changes in the Mining Plan vis-a-vis land use shall be effected by the user agency without the prior approval of Central Government.
- ii. The recommendations made in the BAR shall be incorporated into the Wildlife



- Management Plan and the same shall be implemented by the State Forest Department at the project cost.
- iii. Quarterly site inspection on compliance of conditions shall mandatorily be done jointly by Ministry, IRO (Raipur) and State Forest Department and the observations/findings shall be submitted to Ministry.
  - iv. Grant of permission for mining operations in the Phase-II area of 1136 ha is subject to change as per the directions of Hon'ble Supreme Court, as may be directed in final decision, in Civil Appeal 4395 of 2014.
  - v. The user agency, in consultation with the State Forest Department, will strengthen the provision for appropriate financial outlay for the establishment and effective functioning of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
  - vi. The State Government and the user agency shall ensure that concerned orders/directions of Courts/Tribunals, relevant provisions of all concerned Acts, Rules, Regulations and Guidelines pertaining to this project, if any, for the time being in force, as applicable to the project.
  - vii. Biodiversity restoration should be integral part of mining site rehabilitation and User Agency should submit annual progress report on rehabilitation of mined up areas following best practices and afforestation measures to IRO for information and verification.
  - viii. State Government shall ensure that conditions stipulated in the Stage-II approval dated 15.03.2012 be complied with by the user agency; and
  - ix. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the provisions made under the Act and Forest (Conservation) Rules.

Yours faithfully,

Sd/-  
**(Sandeep Sharma)**  
 Assistant Inspector General of Forests

**Copy to:**

1. Principal Chief Conservator of Forest (PCCF), Aranya Bhavan, Sector 19, North Block, New Raipur- 492002 Chhattisgarh.
2. Regional Officer, Integrated Regional Office, MoEF&CC, Naya Raipur
3. Nodal Officer (FCA), Jail Road, Aranya Bhavan, Raipur.
4. User Agency
5. Monitoring Cell, Forest Conservation Division, MoEF&CC
6. Guard file

छत्तीसगढ़ शासन  
वन एवं जलवायु परिवर्तन विभाग  
मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

क्रमांक/एफ 5-04/2010/10-2 नवा रायपुर, अटल नगर, दिनांक 25/03/2022  
प्रति,

प्रधान, मुख्य वन संरक्षक  
एवं वन बल प्रमुख  
छत्तीसगढ़, अरण्य भवन,  
सेक्टर-19, नार्थ ब्लॉक,  
नवा रायपुर, अटल नगर।

विषय:- Proposal for non-forestry use of 1898.328 ha of forest land and (1654.109 ha of revenue forest land and 224.219 ha of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh- grant of permission for mining over Phase-II area-reg.

संदर्भ:- भारत सरकार, पर्यावरण, वन तथा जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक 8-31/2010 FC, दिनांक 02.02.2022।

—00—

विषयांतर्गत भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक 8-31/2010 FC, दिनांक 02.02.2022 (छायाप्रति संलग्न) के माध्यम से सरगुजा जिले के सरगुजा वनमंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase II के तहत 1136.00 हे. वन भूमि व्यपवर्तन की अनुमति प्रदान की गई है।

2/- भारत सरकार द्वारा उपरोक्त अनुमति में अधिरोपित निम्न शर्तों के पालन करने की शर्त पर राज्य शासन एतद् द्वारा सरगुजा जिले के सरगुजा वनमंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase II के तहत 1136.00 हे. वन भूमि व्यपवर्तन की अनुमति Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) को निम्न शर्तों के अधीन प्रदान करता है :-

1. The recommendation in the Biodiversity Assessment Report (BAR) have been made keeping in view the comprehensive scenario of current production levels, biotic interference, mitigating measures, etc vis-a-vis impact on surrounding resources. Therefore, no further changes in the Mining Plan vis-a-vis land use shall be effected by the user agency without the prior approval of Central Government.
2. The recommendations made in the BAR shall be incorporated into the Wildlife Management Plan and the same shall be implemented by the Nodal Officer FCA 1980 at the project cost.
3. Quarterly site inspection on compliance of conditions shall mandatorily be done jointly by Ministry, IRO (Raipur) and Nodal Officer FCA 1980 and the observations/findings shall be submitted to MoEF&CC New Delhi.
4. Grant of permission for mining operations in the Phase-II area of 1136 ha is subject to change as per the directions of Hon'ble Supreme Court, as may be directed in final decision, in Civil Appeal 4395 of 2014.

क्रमसं : 2

5. The user agency, in consultation with the State Forest Department, will strengthen the provision for appropriate financial outlay for the establishment and effective functioning of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
  6. The Nodal Officer FCA 1980 and the user agency shall ensure that concerned orders/directions of Courts/Tribunals, relevant provisions of all concerned Acts, Rules, Regulations and Guidelines pertaining to this project, if any, for the time being in force, as applicable to the project.
  7. Biodiversity restoration should be integral part of mining site rehabilitation and User Agency should submit annual progress report on rehabilitation of mined up areas following best practices and afforestation measures to IRO for information and verification.
  8. Nodal Officer FCA 1980 shall ensure that conditions stipulated in the Stage-II approval dated 15.03.2012 be complied with by the user agency; and
  9. Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the provisions made under the Act and Forest (Conservation) Rules.  
Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.  
The Nodal Officer (FCA) 1980 Chhattisgarh shall ensure compliance of all the above conditions.
- संलग्न :- उपरोक्तानुसार।

छत्तीसगढ़ के राज्यपाल के नाम से  
तथा आदेशानुसार  
K. P. Rajput  
25.3.22  
(के.पी.राजपूत)  
अवर सचिव

छत्तीसगढ़ शासन,  
वन एवं जलवायु परिवर्तन विभाग  
नवा रायपुर, अटल नगर, दिनांक 25/03/2022

पृष्ठां.क्रमांक/एफ 5-04/2010/10-2 नवा रायपुर, अटल नगर, दिनांक 25/03/2022  
प्रतिलिपि :-

1. वन महानिरीक्षक, एकीकृत क्षेत्रीय कार्यालय, भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़।
  2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), कार्यालय, प्रधान मुख्य वन संरक्षक, अरण्य भवन, सेक्टर-19, नार्थ ब्लॉक, नवा रायपुर, अटल नगर, छत्तीसगढ़।
  3. मुख्य वन संरक्षक, सरगुजा वृत्त, अंबिकापुर, छत्तीसगढ़।
  4. वनमंडलाधिकारी, सरगुजा वनमंडल, छत्तीसगढ़।
  5. आवेदनकर्ता राजस्थान, राज्य विद्युत उत्पादन निगम लिमिटेड, विद्युत भवन, जनपथ, ज्योति नगर, जयपुर, राजस्थान।
- की ओर सूचनार्थ अग्रेषित।

अवर सचिव  
छत्तीसगढ़ शासन,  
वन एवं जलवायु परिवर्तन विभाग



## कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़

अरण्य भवन, सेक्टर-19, नार्थ ब्लॉक, नवा रायपुर, अटल नगर, रायपुर

(शाखा-उत्पादन)

फोन नं.0771-2512822

ई-मेल npccf-production.cg@gov.in

क्रमांक/14/उत्पा/1/536/2022-कटाई अनु.क.-51/1833

नवा रायपुर, अटल नगर, दिनांक 11/12/2023

प्रति,

मुख्य वन संरक्षक  
सरगुजा वन वृत्त, सरगुजा  
छत्तीसगढ़

**विषय :-** Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur , District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area-reg.

(वन संरक्षण अधिनियम 1980 के तहत वन भूमि प्रत्यावर्तन प्रकरण परसा ईस्ट एण्ड केते वासेन कोल परियोजना से कोल उत्खनन कार्य हेतु Phase-II के तहत 9वें वर्ष द्वितीय चरण हेतु कक्ष क्रमां पी. 2003, पी. 2004, पी. 2005 एवं पी. 2016 , कुल रकबा 91.130 हे. वनभूमि में खड़े वृक्षों के विदोहन की अनुमति याचत)

- संदर्भ:-**
1. आपका पत्र क्रमांक/मा.चि./न.क्र.-08/2023/4010 दिनांक 07.12.2023
  2. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 06.07.2011 (प्रथम चरण) एवं पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 15.03.2012, पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 02.02.2022 (द्वितीय चरण)
  3. छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग, मंत्रालय, अटल नगर नवा रायपुर का पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 28.03.2012 एवं पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (द्वितीय चरण)
  4. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/सनिज/331-45/771, दिनांक 04.04.2022 एवं पत्र क्र./भू-प्रबंध/सनिज/331-45/2715, दिनांक 08.12.2023
  5. वनमण्डलाधिकारी सरगुजा का पत्र क्रमांक/तक.अधि./172 दिनांक 08.12.2023

-:0:-

उपरोक्त विषय में संदर्भित पत्र दिनांक 07.12.2023 का अवलोकन करें, जिसके माध्यम से आपके द्वारा विषयार्थित प्रकरण सरगुजा वनमण्डल अंतर्गत Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur , District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area हेतु भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई सशर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) के अनुसार द्वितीय चरण (Phase-II) हेतु स्वीकृत रकबा 1136 हे. में से 91.130 हे. सरगुजा वनमण्डल अंतर्गत व्यपवर्तन क्षेत्र के 9वें वर्ष से संबंधित प्रकरण के तहत संरक्षित भूमि में प्रभावित 15307 नग वृक्षों के विदोहन की स्वीकृति का प्रस्ताव प्राप्त हुआ है, जिसमें दर्शित विवरण निम्नानुसार है :-

क्रमशः 2 .....

(2)

1.1/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली आरक्षित एवं संरक्षित वनभूमि में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र-ख) निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों की संख्या	रिमार्क (चिह्नित टूठ पोताई वृक्ष संख्या)
1	2	3	4	5	6	7	8
1	सरगुजा	उदयपुर	संरक्षित	पी. 2003	16.800	3555	40
2	सरगुजा	उदयपुर	संरक्षित	पी. 2004	40.920	7464	76
3	सरगुजा	उदयपुर	संरक्षित	पी. 2005	24.090	2373	26
4	सरगुजा	उदयपुर	संरक्षित	पी. 2016	09.320	1915	25
योग					91.130	15307	167

1.2/- सरगुजा वनमण्डल के अंतर्गत आरक्षित एवं संरक्षित वन भूमि में विदोहित किये जाने वाले वृक्षों की प्रजातित्वा संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ख 01) निम्नानुसार दर्शाया गया है:-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
						प्रजाति	संख्या	ईमारती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (9+10)
1	2	3	4	5	6	7	8	9	10	11
1	सरगुजा	उदयपुर	संरक्षित	पी 2003	16.800	साल	997	483.050	178.751	661.801
						बीजा, तिनसा, पीपाम, खम्हार	2	0.025	0.018	0.043
						हल्दी, मुण्डी कणई	2	0.561	1.402	1.963
						साजा, अर्जुन	24	5.775	4.166	9.941
						अन्य	2530	165.568	184.741	350.309
योग :-							3555	654.979	369.078	1024.057

अनु. क	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क.	प्रभावित रकबा (हे. में)	विद्यमान स्थित जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
						प्रजाति	संख्या	ईमान्ती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (9+10)
1	2	3	4	5	6	7	8	9	10	11
2	सरगुजा	उदयपुर	संरक्षित	पी. 2004	40.920	सात	2225	1837.151	575.058	2412.209
						बीजा, तिनसा, शीशम, खम्हार	16	2.280	4.351	6.631
						हल्दी, मुण्डी कपाई,	2	0.361	0.904	1.265
						साजा, अर्जुन	94	47.984	21.533	69.517
						अन्य	5127	474.972	500.548	975.52
योग :-							7464	2362.748	1102.444	3465.192
3	सरगुजा	उदयपुर	संरक्षित	पी. 2005	24.090	सात	777	657.832	194.566	852.398
						बीजा, तिनसा, शीशम, खम्हार	9	2.101	2.400	4.501
						हल्दी, मुण्डी कपाई,	0	0	0.000	0
						साजा, अर्जुन	1	0.5	0.125	0.625
						अन्य	1586	190.127	198.938	389.065
योग :-							2373	850.560	396.029	1246.589
4	सरगुजा	उदयपुर	संरक्षित	पी. 2016	09.320	सात	653	129.222	80.468	209.69
						बीजा, तिनसा, शीशम, खम्हार	5	0.021	0.051	0.072
						हल्दी, मुण्डी कपाई,	1	0.064	0.159	0.223
						साजा, अर्जुन	20	1.505	1.388	2.893
						अन्य	1236	51.296	68.314	119.61
योग :-							1915	182.108	150.38	332.488
कुल योग :-							15307	4050.395	2017.931	6068.326

टीप :- मु.व.सं. सरगुजा के संदर्भित पत्र मा.चि./न.क.-08/2023/4010 दिनांक 07.12.2023 से प्रस्तुत प्रस्ताव विदोहन प्रकरण में उल्लेखित विन्हित सूठ पोलाई एवं अनुमानित उत्पादन को सम्मिलित कर विदोहन की कार्यवाही की जाये।

क्रमशः 4 .....

(4)

1.3/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वन भूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र - ग में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि)	ग्राम का नाम	ससरा क्र.	प्रभावित रकबा (हि.में)	कलेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		रिमांक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
- निरंक -									

1.4/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वनभूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र- ग-01 में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि/ नारंगी वन क्षेत्र)	ग्राम का नाम	ससरा क्र.	प्रभावित रकबा (हि.में)	कलेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
							प्रजाति	संख्या	ईमारती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (10+11)
1	2	3	4	5	6	7	8	9	10	11	12
- निरंक -											

1.5/- सरगुजा वनमण्डल के अंतर्गत राजस्व भूमि में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र- घ) निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमंडल का नाम	परिक्षेत्र का नाम	ग्राम का नाम	भूमि का प्रकार	ससरा क्रमांक	प्रभावित रकबा (हि.में)	कलेक्टर की अनुमति से विदोहित किये जाने वाले वृक्षों का विवरण		रिमांक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
- निरंक -									

(5)

1.6/- परिवहन, कटाई एवं बुलाई व्यय हेतु पी.डी. खाते में जमा किए गए राशि का विवरण (प्रपत्र- ड.) :-

वनमण्डल	चालान क्रमांक/ डी डी नं	दिनांक	जमा राशि का विवरण पत्र क्र / दिनांक	राशि का विवरण परिमाण, कटाई एवं बुलाई (राशि रु में)	निर्माक
1	2	3	4	5	6
सरगुजा	डी डी नं - 923594	07.12.2023		4,35,00,000/-	मु.न.म. सरगुजा के संदर्भित पत्र क्रानि/न.क. -088/2023/4010 दिनांक 07.12.2023 में प्रस्तुत प्रस्ताव विदोहन प्रकरण में उल्लेखित व्यय प्रत्युत्त कार्यवाही की जाये। इसकी चालान की प्रति इस कार्यालय को उपलब्ध कराई जाये।
योग				4,35,00,000/-	

1.7/- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के द्वारा विषयांकित प्रकरण में वृक्षों के विदोहन हेतु अब तक दी गई स्वीकृति का विवरण (प्रपत्र - च) :-

अनुक्रमांक	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा अब तक जारी अनुमति का विवरण		निर्माक
	क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4
1	560/31.03.2012	21465	222.100 (प्रभावित रकबा हे.में)
2	792/10.06.2015	14173	254.243 (प्रभावित रकबा हे.में)
3	2284/27.12.2017	677	52.199 (प्रभावित रकबा हे.में)
4	1201/29.06.2018	15224	59.760 (प्रभावित रकबा हे.में)
5	2359/31.12.2019	10779	70.150 (प्रभावित रकबा हे.में)
6	1431/14.12.2020	13133	95.442 (प्रभावित रकबा हे.में)
7	1596/05.05.2022	7960	43.630 (प्रभावित रकबा हे.में)
योग :-		83411	797.524

2/ उपरोक्तानुसार भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई शर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur, District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area हेतु 9वें वर्ष के द्वितीय चरण (Phase-II) हेतु स्वीकृत रकबा 1136 हे. में से 91.130 हे. वन भूमि को वन संरक्षण अधिनियम 1980 की धारा 2 के अंतर्गत दी गई शर्त अनुमति एवं अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./ भू-प्रबंध/सनिज/331-45/2715, दिनांक 08.12.2023 द्वारा प्रश्नाधीन 15307 नग वृक्षों के विदोहन की अनुशंसा की गई है। उक्त के परिप्रेक्ष्य में उपरोक्त तालिका संदर्भित पत्र क्र. 01 में दृष्टांत विवरण के अनुसार संरक्षित वनभूमि के रकबा 91.130 हे. में स्थित प्रश्नाधीन 15307 नग वृक्षों के विदोहन की स्वीकृति निम्न शर्तों के अधीन प्रदान की जाती है :-

क्रमशः 6 .....

- (6)
- (1) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के संदर्भित पत्र दिनांक 02.02.2022 (संदर्भ क्रमांक-2) द्वारा जारी औपचारिक स्वीकृति में उल्लेखित अधिरोपित शर्तें एवं वन संरक्षण अधिनियम 1980 के प्रावधानों का अक्षरशः पालन किया जाने की शर्तों के अधीन प्रदान की जाती है।
  - (2) छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित शर्तों का पालन किया जाये।
  - (3) मुख्य वन संरक्षक, सरगुजा द्वारा स्वीकृत विदोहन योजना अनुसार, प्रकरण अंतर्गत 15307 नग वृक्ष के विदोहन योजना अंतर्गत होने वाले व्यय जिसमें कटाई, ढुलाई एवं परिवहन इत्यादि व्यय शासन व विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर आवेदक संस्थान के द्वारा सरगुजा वनमण्डल के पी.डी. खाते में जमा की गई राशि से किया जावे।
  - (4) प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स./का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जावे।
  - (5) विदोहन योजना के संबंध में समय-समय पर भारत शासन/राज्य शासन/वन विभाग द्वारा जारी निर्देशों का पालन भी किया जावे।
  - (6) उपरोक्त प्रकरण में संबंधित संस्थान द्वारा सरगुजा वनमण्डल हेतु व्यय राशि डी.डी.क्र 923594 दिनांक 07.12.2023 राशि रु. 4,35,00,000/- व्यय किया जावेगा, जिसमें प्रकरण अंतर्गत कटाई, ढुलाई एवं परिवहन इत्यादि हेतु होने वाले संभावित व्यय हेतु संदर्भित पत्र दिनांक 07.12.2023 के दर्शित विवरण अनुसार कार्य किया जावे। पी.डी. खाता में निर्धारित मद 8443, सिविल डिपोजिट 106 मद अंतर्गत चालान जमा होने के उपरांत ही व्यय की कार्यवाही की जाये। यदि विदोहन कार्य हेतु शासन एवं विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर विशेष परिस्थितियों के कारण विदोहन कार्य कराया जाना संभव नहीं हो तो विभाग द्वारा निर्धारित नॉर्म्स से अधिक व्यय होने की स्थिति में आवेदक संस्थान के द्वारा जमा राशि की सीमा तक Work Study कराई जाकर विशेष प्रकरण तैयार कर विशेष नॉर्म्स की स्वीकृति इस कार्यालय से ली जाये।
  - (7) विप्याकित प्रकरण अंतर्गत 15307 नग वृक्ष विदोहन की अनुमति भारत सरकार के संदर्भित पत्र दिनांक 02.02.2022 (संदर्भ क्रमांक-02) के द्वारा दी गई शर्त स्वीकृति एवं छत्तीसगढ़ शासन के पत्र दिनांक 25.03.2022 (संदर्भ क्रमांक-03) विदोहन की समस्त शर्तों का पालन कराया जाना प्रकरण के वनमण्डलाधिकारी सह नोडल अधिकारी सरगुजा वनमण्डल का दायित्व रहेगा। उक्त का पालन किया जाना सुनिश्चित हो।
  - (8) उपरोक्त तालिका में दर्शित प्रत्यावर्तित संरक्षित वनभूमि के प्रभावित रकबा 91.130 हे. में स्थित प्रश्नाधीन कुल 15307 नग वृक्षों के विदोहन कार्य एवं संदर्भित पत्र/4010 दिनांक 07.12.2023 में उल्लेखित 167 नग टूठ से संबंधित प्रस्ताव अरु रूप कार्यवाही की जाये। विदोहन कार्य पूर्ण रूप से वन विभाग द्वारा किये जाने की शर्त पर एवं उपरोक्त शर्तों का पालन किये जाने की शर्त पर दी जाती है।
  - (9) विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को अनिवार्य रूप से उपलब्ध करायी जाये।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़

पृ. क्रमांक/14/उत्पा.1/536/2022-कटाई अनु.क.-51/1834  
प्रतिलिपि:-

नवा रायपुर, अटलनगर, दिनांक 11/12/2023

1. वरिष्ठ निज सहायक, प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़ की ओर सूचनार्थ।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क./भू-प्रबंध/सनिज/331-45/771, दि. 04.04.2022 एवं पत्र क./भू-प्रबंध/सनिज/331-45/2715, दिनांक 08.12.2023, के संदर्भ में सूचनार्थ प्रेषित। कृपया नोडल विभाग की हैसियत से आप अपने स्तर से उपरोक्त पत्र के संदर्भ में अपेक्षित कार्यवाही हेतु भारत सरकार एवं राज्य सरकार द्वारा दी गई अनुमति के अनुसार मुख्य वन संरक्षक सरगुजा द्वारा प्रेषित जानकारी की पुष्टि करने एवं भारत सरकार/राज्य सरकार/स्थानीय प्रशासन/विभाग द्वारा जारी निर्देशों में उल्लेखित शर्तों के सशर्त पालन किए जाने हेतु मुख्य वन संरक्षक सरगुजा वृत्त को निर्देश जारी करें।
3. वनमण्डलाधिकारी सरगुजा वनमण्डल (प्रकरण के नोडल अधिकारी) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
4. Superintending Engineer, Rajasthan Rajya Vidyut Utapadan Nigam Ltd, Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ प्रेषित।

  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़



कार्यालय मुख्य वन संरक्षक, सरगुजा वनवृत्त, अम्बिकापुर (छ0ग0)

Ph.No. :- (O) 07774- 240544, (R) 240019, (F) 240682 E-Mail :- cfsurguja@rediffmail.com

क्र0/मा.चि./न0क्र0-08/2023/7056

अम्बिकापुर, दिनांक 12/12/2023

प्रति,

वनमण्डलाधिकारी,  
सरगुजा वनमण्डल, अम्बिकापुर

विषय :- Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg.

संदर्भ :- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. नवा रायपुर का पत्र क्रमांक/14/उत्पा-1/536/2022-कटाई अनु.क्र-51/1833 दिनांक 11.12.2023

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विषयांकित वनभूमि व्यवर्तन प्रकरण परसा ईस्ट एवं केते बासेन कोल ब्लॉक परियोजना रकबा 1898.328 हे. से कोयला उत्खनन कार्य हेतु MOEF नई दिल्ली के पत्र दिनांक 02.02.2022 एवं छ.ग. शासन वन एवं जलवायु परिवर्तन विभाग रायपुर के पत्र दिनांक 25.03.2022 (द्वितीय चरण स्वीकृति) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg हेतु 9वें वर्ष के द्वितीय चरण में संरक्षित वनभूमि रकबा 91.130 हे. वनभूमि में स्थित प्रश्नाधीन 15307. नग वृक्षों के विदोहन की अनुमति शर्तें अधिरोपित कर अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र के माध्यम से प्रदान की गई है।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र की प्रति संलग्न कर आपको निर्देशित किया जाता है कि वृक्षों के विदोहन हेतु प्रदत्त अनुमति तहत अधिरोपित शर्तों का कड़ाई से पालन करते हुए उक्तानुसार पत्र में दिये गये निर्देशानुसार कार्यवाही करना सुनिश्चित करें।

संलग्न :- संदर्भित पत्र।

मुख्य वन संरक्षक  
सरगुजा वनवृत्त, अम्बिकापुर

अम्बिकापुर, दिनांक 12/12/2023

पृ0क्र0/मा.चि./न0क्र0-08/2023/7057

प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
3. Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य वन संरक्षक  
सरगुजा वनवृत्त, अम्बिकापुर

**कार्यालय वनमण्डलाधिकारी, सरगुजा वनमण्डल अम्बिकापुर छ०ग०****☎ 07774 - 240238 (0), 240236 (R), E-Mail :- dfo-surguja.cg@gov.in**क्रमांक/तक.अधि./1096  
प्रति,

अम्बिकापुर, दिनांक/०९/१२/२०२४

Sharth Kumar Pallerla  
Scientist  
NATCOM Cell  
Ministry of Environment Forest And Climate Change  
R.No. 326 Level-III, Jal Wing  
Indira Paryavaran Bhavan,  
Jor Bagh Road Aliganj New Delhi

विषय :- सरगुजा जिले के सरगुजा वनमण्डल परिक्षेत्र उदयपुर अंतर्गत परसा ईस्ट केते बासेन कोल परियोजना के संबंध में।

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विषयान्तर्गत सरगुजा जिले के सरगुजा वनमण्डल परिक्षेत्र उदयपुर अंतर्गत परसा ईस्ट केते बासेन कोल परियोजना के संबंध में जानकारी चाही गई है।

परसा ईस्ट केते बासेन कोल परियोजना के संबंध में जानकारी तैयार कर संलग्न सम्प्रेषित है।

संलग्न :- पेज नं.01 से 48 तक।

वनमण्डलाधिकारी  
सरगुजा वनमण्डल अम्बिकापुर

परसा ईस्ट केते बासेन कोल परियोजना अंतर्गत संक्षिप्त टीप

संक्षिप्त विवरण :- राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड, जयपुर, राजस्थान को परसा ईस्ट एवं केते बासेन कोल ब्लॉक का आबंटन भारत सरकार कोल मंत्रालय द्वारा किया गया। कोल ब्लॉक अंतर्गत कुल 1898.328 हे. वनभूमि का वनभूमि प्रत्यावर्तन प्रस्ताव भारत सरकार वन एवं पर्यावरण मंत्रालय नई दिल्ली को प्रस्तुत किया गया। प्रकरण में भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन विभाग नई दिल्ली के पत्र क्रमांक/एफ.एन. 8 - 31/2010-एफ.सी. दिनांक 15.03.2012 द्वारा अंतिम चरण (Stage II) की स्वीकृति प्रदान की गई। अंतिम चरण में अधिरोपित शर्तों के आधार पर माईनिंग कार्य 02 चरणों में की जानी है। प्रथम चरण में 762.000 हे. वनक्षेत्र को कोयला उत्खनन कार्य हेतु संस्थान को वनक्षेत्र उपयोग हेतु प्रदान की गई।

द्वितीय चरण में शेष 1136.000 हे. वनभूमि की स्वीकृति भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन विभाग नई दिल्ली के पत्र क्रमांक/एफ.एन. 8 - 31/2010-एफ.सी. दिनांक 02.02.2022 द्वारा प्रदान की गई।

आवेदक संस्थान	राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड, जयपुर
कुल प्रस्तावित रकबा (हे.में)	1898.328 हे.
भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय की स्वीकृति (Phase I) क्रमांक/दिनांक	F.N 8-31/2010-FC dated 15.03.2012 (Phase I में 762.000 हे. में ) Annexure - I
भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय की स्वीकृति (Phase II) क्रमांक/दिनांक	F.N 8-31/2010-FC dated 02.02.2022 (Phase II में 1136.000 हे. में ) Annexure - II

### प्रथम चरण (Phase I)

- प्रथम चरण अंतर्गत 762.000 हे. में वन परिक्षेत्र अधिकारी उदयपुर उत्पादन द्वारा प्रस्तुत वृक्ष विदोहन योजना अनुसार वृक्षों की कटाई की जानकारी निम्नानुसार है :-

विदोहन वर्ष	कुल रकबा (हे. में)	मार्कशुदा वृक्षों की कुल संख्या	विदोहित वृक्षों की संख्या	शेष वृक्षों की संख्या	कुल उत्पादन ईमारती काष्ठ (घन मी. में)	जलाऊ चट्टा	वृक्ष विदोहन की अनुमति
प्रथम तीन वर्ष (2012-13 से 2014-15 तक)	222.100	21465	12008	9457	5281.629	5194	मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/561 दिनांक 31.03.2012 <b>Annexure - III</b>
चतुर्थ वर्ष (2015-16)	254.243	14173	14173	-	3849.793	3106	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/793 दिनांक 10.06.2015 <b>Annexure - IV</b>
पाँचवा वर्ष (2016-17)	52.199	8609	8609	-	1536.896	1382	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/2285 दिनांक 27.12.2017 <b>Annexure - V</b>
छठवा वर्ष (2017-18)	59.760	15224	15224	-	2402.835	2695	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/1202 दिनांक 29.06.2018 <b>Annexure - VI</b>
सातवां वर्ष (2018-19)	70.150	10779	10779	-	3002.698	2525	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/384 दिनांक 25.02.2019 <b>Annexure - VII</b>
आठवां वर्ष (2020-21)	95.442	13133	13133	-	2415.991	2773	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) का पृ. क्रमांक/1432 दिनांक 14.12.2020 <b>Annexure - VIII</b>
<b>योग :-</b>	<b>753.894</b>	<b>83383</b>	<b>73926</b>	<b>9457</b>	<b>18489.8</b>	<b>17675</b>	

- आवेदक संस्थान राजस्थान राज्य उत्पादन निगम लिमिटेड जयपुर को नियमानुसार रकबा 753.894 हे. वन एवं राजस्व वन भूमि का हस्तांतरण किया गया।

## द्वितीय चरण (Phase II)

द्वितीय चरण अंतर्गत 1136.000 हे. में से नौ वे वर्ष में रकबा 43.630 हे. क्षेत्र में वृक्ष विदोहन योजना अनुसार वृक्षों की कटाई की जानकारी वन परिक्षेत्र अधिकारी उदयपुर उत्पादन द्वारा प्रस्तुत की गई है जिसका विवरण निम्नानुसार है:-

विदोहन वर्ष	कुल रकबा (हे. में)	मार्कशुदा वृक्षों की कुल संख्या	विदोहित वृक्षों की संख्या	शेष वृक्षों की संख्या	कुल उत्पादन ईमारती काष्ठ (घन मी. में)	जलाऊ चट्टा	वृक्ष विदोहन की अनुमति
नौ वर्ष (2022-23 तक) भाग-1	43.630	7960	7960	0	1182.704	1789	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के पृ. क्रमांक / 1596 दिनांक 05.05.2022 Annexure - IX

वर्ष 2023-24 में 91.130 हे. क्षेत्र में वृक्ष विदोहन योजना अनुसार विदोहन की अनुमति अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा प्रदान की गई है जिसका विवरण निम्नानुसार है:-

विदोहन वर्ष	कुल रकबा (हे. में)	मार्कशुदा वृक्षों की कुल संख्या	विदोहित वृक्षों की संख्या	शेष वृक्षों की संख्या	अनुमानित उत्पादन ईमारती काष्ठ (घन मी. में)	जलाऊ चट्टा	वृक्ष विदोहन की अनुमति
नौ वर्ष (2023-24 तक) भाग-2	91.130	15307	15307	00	4050.395	3358	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के पृ. क्रमांक / 14 / उत्पा.-1 / 538 / 2022 / कटाई अनु.क्र. 51 / 1834 दिनांक 11.12.2023 Annexure - X

वर्ष 2024-25 में परसा ईस्ट एवं केते बासेन कोल परियोजना हेतु प्रस्तावित वन भूमि के संबंध में :-

आवेदक संस्थान राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड जयपुर द्वारा दसवें वर्ष में 74.130 हे. वन भूमि में खनन हेतु आवेदन पत्र प्रस्तुत किया गया है। वन परिक्षेत्र अधिकारी उदयपुर द्वारा वृक्ष विदोहन योजना तैयार कर प्रस्तुत की गई है।

विदोहन वर्ष	कुल रकबा (हे. में)	मार्कशुदा वृक्षों की कुल संख्या	विदोहित वृक्षों की संख्या	शेष वृक्षों की संख्या	अनुमानित उत्पादन ईमारती काष्ठ (घन मी. में)	जलाऊ चट्टा	वृक्ष विदोहन की अनुमति
दसवां वर्ष (2024-25)	74.130	10944	10944	00	2253.040	1871	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के पृ. क्रमांक / 14 / उत्पा.-1 / 538 / 2024 / कटाई अनु.क्र. 62 / 1600 दिनांक 21.08.2024 Annexure - XI

F. No. 8-31/2010-FC  
Government of India  
Ministry of Environment & Forests  
(FC Division)

Paryavaran Bhawan, C.G.O Complex,  
Lodhi Road, New Delhi - 110510.  
Dated: 15<sup>th</sup> March, 2012

To  
The Principal Secretary (Forests),  
Government of Chhattisgarh,  
Raipur.

Sub: Diversion of 1898.328. ha in two phases of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh - reg.

Sir,

I am directed to refer to the State Government's letter no. FS-4/2010/10-2 dated 28.04.2010 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under section-3 of the said Act, in-principle approval was granted vide this Ministry's letter of even number dated 06.07.2011 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter no. vide its letter no. 331-53/2455 dated 31.12.2011, approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 1898.328. ha in two phases of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh subject to fulfilment of the following conditions:

1. Legal status of forest land shall remain unchanged.
  - a. Compensatory afforestation shall be raised and maintained by the State Forest Department over degraded orange forest land double in extent to the forest land proposed to be diverted at the project cost.
  - b. Fencing, protection and regeneration of the safety zone area shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost.
  - c. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.

Shy

2. Following activities undertaken by the project proponent under the supervision of the State Forest Department at the project cost:
  - (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
  - (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
  - (iii) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
  - (iv) The areas shall be reclaimed keeping in view the international practice of stabilizing the dumps by grading / benching so that angles of repose (normally less than 28° at any given place) are maintained.
  - (v) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
3. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act, 1986 and any other Acts/Regulation/Rules.
4. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years.
5. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
6. Demarcation of mining lease area will be done on the ground at project cost using four feet high reinforced cement concrete pillars with serial numbers, forward and back bearings and distance from pillar to pillar.
7. Mining/reclamation schedule shall be implemented by the user agency at their cost as per Environmental Management Plan / phased reclamation programme. The annual report about the progress of reclamation should be submitted to the CCF (Central), Regional Office, Bhopal.
8. The mining shall be done in two phases:
  - i. During phases-I, covering 15 years, the mining shall be restricted to 762.00 ha of forest land.
  - ii. During phase -II the mining permission over remaining 1136.00 ha will be linked to the reforestation and biodiversity management in phase-I.
  - iii. The project proponent will submit the application for permission for mining in phase - II along with compliance report of phase-I.

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9. The user agency will ensure the dumping of OB and phase wise rehabilitation and afforestation of the used / mined out pits / voids as per the approved plan under the supervision of the State Forest Department.
10. The user agency will make arrangement for free supply of alternate fuels to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
11. The forest land shall not be used for any purpose other than that specified in the proposal.
12. Any tree felling shall be done only when it is unavoidable and under strict supervision of the State Forest Department.
13. No damage to the flora and fauna of the area shall be caused.
14. No labour camps shall be set up inside the forest area.
15. The forest land proposed to be diverted shall under no circumstances shall be transferred to any other agency, department or person without prior approval of the Central Government.
16. The user agency will implement the Resettlement and Rehabilitation Plan as per the R&R Policy of State Government.
17. The user agency will undertake transplantation of important tree species under 60 cm girth under the supervision of State Forest Department.
18. The State Government will not come up for opening up of the main Hasdeo-Arand area.
19. The user agency will ensure proper implementation of Wildlife Management Plan prepared by the State Government.
20. The user agency will assist the State Government in conservation and preservation of the flora and fauna of the area.
21. The State Government will suitably incorporate the comments, as suggested by of the WII, Dehradun, into the Wildlife Management Plan prepared for the area. The project proponent has deposited an amount of Rs. 22 crores (Rs. Twenty two crores) towards cost of implementation of the Wildlife Management Plan. Increased costs, if any, due to incorporation of the suggestions of WII, Dehradun will be borne by the user agency. Final copy of the Wildlife Management Plan will be submitted to this Ministry and the Regional Office, Bhopal within a period of three months for the purpose of monitoring. A soft copy in PDF format will also be submitted to the Ministry.
22. The user agency will make provision for appropriate financial outlay for the establishment of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
23. The Wildlife Management Plan will be implemented by the State Government and independent institutions like the Nature Conservation Foundation, Wildlife Trust of India and the Center for Ecological Studies at the Indian Institute of Science apart from the Wildlife Institute of India may be involved in implementation of the Plan. In order to ensure proper implementation of the Wildlife Management Plan, the State Government shall make necessary provisions for carrying out the monitoring and evaluation of the plan. It would be appropriate to include

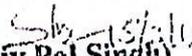
Shy

(13/1)

Chief Wildlife Warden of the State in monitoring the implementation of the Plan.

24. The user agency will undertake and implement suitable mitigative measures as prescribed in the Wildlife Management Plan for reducing the dependency of cattle and people on the surrounding forest area.
25. Any other condition that the Chief Conservator of Forests (Central), Regional Office, Bhopal may impose from time to time in the interest of conservation, protection or development of forests.
26. The user agency shall submit the annual compliance report in respect of the above conditions to the State Government and to the Regional Office, Bhopal regularly.

Yours faithfully,

  
(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests Government of Chhattisgarh, Raipur.
2. The Nodal Officer, Office of the PCCF, Government of Chhattisgarh, Raipur.
3. The Chief Conservator of Forest, Regional Office, Bhopal.
4. User Agency
5. Monitoring Cell, FC Division.
6. Guard file.

(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests



कार्यालय प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख, छत्तीसगढ़  
अरण्य भवन, सेक्टर -19, नार्थ ब्लॉक, कैपिटल कॉम्पलेक्स, नवा रायपुर, अटल नगर - 492002  
(अपर प्रधान मुख्य वन संरक्षक - भू-प्रबंध)

दूरभाष: 0771 - 2512840

ई-मेल: npeef-lm.cg@gov.in

क्र./भू-प्रबंध/खनिज/331-45/ 771  
प्रति,

रायपुर, दिनांक 04/04/2022

वन मंडलाधिकारी  
सरगुजा वन मंडल, अंबिकापुर  
छत्तीसगढ़

विषय: - Proposal for non-forestry use of 1898.328 ha. of forest land and (1654.109 ha. of revenue forest land and 224.219 ha. of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh- grant of permission for mining over Phase-II area- reg.

- संदर्भ: 1. पंजीयन क्रमांक SAR/ SAR/ S.SAR/ MIN/ 2010/ 048  
भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक/ S-31/ 2010-एफ.सी. दिनांक 02.02.2022  
2. छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग का पत्र क्रमांक/ एफ 5-04/ 2010/ 10-2 दिनांक 25.03.2022

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विषयांतर्गत संदर्भित पत्रों का अवलोकन करें (छायाप्रति संलग्न)।

संदर्भ पत्र-1 के माध्यम से भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के पत्र दिनांक 02.02.2022 द्वारा सरगुजा वन मंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase - II के तहत 1136.00 हे. वन भूमि व्यपवर्तन हेतु अंतिम चरण की स्वीकृति प्रदान की गई है।

उक्त के अनुक्रम में संदर्भ पत्र-2 द्वारा छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग से सरगुजा वन मंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase - II के तहत 1136.00 हे. वन भूमि व्यपवर्तन हेतु अंतिम चरण की स्वीकृति प्रदान की गई है।

उपरोक्तानुसार अंतिम चरण स्वीकृति के अधिरोपित शर्तों का बिन्दुवार प्रतिवेदन मय पृथक-पृथक वचन पत्र अपने अभिमत सहित मुख्य वन संरक्षक, सरगुजा वृत्त, अंबिकापुर के माध्यम से प्रेषित करना सुनिश्चित करें। साथ ही वृक्ष विदोहन योजना तैयार कर उत्पादन प्रभाग को प्रेषित करते हुए इस कार्यालय को भी अवगत करावें।

संलग्न :- उपरोक्तानुसार (04 पृष्ठीय)

अ.प्र.मु.व.स (भू-प्रबंध / व.सं.अ)  
छत्तीसगढ़

रायपुर, दिनांक 04/04/2022

पृ. क्र./भू-प्रबंध/खनिज/331-45/ 772  
प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु:

- मुख्य वन संरक्षक, सरगुजा वृत्त, अंबिकापुर, छत्तीसगढ़।
- अधीक्षण अभियंता, (फयूल) राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड, खरसिया रोड, अंबिकापुर को सूचनार्थ प्रेषित।

संलग्न :- उपरोक्तानुसार (04 पृष्ठीय)

अ.प्र.मु.व.स (भू-प्रबंध / व.सं.अ)  
छत्तीसगढ़

छत्तीसगढ़ शासन  
वन एवं जलवायु परिवर्तन विभाग

मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर

क्रमांक/एफ 5-04/2010/10-2  
प्रति,

नवा रायपुर, अटल नगर, दिनांक 25/03/2022

प्रधान मुख्य वन संरक्षक  
एवं वन बल प्रमुख  
छत्तीसगढ़, अरण्य भवन,  
सेक्टर-19, नार्थ ब्लॉक,  
नवा रायपुर, अटल नगर।

विषय:- Proposal for non-forestry use of 1898.328 ha of forest land and (1654.109 ha of revenue forest land and 224.219 ha of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh- grant of permission for mining over Phase-II area-reg.

संदर्भ:- भारत सरकार, पर्यावरण, वन तथा जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक 8-31/2010 FC, दिनांक 02.02.2022।

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विषयांतर्गत भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक 8-31/2010 FC, दिनांक 02.02.2022 (छायाप्रति संलग्न) के माध्यम से सरगुजा जिले के सरगुजा वनमंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase II के तहत 1136.00 हे. वन भूमि व्यपवर्तन की अनुमति प्रदान की गई है।

2/- भारत सरकार द्वारा उपरोक्त अनुमति में अधिरोपित निम्न शर्तों के पालन करने की शर्त पर राज्य शासन एतद् द्वारा सरगुजा जिले के सरगुजा वनमंडल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु Phase II के तहत 1136.00 हे. वन भूमि व्यपवर्तन की अनुमति Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) को निम्न शर्तों के अधीन प्रदान करता है :-

1. The recommendation in the Biodiversity Assessment Report (BAR) have been made keeping in view the comprehensive scenario of current production levels, biotic interference, mitigating measures, etc vis-a-vis impact on surrounding resources. Therefore, no further changes in the Mining Plan vis-a-vis land use shall be effected by the user agency without the prior approval of Central Government.
2. The recommendations made in the BAR shall be incorporated into the Wildlife Management Plan and the same shall be implemented by the Nodal Officer FCA 1980 at the project cost.
3. Quarterly site inspection on compliance of conditions shall mandatorily be done jointly by Ministry, IRO (Raipur) and Nodal Officer FCA 1980 and the observations/findings shall be submitted to MoEF&CC New Delhi.
4. Grant of permission for mining operations in the Phase-II area of 1136 ha is subject to change as per the directions of Hon'ble Supreme Court, as may be

793  
04/04/2022

- 2 -

5. The user agency, in consultation with the State Forest Department, will strengthen the provision for appropriate financial outlay for the establishment and effective functioning of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
6. The Nodal Officer FCA 1980 and the user agency shall ensure that concerned orders/directions of Courts/Tribunals, relevant provisions of all concerned Acts, Rules, Regulations and Guidelines pertaining to this project, if any, for the time being in force, as applicable to the project.
7. Biodiversity restoration should be integral part of mining site rehabilitation and User Agency should submit annual progress report on rehabilitation of mined up areas following best practices and afforestation measures to IRO for information and verification.
8. Nodal Officer FCA 1980 shall ensure that conditions stipulated in the Stage-II approval dated 15.03.2012 be complied with by the user agency; and
9. Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the provisions made under the Act and Forest (Conservation) Rules.

Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.

The Nodal Officer (FCA) 1980 Chhattisgarh shall ensure compliance of all the above conditions.

संलग्न :- उपरोक्तानुसार।

छत्तीसगढ़ के राज्यपाल के नाम से  
तथा आदेशानुसार

K. P. Rajput  
25.3.22  
(के.पी.राजपूत)

अवर सचिव

छत्तीसगढ़ शासन,  
वन एवं जलवायु परिवर्तन विभाग

पृष्ठां.क्रमांक/एफ 5-04/2010/10-2 नवा रायपुर, अटल नगर, दिनांक 25/03/2022  
प्रतिलिपि :-

1. वन महानिरीक्षक, एकीकृत क्षेत्रीय कार्यालय, भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), कार्यालय, प्रधान मुख्य वन संरक्षक, अरण्य भवन, सेक्टर-19, नार्थ ब्लॉक, नवा रायपुर, अटल नगर, छत्तीसगढ़।
3. मुख्य वन संरक्षक, सरगुजा वृत्त, अंबिकापुर, छत्तीसगढ़।
4. वनमंडलाधिकारी, सरगुजा वनमंडल, छत्तीसगढ़।
5. आवेदनकर्ता राजस्थान, राज्य विद्युत उत्पादन निगम लिमिटेड, विद्युत भवन, जनपथ, ज्योति नगर, जयपुर, राजस्थान।

की ओर सूचनार्थ अग्रेषित।

अवर सचिव

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

Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi: 110003  
Dated: 02.02.2022

To  
The Principal Secretary (Forests),  
Government of Chhattisgarh,  
Mahanadi Bhavan,  
New Raipur, Chhattisgarh

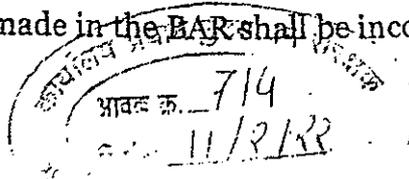
**Sub: Proposal for non-forestry use of 1898.328 ha of forest and (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh- grant of permission for mining over Phase-II area- reg.**

Sir,

I am directed to refer to the State Government letter no. 5-04/2010/10-2 dated 22.02.2021 and Ministry of Coal, Government of India's letter No. 103/13/2015/NA dated 23.11.2021 on the above subject seeking approval of the Central Government for grant of approval for Phase-II mining operations in the balance area of 1136 ha of forest land in Parsa East and Kete Basan Coal Block and Government of Chhattisgarh's letter no. 5-17/2018/10-2 dated 8.10.2021 forwarding a copy of report on Biodiversity Assessment Study and to inform that proposal of the State Government has been considered by the Forest Advisory Committee constituted by the Central Government under Section - 3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords approval for commencing Phase-II mining operation in the balance area of 1136 ha of forest land in respect of proposal involving non-forestry use of 1898.328 ha of forest and (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of RRVUNL, in Villages Parsa and Kete, Tehsil Udaipur, District Surguja, Chhattisgarh subject to fulfilment of following conditions:

- i. The recommendation in the Biodiversity Assessment Report (BAR) have been made keeping in view the comprehensive scenario of current production levels, biotic interference, mitigating measures, etc vis-à-vis impact on surrounding resources. Therefore, no further changes in the Mining Plan vis-a-vis land use shall be effected by the user agency without the prior approval of Central Government.
- ii. The recommendations made in the BAR shall be incorporated into the Wildlife



- Management Plan and the same shall be implemented by the State Forest Department at the project cost.
- iii. Quarterly site inspection on compliance of conditions shall mandatorily be done jointly by Ministry, IRO (Raipur) and State Forest Department and the observations/findings shall be submitted to Ministry.
  - iv. Grant of permission for mining operations in the Phase-II area of 1136 ha is subject to change as per the directions of Hon'ble Supreme Court, as may be directed in final decision, in Civil Appeal 4395 of 2014.
  - v. The user agency, in consultation with the State Forest Department, will strengthen the provision for appropriate financial outlay for the establishment and effective functioning of Rescue and Rehabilitation team to mitigate human-wildlife conflicts.
  - vi. The State Government and the user agency shall ensure that concerned orders/directions of Courts/Tribunals, relevant provisions of all concerned Acts, Rules, Regulations and Guidelines pertaining to this project, if any, for the time being in force, as applicable to the project.
  - vii. Biodiversity restoration should be integral part of mining site rehabilitation and User Agency should submit annual progress report on rehabilitation of mined up areas following best practices and afforestation measures to IRO for information and verification.
  - viii. State Government shall ensure that conditions stipulated in the Stage-II approval dated 15.03.2012 be complied with by the user agency; and
  - ix. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the provisions made under the Act and Forest (Conservation) Rules.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

**Copy to:**

1. Principal Chief Conservator of Forest (PCCF), Aranya Bhavan, Sector 19, North Block, New Raipur- 492002 Chhattisgarh.
2. Regional Officer, Integrated Regional Office, MoEF&CC, Naya Raipur
3. Nodal Officer (FCA), Jail Road, Aranya Bhavan, Raipur.
4. User Agency
5. Monitoring Cell, Forest Conservation Division, MoEF&CC
6. Guard file

कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़  
अरण्य भवन, मेडिकल कॉलेज रोड, रायपुर  
(शाखा-उत्पादन)

(85)

फैक्स नं.-0771-2552216

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क्रमांक/14/उत्पा.1/536/2012/561

रायपुर, दिनांक...31/03/2012

प्रति

वन संरक्षक,

सरगुजा वन वृत्त, अंविकापुर

छत्तीसगढ़

विषय :-

वन संरक्षण, अधिनियम, 1980 के तहत वनभूमि प्रत्यावर्तन के प्रकरणों में वृक्षों के विदोहन की अनुमति दिये जाने संबंध में।

संदर्भ :-

आपका पत्र क्रमांक/मा.चि./591/2012, दिनांक 24/03/2012

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उपरोक्त विषयांतर्गत दक्षिण सरगुजा वनमंडल के उदयपुर परिक्षेत्र के अंतर्गत परसा ईस्ट एवं केते कोत परियोजना (मेसर्स राजस्थान राज्य विद्युत उत्पादन निगम लिमिटेड, जयपुर) में प्रभावित वृक्षों के विदोहन योजना प्रस्तुत कर विदोहन की अनुमति चाही गई है। प्रस्तुत प्रतिवेदन अनुसार प्रत्यावर्तित की जाने वाली भूमि का विवरण निम्नानुसार है :-

वनमंडल का नाम	परिक्षेत्र का नाम	प्रत्यावर्तित भूमि (कक्ष क्र. खसरा आदि)	विवरण		
			भूमि का प्रकार	रकबा (हे.)	विदोहन किये जाने वाले वृक्षों की संख्या
दक्षिण सरगुजा	उदयपुर	P-2005	वनभूमि	23.340	19515
		P-2008	वनभूमि	42.278	
		P-2007	वनभूमि	41.969	
		P-2105	वनभूमि	5.413	
			योग	113.000	19515
			ऑरेंज एरिया (कार्य आयोजना में सम्मिलित)	109.100	1950
			222.100	21465	

उपरोक्त क्षेत्र के 222.100 हेक्टेयर में स्थित विभिन्न प्रजातियों के 21465 वृक्षों के विदोहन की अनुमति भारत सरकार, पर्यावरण एवं वन मंत्रालय द्वारा वन संरक्षण अधिनियम 1980 के तहत दी गई अनुमति में, अधिरोपित शता के अधीन प्रदान की जाती है। विदोहन कार्य निर्धारित व्यय नार्मस एवं वन संरक्षक के जाँचदरों पर क्षिप्ता जावें।

उक्त वृक्षों के विदोहन से आपके द्वारा अनुमानित उत्पादन 4561.201 घनमीटर इमारती काष्ठ तथा 5547.128 (घनमीटर) जलाऊ आंकलित किया गया है अतः निर्देशित किया जाता है कि विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी के आधार पर कार्यपूर्णता प्रतिवेदन प्रस्तुत करें।

मुख्य वन संरक्षक(उत्पादन)  
छत्तीसगढ़, रायपुर  
रायपुर, दिनांक 31/03/2012

पू.क्रमांक/14/उत्पा.1/536/2012/561  
प्रतिलिपि-

1. मुख्य वन संरक्षक (भूप्रबंध), छत्तीसगढ़ की ओर उनके कार्यालयीन पृष्ठांकन क्रमांक/खनिज/331-45/542, दिनांक 26/03/2012 के संदर्भ में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

2. वनमंडलाधिकारी, दक्षिण सरगुजा वनमंडल, अंविकापुर की ओर उनके पृष्ठांकन क्रमांक/1540 दिनांक 30/03/2012 तथा आवेदक संस्थान के पत्र दिनांक 31/03/2012 के संदर्भ में सूचनार्थ एवं आवश्यक कार्यवाही हेतु अर्पित।

मुख्य वन संरक्षक(उत्पादन)  
छत्तीसगढ़, रायपुर

**राज्यीय प्रधान मुख्य वन संरक्षक, खजिंदरपुर**  
अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), खजिंदरपुर  
(मानव संसाधन)

No. 10552210

ccf production@rediffmail.com

संख्या: 335/702

खजिंदरपुर दिनांक 15/03/2012

मुख्य वन संरक्षक (श्रीजीत)  
सरगुजा वन प्र. अंबिकापुर  
छत्तीसगढ़

वन संरक्षण अधिनियम 1980 के तहत वनभूमि प्रत्यावर्तन प्रकरण परसा ईस्ट एवं केते वारीन कोल परियोजना हेतु प्रत्यावर्तित वनभूमि/ राजस्व वनभूमि में वर्ष 2015-16 (चतुर्थ वर्ष) में काटे जाने योग्य प्रस्तावित वृक्षों का विदोहन योजना। Regt. No. SARUSARUSSAR/MIN/2003/913

-:0:-

1. आपका पत्र क्रमांक/ना.वि/740, दिनांक 01.06.2015
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), छ.ग. रायपुर का पत्र क्रमांक/ भू-प्रबंध / खनिज /331-45/ 7023, दिनांक 20/04/2015 (जो मुख्य वन संरक्षक, सरगुजा को संबोधित)
3. भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्र./एफ नं 8-31/201 एफ.सी. दिनांक 15/03/2012

-: ❖ :-

उपरोक्त विषय में संदर्भित पत्रों का अवलोकन करें। व्यपवर्तन प्रकरण अंतर्गत आपके संदर्भित पत्र दिनांक 16.04.2015 द्वारा सरगुजा वनमंडल अंतर्गत परिक्षेत्र उदयपुर में 254.243 हेक्टेयर वनभूमि से प्रभावित वृक्षों के विदोहन की अनुमति चाही गई है। प्रतिवेदन अनुसार विवरण निम्नानुसार दर्शाया गया है-

इकाई का नाम	परिक्षेत्र का नाम	प्रत्यावर्तित भूमि (कम क्र. खसरा आदि)	विवरण		
			भूमि का प्रकार	प्रभावित रकबा (हे.)	विदोहन किये जाने वाले वृक्षों की संख्या
सरगुजा	उदयपुर	1. पी.- 2007 (135.255 हे.) 2. पी.- 2008 (19.691 हे.) 3. पी.- 2105 (8.043 हे.) 4. पी.- 2004 (43.220 हे.) 5. पी.- 2003 (3.900 हे.)	वनभूमि	210.109	13029
		1. राजस्व वन साल्ही (16.117) 2. राजस्व वन केते (25.77) 3. राजस्व वन हरिहरपुर ( 5.10)	राजस्व वनभूमि	44.134	1144
कुल योग				254.243	14173

क्रमशः.....2

उपरोक्त क्षेत्र में स्थित विदोहन हेतु परस्तागत कुल 14173 वृक्षों के विदोहन की स्वीकृति भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली द्वारा वन संरक्षण अधिनियम-1980 के प्रावधानों के तहत की गई अनुमति क्षेत्रों तथा अधिरोपित शर्तों के अधीन प्रदान की जाती है।

आंकलित व्यय राशि आवेदक संस्थान द्वारा वनमंडलाधिकारी को पी.डी.स्वाते में जमा कराये जाने के पश्चात् ही विदोहन कार्य प्रारंभ किया जाये।

प्रधान मुख्य वन संरक्षक, छत्तीसगढ़ के पत्र क्रमांक/नि.रा./का.आ./456, दिनांक 04.01.2012 के द्वारा दिये गए निर्देशों के अनुरूप वृक्षों के पातन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जाये।

विदोहन/परिवहन व्यय आवेदक संस्थान द्वारा जमा कराई गई राशि से की जावेगी। कार्य में व्यय निर्धारित। व्यय नार्मस एवं जॉबदरों पर किया जावे। आपके प्रतिवेदन अनुसार विदोहित किये जाने वाले भूमि में स्थित वृक्षों की संख्या एवं अनुमानित उत्पादन का विवरण निम्नानुसार दर्शायी गयी है :-

व.मंडल	वनोपज	वृक्षों की संख्या	अनुमानित उत्पादन	
			इमारती काष्ठ (घ.मी.)	जलाऊ(घ.मी.)
सरगुजा	काष्ठ	14173	3324.052	4014.753
योग		14173	3324.052	4014.753

उपरोक्तानुसार विदोहन उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में

प्रस्तुत करें।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़, रायपुर

रायपुर, दिनांक.....25...../06/2015

पू.क्रमांक/14/उत्पा.1/536/ 793

प्रतिदि पि-

1. अपर प्रधान मुख्य वन संरक्षक (पू-प्रबंध), छत्तीसगढ़, रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित।
2. वनमंडलाधिकारी, सरगुजा वनमंडल, सरगुजा की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़, रायपुर

**कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़**

अरम्य भवन, नार्थ ब्लॉक, सेक्टर-19, नया रायपुर, छत्तीसगढ़

शस्य-उत्पादन, द्वितीय तल कक्ष क्रमांक SL-06

क्रमांक/14/अ.पा.1/536/18-11

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क्रमांक/14/अ.पा.1/536/18-11

नया रायपुर, दिनांक 12/12/2017

प्रति,

मुख्य वन संरक्षक,  
रायपुरा वन प्रक, अरम्यभवन  
छत्तीसगढ़

विषय :-

Diversions of 1898.328 ha of forest land fro Parsa East and kete Basen Captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh. पार्सा ईस्ट कोले जस्टिन कोल परियोजना के अंतर्गत 3677 हे.मि. में 677 हे.मि. जमीन की अग्रणी मांग।

संदर्भ :-

1. भारत सरकार, वन एवं पर्याय मंत्रालय पत्र क्र/एफ.न.08/31/2010 एफ सी दिनांक 15.03.2012
2. 18 व. शासन, वन विभाग का पत्र क्रमांक/एफ.5/4/2010/10 2, दिनांक 28.03.2012
3. अ.प्र.पु.व.सं(शुभकं), 18 व.का.पत्र क्र/शुभकं/संवि-1/331-42/352, दिनांक 06.03.2012 एन क्रमांक/3633, दिनांक 19.12.2017
4. इस कार्यालय का पत्र क्रमांक/14/अ.पा.1/536/18-11, दिनांक 24.10.2017
5. मुख्य वन संरक्षक, रायपुरा वन प्रक का पत्र क्रमांक/1230, दिनांक 02.08.2017

उपरोक्त विषय में संदर्भित पत्रों का अनुसंधान करें।  
विषयवर्ती प्रकरण अंतर्गत संदर्भित पत्र क्रमांक 01 द्वारा 05वें वर्ष बायत परियोजना में प्रस्तावित 677 हे.मि. जमीन को विद्योत्पन्न योजना अर्धी अनुशंसा सहित प्रस्तुत कर विद्योत्पन्न की अग्रणी मांग है। प्रस्तुत विद्योत्पन्न योजना अनुसार अग्रणी मांग की जाने वाली भूमि का विवरण निम्नांकित तालिका में है।

वनप्रकार/परिचय	प्रस्तावित भूमि का कक्षा क्रमांक/खण्ड	भूमि का प्रकार	50 वर्षों में प्रस्तावित क्षेत्र का विवरण	21-60 से. की अवधि वर्ष के दौरान अग्रणी मांग की संख्या	इस कार्योत्पन्न द्वारा संदर्भित पत्र क्र/03 द्वारा प्रस्तुत अग्रणी	विद्योत्पन्न हेतु 50 वर्षों की अवधि में अग्रणी मांग की जाने वाली भूमि का क्षेत्रफल हे.मि.
1	2	3	4	5	6	7
	11-2005	परिष्कृत वन भूमि	31,600	805	3549	145
रायपुरा वन प्रक	राजस्थान राज्या विद्युत् उत्पादन निगम लि. 183/189	राजस्थान भूमि	17,871	625	3953	493
छत्तीसगढ़ वन प्रक	राजस्थान राज्या विद्युत् उत्पादन निगम लि. 216/191/192	राजस्थान भूमि	2,928	260	1107	39
	योग		52,399	1690	8609	677

प्रमाणित (2)



## कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़

अरण्य भवन, नार्थ ब्लॉक, रोड नं-१९, नया रायपुर छत्तीसगढ़  
(शाखा-उत्पादन)

फोन नं- 0771-2512822

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संख्या 12/536/2012

दि.

मुख्य वन संरक्षक,  
रायगुजा वन वृत्त, अंबिकापुर  
छत्तीसगढ़



नया रायपुर, दिनांक 29.06.2018

विषय:-

Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja forest Division in surguja District of Chhattisgarh.

संदर्भ:-

1. आपका पत्र क्रमांक/मा.चि/न.क्र.-08/2018/831, दिनांक 01.06.2018
2. भारत सरकार. पर्यावरण वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली का पत्र क्र./एफ नं S-31/2010-एफ.सी., दिनांक 15.03.2012
3. छ.ग. शासन, वन विभाग का पृ.क्र./एफ-5-4/2010/10-2, दिनांक 28.03.2012
4. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), छ.ग. रायपुर का पत्र क्रमांक/भू-प्रबंध/खनिज/331-45/355, दिनांक 06.03.2012

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उपरोक्त विषय में संदर्भित पत्रों का अवलोकन करें।

विषयांकित प्रकरण अंतर्गत संदर्भित पत्र क्रमांक 01 द्वारा 06वें वर्ष बाबत परियोजना में प्रभावित 15224

वृक्षों के विदोहन योजना अपनी अनुशंसा सहित प्रस्तुत कर विदोहन की अनुमति चाही गई है। प्रस्तुत विदोहन योजना अनुसार प्रत्यावर्तित की जाने वाली भूमि का विवरण निम्नानुसार दर्शाया गया है:-

वनवृत्त/परिक्षेत्र का नाम	प्रत्यावर्तित भूमि (कक्ष क्र.)	विवरण		
		भूमि का प्रकार	रकबा (हे.)	विदोहन सिधे जाने वाले वृक्षों की संख्या
रायगुजा	P-2005	संरक्षित वनभूमि	54.75	13221 नग
	P-2004	संरक्षित वनभूमि	05.01	2003 नग
कुल योग-			59.76	15224 नग

उपरोक्त वन क्षेत्र में स्थित प्रश्नाधीन कुल 15224 वृक्षों के विदोहन की स्वीकृत भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली द्वारा वन संरक्षण अधिनियम 1980 के प्रावधानों के तहत दी गई अनुमति क्षेत्रों तथा अधिरोपित शर्तों के अधीन प्रदान की जाती है।

प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स/का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति आवश्यक कार्यवाही की जावे।

अतिरिक्त  
DM  
इस हेतु  
काम हेतु  
मा. 12/536/2012  
विवरण-उत्पादन को

(2)

विदोहन व्यय आवेदक संस्थान द्वारा जमा करायी गई राशि से की जावेगी। कुर्ग में व्यय निर्धारित नार्मस जोबदरो पर किया जावे। आपके प्रतिवेदन अनुसार विदोहित किने जाने वाली भूमि में स्थित वृक्षों की संख्या एवं अनुमानित उत्पादन का विवरण निम्नानुसार दर्शायी गई है :-

वन मण्डल का नाम	वृक्षों की संख्या	अनुमानित उत्पादन	
		इमारती काष्ठ (घ.मी.)	जट्टाऊ (घट्टा)
सरगुजा	15224	2802.835	3695.84

उपरोक्तानुसार विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र हेतु कार्यालय को प्रस्तुत करें।

*[Handwritten Signature]*  
29/6/2018

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़ *[Handwritten Signature]*

नया रायपुर, दिनांक...29/06/2018

क्रमांक/14/उत्पा.1/536/1202  
प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. वनमंडलाधिकारी, सरगुजा वनमंडल, अंबिकापुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
5. स्टाफ आफिसर, प्रधान मुख्य वन संरक्षक, छ.ग. रायपुर की ओर सूचनार्थ प्रेषित।

*[Handwritten Signature]*  
29/6/2018

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़ *[Handwritten Signature]*



मुख्य प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख, छत्तीसगढ़  
अस्थायी शिवल, नार्थ ब्लॉक, सेक्टर-१९, अटल नगर, रायपुर (छत्तीसगढ़)  
(शाखा-उत्पादन)

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अटल नगर, दिनांक 25/02/2019

मुख्य वन संरक्षक,  
सरगुजा वन वृत्त, अंबिकापुर  
छत्तीसगढ़

Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Fidyat Utpadan Nigam Limited in South Surguja forest Division in surguja District of chhattisgarh.  
(सातवें वर्ष वनभूमि क अ पी-2003, रकबा 10.960 एवं पी- 2004 रकबा 9.190 हे. कुल वनक्षेत्र 20.150 हे. क्षेत्र में छड़े वृक्षों की विदोहन योजना)

1. आपका पत्र क्रमांक/ना.चि/न.क्र.-08/2019/113, दिनांक 13.01.2019
2. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली का पत्र क्र./एफ नं. 8-31/2010-एफ.सी, दिनांक 15.03.2012
3. छ.ग. शासन, वन विभाग का पृ.क्र./एफ-5-4/2010/10-2, दिनांक 28.03.2012
4. अपर प्रधान मुख्य वन संरक्षक (मू-प्रबंध), छ.ग. रायपुर का पत्र क्र./मू-प्रबंध/ खनिज/331-45/355, दिनांक 06.03.2012
5. अपर प्रधान मुख्य वन संरक्षक (मू-प्रबंध), छ.ग. रायपुर का यू.ओ. टीप क्रमांक/29, दिनांक 22.02.2019

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उपरोक्त विषय में संदर्भित पत्रों का अवलोकन करें।

विषयांकित प्रकरण अंतर्गत संदर्भित पत्र क्रमांक 01 द्वारा 07वें वर्ष बाबत परियोजना में प्रभावित 10779 हे. विदोहन योजना अपनी अनुशंसा सहित प्रस्तुत कर विदोहन की अनुमति चाही गई है। प्रस्तुत विदोहन योजना मुक्त प्रत्यावर्तित की जाने वाली भूमि का विवरण निम्नानुसार दर्शाया गया है:-

संकेत/परिक्षेत्र का नाम	प्रत्यावर्तित भूमि (कस क्र.)	विवरण		
		भूमि का प्रकार	रकबा (हे.)	विदोहन किये जाने वाले वृक्षों की संख्या
1	2	3	4	5
सरगुजा	P-2003	संरक्षित वनभूमि	10.960	3855
	P-2004	संरक्षित वनभूमि	9.190	6924
	कुल योग-		20.150	10779

क्रमशः.....(2)

उपरोक्त वन क्षेत्र में स्थित प्रस्ताधीन कुल 10779 वृक्षों के विदोहन की स्वीकृति भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली द्वारा वन संरक्षण अधिनियम 1980 के प्रावधानों के तहत की अनुमति क्षेत्रों तथा अधिरोपित शर्तों के अधीन प्रदान की जाती है।

प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.रा/का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति आवश्यक कार्यवाही की जाये।

विदोहन व्यय आवेदक संस्थान द्वारा जमा करायी गई राशि से की जावेगी। कार्य में व्यय निर्धारित शर्तों एवं जॉबदर्स पर किया जावे। आपके प्रतिवेदन अनुसार विदोहित किये जाने वाली भूमि में स्थित वृक्षों की संख्या एवं अनुमानित उत्पादन का विवरण निम्नानुसार दर्शायी गई है :-

वन मण्डल का नाम	वृक्षों की संख्या	अनुमानित उत्पादन	
		इमारती काष्ठ (घ.मी.)	जलाक (घ.मी.)
सरगुजा	10779	3002.698	2525.186

उपरोक्तानुसार विदोहन के उपरोक्त डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को प्रस्तुत करें।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़

अटल नगर, दिनांक 25/02/2019

पु. क्रमांक/14/उत्पा.1/536/ 385

प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर कार्यालयीन यू.ओ. क्रमांक/29, दिनांक 22.02.2019 के तारतम्य में सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. वनमंडलाधिकारी, सरगुजा वनमंडल, अंबिकापुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़



उपरोक्त प्रश्नाधीन प्रत्यावर्तित भूमि कक्षा क्रमांक - पी-2003 एवं पी-2004 के वास्तविक रकबा 70.150 हे. वन क्षेत्र में स्थित कुल 10779 वृक्षों के विदोहन की चाही गयी स्वीकृति के परिप्रेक्ष्य में सैदांतिक स्वीकृति प्रदान की जाती है। वास्तविक रकबा 70.150 हे. के विरुद्ध प्रस्तावित कक्षा का विवरण प्रस्तुत करने पर औपचारिक स्वीकृति प्रदान की जावेगी। भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन, मंत्रालय, नई दिल्ली द्वारा वन संरक्षण अधिनियम 1980 के प्रावधानों के तहत अधिरोपित संदर्भ व शर्तों पर एवं अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. द्वारा निर्धारित लक्ष्यों व शर्तों का पालन किया जाना सुनिश्चित करे।

यह भी सुनिश्चित करें कि उपरोक्त स्वीकृति अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) द्वारा व्यापवर्तित की जाने वाले विदोहन योजना में निर्धारित लक्ष्यों से अधिक क्षेत्रों पर कोई कार्य अथवा वृक्षों का विदोहन कदापि न किया जाये।

प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स/का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति संदर्भित अपेक्षित कार्यवाही सुनिश्चित की जावे।

विदोहन व्यय आवेदक संस्थान द्वारा जमा करायी गई राशि से की जावेगी। कार्य में व्यय निर्धारित नार्सल एवं जॉबदरों पर किया जावे।

उपरोक्तानुसार विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को प्रस्तुत करें।

  
(अनूप कुमार श्रीवास्तव)

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)

छत्तीसगढ़

नवा रायपुर, अटल नगर, दिनांक-10/12/2019

प. क्रमांक/14/उत्पा.1/536/2266

प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
2. वनमंडलाधिकारी, सरगुजा वनमंडल, आंबिकापुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

  
(अनूप कुमार श्रीवास्तव)  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़



राज्य सरकार, राजस्थान  
राज्य मन्त्रालय, राजस्थान  
राज्य मन्त्रालय, राजस्थान  
(राज्य मन्त्रालय)

मुख्य वन संरक्षक  
भारत सरकार, राजस्थान  
जयपुर

Diversion of 1898.328 ha. of forest land for Parsa East and West Basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam limited in South Surguja forest division in Surguja District of Chhattisgarh.  
परसा ईस्ट केते कोयला परियोजना क्षेत्र में प्रथम चरण हेतु स्वीकृत वनक्षेत्र 762.00 हे. में से कुल 95.442 हे. आठवें चरण के लिए मानन हेतु प्रस्तावित करने हेतु विदोहन योजना की स्वीकृति बाबत अभिमत देने के संबंध में।

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- 1 अर्चना पत्र क्रमांक/न.दि/न.क.08/2020/1929, दिनांक 28.11.2020
- 2 भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय एवं वन विभाग का पत्र क्रमांक/एफ.न./8-31/2010-एकमी (पं.सं.) दिनांक 15.03.2012
- 3 उत्तरीमण्डल शासन वन विभाग का पत्र क्रमांक/एफ.न.-5-4/2010/10-2 दिनांक 28.03.2012
- 4 अर्चना प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्रमांक/भू-प्रबंध/सनिज/331-19/2235, दिनांक 09.12.2020

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उपरोक्त विषय में संदर्भित पत्रों का अवलोकन एवं विगत माध्यम से प्राप्त विषयवस्तु प्रकरण अंतर्गत परसा ईस्ट केते कोयला परियोजना हेतु भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली (संदर्भ क्रमांक-2 में अनुसार) द्वारा मानन स्वीकृत क्षेत्र 1898.328 हे. में से 762.00 हे. प्रथम चरण में स्वीकृत प्रस्तावित वनक्षेत्र के (संदर्भ क्रमांक-1 के अनुसार) अंतर्गत स्वीकृत क्षेत्र 762.00 हे. में से आठवें चरण हेतु 95.442 हे.के तहत व्यापवर्तित वन फसल क्रमांक पी 2003 पी 2004 एवं पी 2005 के रकबा 95.442 हे. में स्थित 13133 नाग हाथे वृक्षों के विदोहन की स्वीकृति प्रदान करने का अनुरोध किया गया है।

1. कल क्रमांक-पी 2003, पी 2004 एवं पी 2005 के रकबा 95.442 हे. में स्थित 13133 नाग वृक्षों के विदोहन/परिचालन अनुसार प्रस्तावित की जाने वाली भूमि का विवरण निम्नानुसार दर्शाया गया है:-

ग्राम मण्डल का नाम	परिक्षेत्र का नाम	प्रत्यावर्तित भूमि	विवरण		
			भूमि का प्रकार	रकबा हे.	विदोहन किये जाने वाले वृक्षों की संख्या
सरगुजा	उदयपुर	पी 2003	आरक्षित वन भूमि		
		पी 2004		23.559	3034
		पी 2005		14.011	1407
		योग-		57.872	8692
			95.442	13133	

1. आपको प्रतिवेदन अनुसार विदोहित किये जाने वाली भूमि में स्थित वृक्षों की संख्या एवं अनुमानित उत्पादन का विवरण निम्नानुसार दर्शाया गया है:-

ग्राममण्डल का नाम	परिक्षेत्र	फसल क्रमांक	वृक्षों की संख्या	अनुमानित उत्पादन		ट्री ट्रान्सप्लान्टेशन हेतु पीघो की संख्या
				इमारती काष्ठ(घ.मी)	जलाऊ चट्टा	
सरगुजा	उदयपुर	पी 2003	3034	636.942	819	387
		पी 2004	1407	519.582	435	55
		पी 2005	8692	1259.467	1519	241
		योग -	13133	2415.991	2773	683

21 उपरोक्तानुसार आरक्षित, वन क्षेत्र 95.442 हे. में स्थित प्रश्नाधीन कुल 13133 वृक्षों के दिल्ली के (संदर्भ क्रमांक-2) पत्र क्रमांक/एफ.नं./8-31/2010- एफ.सी.(पी.टी.), दिनांक 15.03.2012, संदर्भ क्रमांक-3 एवं संदर्भ क्रमांक-4 द्वारा जारी औपचारिक स्वीकृति में उल्लेखित अधिरोपित शर्तें वन संरक्षण अधिनियम 1980 के प्रावधानों के तहत अधीन प्रदान की जाती हैं।

22 अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध एवं नोडल अधिकारी) के पत्र संदर्भ नं.-04 के द्वारा दिये गये निर्देश- "कुल 762 हे. वनभूमि में वन संरक्षण अधिनियम के अंतर्गत आवेदक संस्थान को उपयोग की अनुमति दी जा सकती है बशर्ते आवेदक संस्थान माईनिंग प्लान में बिना कोई परिवर्तन किये क्रमबद्ध तरीके से खनन का कार्य संपादित करें तथा किसी भी स्थिति में संपूर्ण खनन का रकबा 762 हे. वनभूमि से अधिक न हो। भारत सरकार की स्वीकृति दिनांक 15.03.2012 के समस्त शर्तों का पालन कराया जाना वनमण्डलाधिकारी सरगुजा वनमण्डल का पूर्ववत दायित्व रहेगा।" का पालन किया जाना सुनिश्चित हो।

23 प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स./का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जावे।

24 विदोहन व परिवहन आदि व्यय मुख्य वन संरक्षक द्वारा स्वीकृत विदोहन योजना अनुसार आवेदक संस्थान द्वारा जमा करायी गई राशि से की जायेगी। कार्य में व्यय शासन व विभाग द्वारा निर्धारित नाम्स एवं जॉबदरो पर किया जावे।

25 विदोहन योजना के संबंध में समय-समय पर भारत शासन/राज्य शासन/वन विभाग द्वारा जारी निर्देशों का पालन भी किया जावे।

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(11)

विद्योत्पन्न के उपरोक्त डिप्टी में प्राप्त वास्तुविषय मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को अनिवार्य रूप से उपलब्ध करानी जाये।

उपरोक्त तालिका में दर्शित प्रत्यापन आरम्भित, वन क्षेत्र को 95.442 हे. में स्थित प्रस्तावित 13133 वृक्षों के विद्योत्पन्न कार्य पूर्ण रूप से वन विभाग द्वारा स्वीकृति की उपरोक्त शर्तों का पालन किये जाने की शर्त पर की जाती है।

उपरोक्त पत्र में गड़े वृक्षों के विद्योत्पन्न हेतु अनुमति पत्र में कियी भी प्रकार की युक्ति परिलक्षित होती है तो इस कार्यालय को अद्यतन कराये अन्यथा उक्त जवायदागी आपकी होगी।

  
14.12.20  
(जयसिंह महस्के)

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़

क्रमांक/14/उत्पा.1/536/1432  
प्रतिलिपि:-

नवा रायपुर, अटलनगर, दिनांक 14/12/2020

1. प्रधान मुख्य वन संरक्षक, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़ की ओर सूचनार्थ ।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध), छत्तीसगढ़ की ओर सूचनार्थ प्रेषित। कृपया नोडल विभाग की हैसियत से आप अपने स्तर से उपरोक्त पत्रों के संदर्भ में अपेक्षित कार्यवाही हेतु भारत सरकार द्वारा दी गई अनुमति के अनुसार मुख्य वन संरक्षक सरगुजा द्वारा प्रेषित जानकारी की मुष्टि करने एवं भारत सरकार/राज्य सरकार/स्थानीय प्रशासन/विभाग द्वारा जारी निर्देशों में उल्लेखित शर्तों के शर्त पालन किये जाने हेतु मुख्य वन संरक्षक सरगुजा वृत्त को निर्देश जारी करें।
3. वनमण्डलाधिकारी सरगुजा वनमण्डल की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
4. Superintending Engineer, Rajsthan Rajya Vidyut Utapadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur को सूचनार्थ।

  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़



कार्यालय मुख्य वन संरक्षक, सरगुजा वनवृत्त, अम्बिकापुर (छ0ग0)

Ph.No. :- (O) 07774-240544, (R) 240019, (F) 240682 E-Mail :- cfsurguja@rediffmail.com

क्र0/मा.चि./न0क्र0-08/2022  
प्रति,

3862

अम्बिकापुर, दिनांक 12/05/2022

वनमण्डलाधिकारी,  
सरगुजा वनमण्डल, अम्बिकापुर

विषय :- **Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg.**

संदर्भ :- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. नवा रायपुर का पत्र क्रमांक/उत्पा-1/536/2022/1596 दिनांक 05.05.2022

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विषयांकित वनभूमि व्यपवर्तन प्रकरण परसा ईस्ट एवं केते बासेन कोल ब्लॉक परियोजना रकबा 1898.328 हे. से कोयला उत्खनन कार्य हेतु MOEF नई दिल्ली के पत्र दिनांक 02.02.2022 एवं छ.ग. शासन वन एवं जलवायु परिवर्तन विभाग रायपुर के पत्र दिनांक 25.03.2022 (द्वितीय चरण स्वीकृति) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg हेतु 9वें वर्ष के प्रथम चरण में संरक्षित वनभूमि रकबा 43.630 हे. वनभूमि में स्थित प्रश्नाधीन 7960 नग वृक्षों के विदोहन की अनुमति शर्त अधिरोपित कर अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र के माध्यम से प्रदान की गई है।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र की प्रति संलग्न कर आपको निर्देशित किया जाता है कि वृक्षों के विदोहन हेतु प्रदत्त अनुमति तहत अधिरोपित शर्तों का कड़ाई से पालन करते हुए उक्तानुसार पत्र में दिये गये निर्देशानुसार कार्यवाही करना सुनिश्चित करें।  
संलग्न :- संदर्भित पत्र।

मुख्य वन संरक्षक

सरगुजा वनवृत्त, अम्बिकापुर

पृ0क्र0/मा.चि./न0क्र0-08/2022

3863

अम्बिकापुर, दिनांक 12/05/2022

प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
3. **Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur** की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य वन संरक्षक

सरगुजा वनवृत्त, अम्बिकापुर



## कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़

अरण्य भवन, सेक्टर-19, नार्थ ब्लॉक, नवा रायपुर, अटल नगर, रायपुर

(शाखा-उत्पादन)

फोन नं.0771-2512822

ई-मेल apccf-production.cg@gov.in

क्रमांक/14/उत्पा/536/2022-कटाई अनु.क्र.-23/ 1536

नवा रायपुर अटल नगर दिनांक 05/05/2022

प्रति,

मुख्य वन संरक्षक  
सरगुजा वन वृत्त, सरगुजा  
छत्तीसगढ़

**विषय :-** Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basan Captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of permission for mining over Phase-II area-reg.

- संदर्भ:-**
1. आपका पत्र क्रमांक/मा.वि./न.क्र.-08/2022/1087 दिनांक 28.04.2022
  2. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 06.07.2011 (प्रथम चरण) एवं पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 15.03.2012, पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 02.02.2022 (द्वितीय चरण)
  3. छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग, मंत्रालय, अटल नगर नवा रायपुर का पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 28.03.2012 एवं पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (द्वितीय चरण)
  4. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/खनिज/331-45/771 दिनांक 04.04.2022, पत्र क्र./भू-प्रबंध/खनिज/331-45/956 दिनांक 26.04.2022, पत्र क्र./भू-प्रबंध/खनिज/331-45/992 दिनांक 02.05.2022

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उपरोक्त विषय में संदर्भित पत्र दिनांक 28.04.2022 का अवलोकन करें, जिसके माध्यम से आपके द्वारा विषयवस्तु प्रकरण सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basan Captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of permission for mining over Phase-II area-reg. हेतु भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई सशर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) के अनुसार सरगुजा वनमण्डल अंतर्गत व्यपवर्तन स्वीकृत क्षेत्र के 9वें वर्ष के प्रथम चरण हेतु 43.63 हे. से संबंधित प्रकरण के तहत संरक्षित भूमि में प्रभावित 7760 नग वृक्षों के विदोहन की स्वीकृति का प्रस्ताव प्राप्त हुआ है, जिसमें दर्शित विवरण निम्नानुसार है :-

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(2)

1.1/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली आरक्षित एवं संरक्षित वनभूमि में विदोहित किये जाने वाले वृक्षों का विवरण निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.मै.)	विदोहित किये जाने वाले वृक्षों की संख्या	रिमाक (विचंगण वृक्ष पोलाड वृक्ष संख्या)
1	2	3	4	5	6	7	8
1	सरगुजा	उदयपुर	संरक्षित	पी 2003	29.79	6253	158
2	सरगुजा	उदयपुर	संरक्षित	पी 2004	13.84	1707	75
योग					43.63	7960	263

1.2/- सरगुजा वनमण्डल के अंतर्गत आरक्षित एवं संरक्षित वन भूमि में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण निम्नानुसार दर्शाया गया है:-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.मै.)	विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
						प्रजाति	संख्या	इमारती काष्ठ (घ.मी.)	उत्पाद काष्ठ (घ.मी.)	योग (9+10)
1	2	3	4	5	6	7	8	9	10	11
1	सरगुजा	उदयपुर	संरक्षित	पी 2003	29.79	संलग्न*	6253	630.658	442.000	1072.658
2	सरगुजा	उदयपुर	संरक्षित	पी 2004	13.84	संलग्न*	1707	431.163	181.600	612.763
योग							7960	1061.821	623.600	1685.421

टीप:- संदर्भित पत्र दिनांक 28.04.2022 में संलग्नक\* उपवनमंडलाधिकारी, उपवनमंडल, उदयपुर का पत्र क्रमांक/शि.लि./22/629, दिनांक 22/04/2022 उत्तेलित प्रपत्र-ख-01 में संलग्न अनुसार प्रजाति एवं वृक्षों के अनुमानित उत्पादन अनुसार विदोहन की कार्यवाही की जाये।

1.3/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वन भूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र -ग में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि)	ग्राम का नाम	खसरा क्र.	प्रभावित रकबा (हे.मै.)	कलेक्टर की अनारपलिन के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		रिमाक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
-निरंक-									

(3)

1.4/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वनभूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ग-01 में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि/ नारंगी वन क्षेत्र)	ग्राम का नाम	खसरा क्र. संख्या	प्रभावित रकबा (इं.में)	कलेक्टर की अनुमति के प्रमाण के विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
							प्रजाति	संख्या	ईमारती कण्ड (घ.मी.)	जन्तु कण्ड (घ.मी.)	योग (घ.मी.) (10+11)
1	2	3	4	5	6	7	8	9	10	11	12

- निरंक -

1.5/- सरगुजा वनमण्डल के अंतर्गत राजस्व भूमि में विदोहित किये जाने वाले वृक्षों का विवरण निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	ग्राम का नाम	भूमि का प्रकार	खसरा क्रमांक	प्रभावित रकबा (इं.में)	कलेक्टर की अनुमति में विदोहित किये जाने वाले वृक्षों का विवरण		रिमांक
							क्रमांक/ दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10

- निरंक -

1.6/- परिवहन, कटाई एवं दुलाई व्यय हेतु पी.डी. खाते में जमा किये गए राशि का विवरण :-

वनमण्डल	चालान क्रमांक/ डी.डी. क्र.	दिनांक	जमा खाते का विवरण पत्र क्र./ दिनांक	राशि का विवरण परिवहन, कटाई एवं दुलाई (राशि रु. में)
1	2	3	4	5
सरगुजा	चा. क्र.- 17	29.04.2022	8443 Civil Deposit 106 PD Account No. 029900\$	परिवहन एवं दुलाई व्यय - 38,48,558
	डी.डी.क्र - 317787	26.04.2022		कटाई कार्य - 75,51,651
				सीमांकन एवं मार्किंग कार्य - 1,41,370
				अन्य व्यय - 11,54,158
योग				1,26,95,737/-

क्रमशः 4

1.7/-

अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के द्वारा विषयवस्तु प्रकरण में वृक्षों के विरोधन हेतु अब तक दी गई स्वीकृति का विवरण :-

अनुक्रमांक	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा अब तक जारी अनुमति का विवरण		रियाज
	क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4
1	560/31.03.2012	21465	222.100 (प्रयोजित रकबा क्षेत्र)
2	792/10.06.2015	14173	254.243 (प्रयोजित रकबा क्षेत्र)
3	2284/27.12.2017	677	52.199 (प्रयोजित रकबा क्षेत्र)
4	1201/29.06.2018	15224	59.760 (प्रयोजित रकबा क्षेत्र)
5	2359/31.12.2019	10779	70.150 (प्रयोजित रकबा क्षेत्र)
6	1431/14.12.2020	13133	95.442 (प्रयोजित रकबा क्षेत्र)
योग		75451	753.894

- 2/ उपरोक्तानुसार भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई सख्त अनुमति के प्रदान में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basan Captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of permission for mining over Phase-II area-रकबा हेतु एवं वर्ष के प्रथम चरण हेतु रकबा 43.63 हे. वन भूमि को वन संरक्षण अधिनियम 1980 की धारा 2 के अंतर्गत दी गई सख्त अनुमति एवं अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क/भू-प्रबंध/खनिज/331-45/956, दिनांक 26.04.2022 द्वारा मुख्य वन संरक्षक, सरगुजा वन मण्डल को व्यपवर्तन की अनुमति एवं पत्र क/भू-प्रबंध/ खनिज/331-45/992, दिनांक 02.05.2022 के द्वारा अपर प्रधान मुख्य वन संरक्षक (उत्पादन), छत्तीसगढ़ के द्वारा प्रस्ताधीन 7960 नग वृक्षों के विरोधन की अनुमति दी गई है। उक्त के परिप्रेक्ष्य में उपरोक्त तालिका संदर्भित पत्र क (1) में दस्तावेज विवरण के अनुसार संरक्षित वनभूमि के रकबा 43.63 हे. में स्थित प्रस्ताधीन 7960 नग वृक्षों के विरोधन की स्वीकृति निम्न शर्तों के अधीन प्रदान की जाती है :-

- (1) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के संदर्भित पत्र दिनांक 02.02.2022 (संदर्भ क्रमांक-2) द्वारा जारी औपचारिक स्वीकृति में उल्लेखित अधिरोपित शर्तें एवं वन संरक्षण अधिनियम 1980 के प्रावधानों का अक्षरशः पालन किया जाने की शर्तों के अधीन प्रदान की जाती है।
- (2) छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र क्रमांक/एफ 5-4/2016/10-2 दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित शर्तों का पालन किया जाये।



क्रमशः 5 .....

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- (3) मुख्य वन संरक्षक, सरगुजा द्वारा स्वीकृत विदोहन योजना अनुसार, प्रकरण संदर्भित 7960 नग वृक्ष के विदोहन योजना अंतर्गत होने वाले व्यय निम्नमें कटार, हुलाई एवं परित्रहन इत्यादि व्यय शासन व विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं खोंबदरों पर आवेदक संस्थान के द्वारा सरगुजा वनमण्डल के पी.डी.आर. में जमा की गई राशि में किया जावे।
- (4) प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स./का.आ./436 दिनांक 04/10/2012 के द्वारा दिष्ट व्यय निर्देशों के अनुरूप समतुल्य पालन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जावे।
- (5) विदोहन योजना के संबंध में समय-समय पर भारत शासन/राज्य शासन/वन विभाग द्वारा जारी निर्देशों का पालन भी किया जावे।
- (6) उपरोक्त प्रकरण में संबंधित संस्थान द्वारा सरगुजा वनमण्डल हेतु व्यय राशि व्ययन क्रमांक-1 दिनांक 29.04.2022 डी.डी.क्र. 317787 राशि रु. 1,26,95,737/- व्यय किया जावेगा, निम्नमें प्रकरण संदर्भित कटार, हुलाई एवं परित्रहन इत्यादि हेतु होने वाले संभावित व्यय हेतु संदर्भित पत्र दिनांक 28/04/2022 के द्वारा विवरण अनुसार कार्य किया जावे। यदि विदोहन कार्य हेतु शासन एवं विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं खोंबदरों पर विशेष परिस्थितियों के कारण विदोहन कार्य कराया जाना संभव नहीं हो तो विभाग द्वारा निर्धारित नॉर्म्स से अधिक व्यय होने की स्थिति में आवेदक संस्थान के द्वारा जमा राशि की सीमा तक Work Study कराई जाकर विशेष प्रकरण तैयार कर विशेष नॉर्म्स की स्वीकृति इन कार्यालय से ली जाये।
- (7) विषयवस्तु प्रकरण अंतर्गत 7960 नग वृक्ष विदोहन की अनुमति भारत सरकार के संदर्भित पत्र दिनांक 02/02/2022 (संदर्भ क्रमांक-02) के द्वारा दी गई शर्त स्वीकृति एवं हस्तासिद्ध शासन के पत्र दिनांक 25/03/2022 (संदर्भ क्रमांक-03) विदोहन की समस्त शर्तों का पालन कराया जाना प्रकरण के वनमण्डलाधिकारी सह नोडल अधिकारी सरगुजा वनमण्डल का दायित्व रहेगा। उक्त का पालन किया जाना सुनिश्चित हो।
- (8) उपरोक्त तालिका में दर्शित प्रत्यावर्तित संरक्षित वनभूमि के प्रभाविन रकबा 43.63 हे. में स्थित वनभूमि कुल 7960 नग वृक्षों के विदोहन कार्य पूर्ण रूप से वन विभाग द्वारा किये जाने की शर्त पर एवं उपरोक्त शर्तों का पालन किये जाने की शर्त पर दी जाती है।
- (9) विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इन कार्यालय को अनिवार्य रूप से उपलब्ध करायी जाये।
- (10) संदर्भित पत्र दिनांक 28/04/2022 के संलग्नक\* उपवनमंडलाधिकारी, उपवनमंडल, उदयपुर का पत्र क्रमांक/शि.लि./22/629 दिनांक 22/04/2022 प्रपत्र-सं-01 में दर्शित संलग्न अनुसार विदोहन की कार्यवाही कर पृथक से विदोहित वृक्षों की प्रजाति एवं संख्या की जानकारी से अवगत कराया जाये।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
हज्जीसगढ़

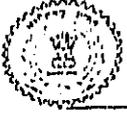
पृ. क्रमांक/14/उत्पा 1/536/2022-कटाई अनु. क्र -23/ 1597

न.म. रायपुर, अटलनगर दिनांक 25/05/2022

प्रतिलिपि:-

1. वरिष्ठ निज सहायक, प्रधान मुख्य वन संरक्षक एवं वन वल प्रमुख, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़ की ओर सूचनार्थ।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क/भू-प्रबंध/स्निज/331-45/271 दिनांक 04.04.2022, पत्र क/भू-प्रबंध/स्निज/331-45/956, दिनांक 26.04.2022, पत्र क/भू-प्रबंध/ स्निज/ 331-45/992, दिनांक 02.05.2022 के संदर्भ में सूचनार्थ प्रेषित। कृपया नोडल विभाग की हैमियत में आप अपने स्तर से उपरोक्त पत्र के संदर्भ में अपेक्षित कार्यवाही हेतु भारत सरकार एवं राज्य सरकार द्वारा दी गई अनुमति के अनुसार मुख्य वन संरक्षक मरगुजा द्वारा प्रेषित जानकारी की पुष्टि करने एवं भारत सरकार/राज्य सरकार/स्थानीय प्रशासन/विभाग द्वारा जारी निर्देशों में उल्लेखित शर्तों के मर्त पालन किए जाने हेतु मुख्य वन संरक्षक मरगुजा वृत्त को निर्देश जारी करें।
3. वनमण्डलाधिकारी सरगुजा वनमण्डल (प्रकरण के नोडल अधिकारी) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
4. Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ प्रेषित।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़



कार्यालय मुख्य वन संरक्षक, सरगुजा वनवृत्त, अम्बिकापुर (छ0ग0)

Ph.No. :- (O) 07774-240544, (R) 240019, (F) 240682 E-Mail :- cfsurguja@rediffmail.com

क्र0/मा.चि./न0क्र0-08/2023/7056

अम्बिकापुर, दिनांक 12/12/2023

प्रति,

वनमण्डलाधिकारी,  
सरगुजा वनमण्डल, अम्बिकापुर

विषय :- Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg.

संदर्भ :- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. नवा रायपुर का पत्र क्रमांक/14/उत्पा-1/536/2022-कटाई अनु.क्र-51/1833 दिनांक 11.12.2023

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विषयांकित वनभूमि व्यपवर्तन प्रकरण परसा ईस्ट एवं केते बासेन कोल ब्लॉक परियोजना रकबा 1898.328 हे. से कोयला उत्खनन कार्य हेतु MOEF नई दिल्ली के पत्र दिनांक 02.02.2022 एवं छ.ग. शासन वन एवं जलवायु परिवर्तन विभाग रायपुर के पत्र दिनांक 25.03.2022 (द्वितीय चरण स्वीकृति) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg हेतु 9वें वर्ष के द्वितीय चरण में संरक्षित वनभूमि रकबा 91.130 हे. वनभूमि में स्थित प्रश्नाधीन 15307 नग वृक्षों के विदोहन की अनुमति शर्त अधिरोपित कर अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र के माध्यम से प्रदान की गई है।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र की प्रति संलग्न कर आपको निर्देशित किया जाता है कि वृक्षों के विदोहन हेतु प्रदत्त अनुमति तहत अधिरोपित शर्तों का कड़ाई से पालन करते हुए उक्तानुसार पत्र में दिये गये निर्देशानुसार कार्यवाही करना सुनिश्चित करें।  
संलग्न :- संदर्भित पत्र।

मुख्य वन संरक्षक  
सरगुजा वनवृत्त, अम्बिकापुर

अम्बिकापुर, दिनांक 12/12/2023

पृ0क्र0/मा.चि./न0क्र0-08/2023/7057  
प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
3. Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य वन संरक्षक  
सरगुजा वनवृत्त, अम्बिकापुर



## कार्यालय प्रधान मुख्य वन संरक्षक, छत्तीसगढ़

अरण्य भवन, सेक्टर-19, नार्थ ब्लॉक, नवा रायपुर, अटल नगर, रायपुर

(शाखा-उत्पादन)

फोन नं.0771-2512822

ई-मेल apccf-production.cg@gov.in

क्रमांक/14/उत्पा.1/536/2022-कटाई अनु क्र.-51/1833

नवा रायपुर, अटल नगर, दिनांक 11/12/2023

प्रति,

मुख्य वन संरक्षक  
सरगुजा वन वृत्त, सरगुजा  
छत्तीसगढ़

**विषय :-** Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur , District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area-reg.

(वन संरक्षण अधिनियम 1980 के तहत वन भूमि प्रत्यावर्तन प्रकरण परसा ईस्ट एण्ड केते वासेन कोल परियोजना से कोल उत्खनन कार्य हेतु Phase-II के तहत 9वें वर्ष द्वितीय चरण हेतु कक्ष क्रमांक पी. 2003, पी. 2004, पी. 2005 एवं पी. 2016 , कुल रकबा 91.130 हे. वनभूमि में खड़े वृक्षों के विदोहन की अनुमति वावत)

- संदर्भ:-**
1. आपका पत्र क्रमांक/मा.चि./न.क्र.-08/2023/4010 दिनांक 07.12.2023
  2. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 06.07.2011 (प्रथम चरण) एवं पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 15.03.2012, पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 02.02.2022 (द्वितीय चरण)
  3. छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग, मंत्रालय, अटल नगर नवा रायपुर का पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 28.03.2012 एवं पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (द्वितीय चरण)
  4. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/खनिज/331-45/771. दिनांक 04.04.2022 एवं पत्र क्र./भू-प्रबंध/खनिज/331-45/2715, दिनांक 08.12.2023
  5. वनमण्डलाधिकारी सरगुजा का पत्र क्रमांक/तक.अधि./172 दिनांक 08.12.2023

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उपरोक्त विषय में संदर्भित पत्र दिनांक 07.12.2023 का अवलोकन करें, जिसके माध्यम से आपके द्वारा विषयांकित प्रकरण सरगुजा वनमण्डल अंतर्गत Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur , District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area हेतु भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई सशर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) के अनुसार द्वितीय चरण (Phase-II) हेतु स्वीकृत रकबा 1136 हे. में से 91.130 हे. सरगुजा वनमण्डल अंतर्गत व्यपवर्तन क्षेत्र के 9वें वर्ष से संबंधित प्रकरण के तहत संरक्षित भूमि में प्रभावित 15307 नग वृक्षों के विदोहन की स्वीकृति का प्रस्ताव प्राप्त हुआ है, जिसमें दर्शित विवरण निम्नानुसार है :-

क्रमशः 2 .....

(2)

1.1/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली आरक्षित एवं संरक्षित वनभूमि में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र-ख) निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमंडल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों की संख्या	रिमांक (चिन्हित टूट पोतार्ड वृक्ष संख्या)
1	2	3	4	5	6	7	8
1	सरगुजा	उदयपुर	संरक्षित	पी. 2003	16.800	3555	40
2	सरगुजा	उदयपुर	संरक्षित	पी. 2004	40.920	7464	76
3	सरगुजा	उदयपुर	संरक्षित	पी. 2005	24.090	2373	26
4	सरगुजा	उदयपुर	संरक्षित	पी. 2016	09.320	1915	25
योग					91.130	15307	167

1.2/- सरगुजा वनमण्डल के अंतर्गत आरक्षित एवं संरक्षित वन भूमि में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ख 01) निम्नानुसार दर्शाया गया है:-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
						प्रजाति	संख्या	ईमारती काष्ठ (घ.मी.)	चतक काष्ठ (घ.मी.)	योग (घ.मी.) (9+10)
1	2	3	4	5	6	7	8	9	10	11
1	सरगुजा	उदयपुर	संरक्षित	पी 2003	16.800	साल	997	483.050	178.751	661.801
						बीजा, तिनसा, पीशाम, स्रम्हार	2	0.025	0.018	0.043
						हल्दी, मुण्डी कथाई	2	0.561	1.402	1.963
						राजा, अर्जुन	24	5.775	4.166	9.941
						अन्य	2530	165.568	184.741	350.309
योग :-							3555	654.979	369.078	1024.057

कमश: 3 .....

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्षा क्र.	प्रभावित रकबा (हे.मै.)	विद्योहित किए जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन			
						प्रजाति	संख्या	ईसाजी काठ (घ.मी.)	जगाऊ काठ (घ.मी.)	योग (घ.मी.) (9+10)	
1	2	3	4	5	6	7	8	9	10	11	
2	सरगुजा	उदयपुर	संरक्षित	पी. 2004	40.920	सात	2225	1837.151	575.058	2412.209	
						बीजा, तिनसा, शीशम, खम्हार	16	2.280	4.351	6.631	
						हल्दू, मुण्डी कपाई,	2	0.361	0.904	1.265	
						साजा, अर्जुन	94	47.984	21.533	69.517	
						अन्य	5127	474.972	500.548	975.52	
योग :-								7464	2362.748	1102.444	3465.192
3	सरगुजा	उदयपुर	संरक्षित	पी. 2005	24.090	सात	777	657.832	194.566	852.398	
						बीजा, तिनसा, शीशम, खम्हार	9	2.101	2.400	4.501	
						हल्दू, मुण्डी कपाई,	0	0	0.000	0	
						साजा, अर्जुन	1	0.5	0.125	0.625	
						अन्य	1586	190.127	198.938	389.065	
योग :-								2373	850.560	396.029	1246.589
4	सरगुजा	उदयपुर	संरक्षित	पी. 2016	09.320	सात	653	129.222	80.468	209.69	
						बीजा, तिनसा, शीशम, खम्हार	5	0.021	0.051	0.072	
						हल्दू, मुण्डी कपाई,	1	0.064	0.159	0.223	
						साजा, अर्जुन	20	1.505	1.388	2.893	
						अन्य	1236	51.296	68.314	119.61	
योग :-								1915	182.108	150.38	332.488
कुल योग :-								15307	4050.395	2017.931	6068.326

टीप :- मु.व.सं. सरगुजा के संदर्भित पत्र मा.चि./न.क्र.-08/2023/4010 दिनांक 07.12.2023 से प्रस्तुत प्रस्ताव विदोहन प्रकरण में उल्लेखित चिन्हित टूठ पोलाई एवं अनुमानित उत्पादन को सम्मिलित कर विदोहन की कार्यवाही की जाये।

(4)

1.3/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वन भूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र -ग में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि)	ग्राम का नाम	खसरा क.	प्रभावित रकबा (हे.में)	कलेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		रिमाक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
-निरंक -									

1.4/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वनभूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ग-01 में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु. क.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि/ नारंगी वन क्षेत्र)	ग्राम का नाम	खसरा क.	प्रभावित रकबा (हे.में)	कलेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
							प्रजाति	संख्या	ईमारती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	बेल (घ.मी.) (10+11)
1	2	3	4	5	6	7	8	9	10	11	12
- निरंक -											

1.5/- सरगुजा वनमण्डल के अंतर्गत राजस्व भूमि में विदोहित किए जाने वाले वृक्षों का विवरण (प्रपत्र- घ) निम्नानुसार दर्शाया गया है :-

अनु. क.	वनमण्डल का नाम	परिक्षेत्र का नाम	ग्राम का नाम	भूमि का प्रकार	खसरा क्रमांक	प्रभावित रकबा (हे.में)	कलेक्टर की अनुमति से विदोहित किये जाने वाले वृक्षों का विवरण		रिमाक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
- निरंक -									

(5)

1.6/- परिवहन, कटाई एवं डुलाई व्यय हेतु पी.डी. खातों में जमा किए गए राशि का विवरण (प्रपत्र- ड.) :-

वनमण्डल	खालान क्रमांक/ डी डी नं	दिनांक	जमा खाते का विवरण पत्र क्र/ दिनांक	राशि का विवरण (परिवहन, कटाई एवं डुलाई (गति च में))	निर्माक
1	2	3	4	5	6
सरगुजा	डी डी क्र - 923594	07.12.2023		4,35,00,000/-	मुत्तम सरगुजा के संदर्भित पत्र मा वि/न क्र -081/2021/4010 दिनांक 07.12.2021 में प्रस्तुत प्रस्ताव विदोहन प्रक्रम में उल्लेखित व्यय प्रनुसार कार्यवाही की जाये। इसकी राशियन की प्रति इस कार्यालय की उपलब्ध कराई जाये।
योग				4,35,00,000/-	

1.7/- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के द्वारा विषयांकित प्रकरण में वृक्षों के विदोहन हेतु अब तक दी गई स्वीकृति का विवरण (प्रपत्र - च) :-

अनुक्रमांक	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा अब तक जारी अनुमति का विवरण		निर्माक
	क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4
1	560/31.03.2012	21465	222.100 (प्रभावित रकबा हे.में)
2	792/10.06.2015	14173	254.243 (प्रभावित रकबा हे.में)
3	2284/27.12.2017	677	52.199 (प्रभावित रकबा हे.में)
4	1201/29.06.2018	15224	59.760 (प्रभावित रकबा हे.में)
5	2359/31.12.2019	10779	70.150 (प्रभावित रकबा हे.में)
6	1431/14.12.2020	13133	95.442 (प्रभावित रकबा हे.में)
7	1596/05.05.2022	7960	43.630 (प्रभावित रकबा हे.में)
योग :-		83411	797.524

2/ उपरोक्तानुसार भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई शर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Proposal for non forestry use of 1898.328 ha. of forest and (1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land) in in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur, District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area हेतु 9वें वर्ष के द्वितीय चरण (Phase-II) हेतु स्वीकृत रकबा 1136 हे. में से 91.130 हे. वन भूमि को वन संरक्षण अधिनियम 1980 की धारा 2 के अंतर्गत दी गई शर्त अनुमति एवं अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./ भू-प्रबंध/खनिज/331-45/2715, दिनांक 08.12.2023 द्वारा प्रश्नाधीन 15307 नम वृक्षों के विदोहन की अनुशांसा की गई है। उक्त के परिप्रेक्ष्य में उपरोक्त तालिका संदर्भित पत्र क्र. 01 में दशमि विवरण के अनुसार संरक्षित वनभूमि के रकबा 91.130 हे. में स्थित प्रश्नाधीन 15307 नम वृक्षों के विदोहन की स्वीकृति निम्न शर्तों के अधीन प्रदान की जाती है :-

क्रमशः 6 .....

- (6)
- (1) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के संदर्भित पत्र दिनांक 02.02.2022 (संदर्भ क्रमांक-2) द्वारा जारी औपचारिक स्वीकृति में उल्लेखित अधिरोपित शर्तें एवं वन संरक्षण अधिनियम 1980 के प्रावधानों का अक्षरण: पालन किया जाने की शर्तों के अधीन प्रदान की जाती है।
  - (2) छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित शर्तों का पालन किया जाये।
  - (3) मुख्य वन संरक्षक, सरगुजा द्वारा स्वीकृत विदोहन योजना अनुसार, प्रकरण अंतर्गत 15307 नग वृक्ष के विदोहन योजना अंतर्गत होने वाले व्यय जिसमें कटाई, दुलाई एवं परिवहन इत्यादि व्यय शासन व विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर आवेदक संस्थान के द्वारा सरगुजा वनमण्डल के पी.डी. खाते में जमा की गई राशि से किया जावे।
  - (4) प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स./का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जावे।
  - (5) विदोहन योजना के संबंध में समय-समय पर भारत शासन/राज्य शासन/वन विभाग द्वारा जारी निर्देशों का पालन भी किया जावे।
  - (6) उपरोक्त प्रकरण में संबंधित संस्थान द्वारा सरगुजा वनमण्डल हेतु व्यय राशि डी.डी.क 923594 दिनांक 07.12.2023 राशि ₹. 4,35,00,000/- व्यय किया जावेगा, जिसमें प्रकरण अंतर्गत कटाई, दुलाई एवं परिवहन इत्यादि हेतु होने वाले संभावित व्यय हेतु संदर्भित पत्र दिनांक 07.12.2023 के दर्शित विवरण अनुसार कार्य किया जावे। पी.डी. खाता में निर्धारित मद् 8443, सिविल डिपोजिट 106 मद् अंतर्गत चालान जमा होने के उपरांत ही व्यय की कार्यवाही की जाये। यदि विदोहन कार्य हेतु शासन एवं विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर विशेष परिस्थितियों के कारण विदोहन कार्य कराया जाना संभव नहीं हो तो विभाग द्वारा निर्धारित नॉर्म्स से अधिक व्यय होने की स्थिति में आवेदक संस्थान के द्वारा जमा राशि की सीमा तक Work Study कराई जाकर विशेष प्रकरण तैयार कर विशेष नॉर्म्स की स्वीकृति इस कार्यालय से ली जाये।
  - (7) विषयांकित प्रकरण अंतर्गत 15307 नग वृक्ष विदोहन की अनुमति भारत सरकार के संदर्भित पत्र दिनांक 02.02.2022 (संदर्भ क्रमांक-02) के द्वारा दी गई शर्त स्वीकृति एवं छत्तीसगढ़ शासन के पत्र दिनांक 25.03.2022 (संदर्भ क्रमांक-03) विदोहन की समस्त शर्तों का पालन कराया जाना प्रकरण के वनमण्डलाधिकारी सह नोडल अधिकारी सरगुजा वनमण्डल का दायित्व रहेगा। उक्त का पालन किया जाना सुनिश्चित हो।
  - (8) उपरोक्त तालिका में दर्शित प्रत्यावर्तित संरक्षित वनभूमि के प्रभावित रकबा 91.130 हे. में स्थित प्रश्नाधीन कुल 15307 नग वृक्षों के विदोहन कार्य एवं संदर्भित पत्र/4010 दिनांक 07.12.2023 में उल्लेखित 167 नग टूठ से संबंधित प्रस्ताव अनुरूप कार्यवाही की जाये। विदोहन कार्य पूर्ण रूप से वन विभाग द्वारा किये जाने की शर्त पर एवं उपरोक्त शर्तों का पालन किये जाने की शर्त पर दी जाती है।
  - (9) विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को अनिवार्य रूप से उपलब्ध करायी जाये।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़

पृ. क्रमांक/14/उत्पा.1/536/2022-फटाई अनु क्र.-52/1834  
प्रतिलिपि:-

नवा रायपुर, अटलनगर, दिनांक 11/12/2023

1. बरिष्ठ निज सहायक, प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख, अरण्य भवन, नवा रायपुर, अटल नगर, छत्तीसगढ़ की ओर सूचनार्थ।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क./भू-प्रबंध/खनिज/331-45/771, दि. 04.04.2022 एवं पत्र क./भू-प्रबंध/खनिज/331-45/2715, दिनांक 08.12.2023, के संदर्भ में सूचनार्थ प्रेषित। कृपया नोडल विभाग की हैसियत से आप अपने स्तर से उपरोक्त पत्र के संदर्भ में अपेक्षित कार्यवाही हेतु भारत सरकार एवं राज्य सरकार द्वारा दी गई अनुमति के अनुसार मुख्य वन संरक्षक सरगुजा द्वारा प्रेषित जानकारी की पुष्टि करने एवं भारत सरकार/राज्य सरकार/स्थानीय प्रशासन/विभाग द्वारा जारी निर्देशों में उल्लेखित शर्तों के सशर्त पालन किए जाने हेतु मुख्य वन संरक्षक सरगुजा वृत्त को निर्देश जारी करें।
3. वनमण्डलाधिकारी सरगुजा वनमण्डल (प्रकरण के नोडल अधिकारी) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
4. Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ प्रेषित।

  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़



कार्यालय मुख्य वन संरक्षक, सरगुजा वनवृत्त, अम्बिकापुर (छ0ग0)

Ph.No. :- (O)07774- 240544, (R) 240019, (F) 240682 E\_Mail :- cfsurguja@rediffmail.com

क्र0/मा.चि./न0क्र0-08/2024/ 6162  
प्रति,

अम्बिकापुर, दिनांक 22/08/2024

वनमण्डलाधिकारी,  
सरगुजा वनमण्डल, अम्बिकापुर

विषय :- Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg.

संदर्भ :- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. नवा रायपुर का पत्र क्रमांक/14/उत्पा-1/536-II/2024-कटाई अनु.क्र-62/1599 दिनांक 21.08.2024

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विषयाकित वनभूमि व्यपवर्तन प्रकरण परसा ईस्ट एवं केते बासेन कोल ब्लॉक परियोजना रकबा 1898.328 हे. से कोयला उत्खनन कार्य हेतु MOEF नई दिल्ली के पत्र दिनांक 02.02.2022 एवं छ.ग. शासन वन एवं जलवायु परिवर्तन विभाग रायपुर के पत्र दिनांक 25.03.2022 (द्वितीय चरण स्वीकृति) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Diversion of 1898.328 ha. of forest land for Parsa East and Kete Basen Captive Coal Block Open Cast Mining Project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja district of Chhattisgarh. Grant of Permission for mining over Phase-II area-reg हेतु 10वें वर्ष में संरक्षित वनभूमि रकबा 74.130 हे. वनभूमि में स्थित 10944 नग वृक्षों के विदोहन की अनुमति शर्तें अधिरोपित कर अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र के माध्यम से प्रदान की गई है।

अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर के संदर्भित पत्र की प्रति संलग्न कर आपको निर्देशित किया जाता है कि वृक्षों के विदोहन हेतु प्रदत्त अनुमति तहत अधिरोपित शर्तों का कड़ाई से पालन करते हुए उक्तानुसार पत्र में दिये गये निर्देशानुसार कार्यवाही करना सुनिश्चित करें।  
संलग्न :- संदर्भित पत्र।

मुख्य वन संरक्षक

सरगुजा वनवृत्त, अम्बिकापुर

अम्बिकापुर, दिनांक 22/08/2024

पृ0क्र0/मा.चि./न0क्र0-08/2024/ 6163  
प्रतिलिपि :-

1. अपर प्रधान मुख्य वन संरक्षक (उत्पादन) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
2. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) छ.ग. रायपुर की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु सम्प्रेषित।
3. Superintending Engineer, Rajasthan Rajya Vidyut Utpadan Nigam Ltd. Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

मुख्य वन संरक्षक

सरगुजा वनवृत्त, अम्बिकापुर

कार्यालय प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख छत्तीसगढ़  
अरण्य भवन, नार्थ ब्लॉक, सेक्टर-१९, अटल नगर, नवा रायपुर, छत्तीसगढ़  
(शाखा-उत्पादन)

फोन नं. 0771-2512822

ईमेल- apecf-production.cg@gov.in

क्रमांक/14/उत्प/1/536-11/2024-कटाई भू-व 67/1599

नवा रायपुर अटल नगर दिनांक 27/08/2024

प्रति,

मुख्य वन संरक्षक  
सरगुजा वन वृत्त, सरगुजा  
छत्तीसगढ़

विषय :-

वन संरक्षण अधिनियम 1980 के तहत वन भूमि प्रत्यावर्तन प्रकरण परसा ईस्ट एर कते बामेन कोल परियोजना से कोयला उत्खनन कार्य हेतु Phase-II के तहत 10वें वर्ष में कक्ष क्रमांक पी. 2005, पी. 2004, पी. 2003, पी. 2019 एवं पी. 2106 कुल रकबा 74.130 हे वनभूमि में खंडे वृक्षों के विदोहन की अनुमति बायत।

(Diversion of 1898.328 ha. in two phase of forest land for parsa east and kete basan captive coal block open cast mining project in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL) in village Parsa and Kete, Tehsil Udaipur, District Surguja Chhattisgarh. Grant of permission for mining over Phase-II area-reg.)

संदर्भ:-

1. आपका पत्र क्रमांक/मा.चि./न.क्र.-08/2024/1565 दिनांक 14.06.2024 एवं पत्र क्रमांक/मा.चि./न.क्र.-08/2024/1645 दिनांक 25.06.2024
2. भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 06.07.2011 (प्रथम चरण) , पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 15.03.2012 एवं पत्र क्रमांक/ F.No. 8-31/2010-FC दिनांक 02.02.2022 (द्वितीय चरण)(Phase-II)
3. छत्तीसगढ़ शासन, वन विभाग, दाऊ कल्याण सिंह भवन, मंत्रालय रायपुर का पत्र क्रमांक/एफ. 5-4/2010/10-2 दिनांक 28.03.2012 एवं छत्तीसगढ़ शासन, वन एवं जलवायु परिवर्तन विभाग, मंत्रालय महानदी भवन, नवा रायपुर का पत्र क्रमांक/एफ. 5-4/2010/10-2 दिनांक 25.03.2022
4. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/खनिज/331-45/771, दिनांक 04.04.2022, पत्र क्र./भू-प्रबंध/खनिज/331-45/1570, दिनांक 02.07.2024 एवं पत्र क्र./भू-प्रबंध/खनिज/331-45/2021, दिनांक 16.08.2024

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उपरोक्त विषय में संदर्भित पत्र दिनांक 14.06.2024 का अवलोकन करें, जिसके माध्यम से आपके द्वारा विषयांकित प्रकरण सरगुजा वनमण्डल हेतु भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 के द्वारा दी गई सशर्त अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) के अनुसार द्वितीय चरण के अंतर्गत सरगुजा वनमण्डल अंतर्गत व्यपवर्तन क्षेत्र के Phase-II के तहत 10वें वर्ष में कक्ष क्रमांक पी. 2005, पी.2004, पी. 2003, पी. 2019 एवं पी. 2106 कुल रकबा 74.130 हे. वनभूमि में संबंधित प्रकरण के तहत संरक्षित भूमि में प्रभावित 10944 नग वृक्षों के विदोहन की स्वीकृति का प्रस्ताव प्राप्त हुआ है, जिसमें दर्शित विवरण निम्नानुसार है :-

1.1/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली आरक्षित एवं संरक्षित वनभूमि में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र-ख) निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों की संख्या	रिमार्क (विन्हित टूठ पोलाई वृक्ष संख्या)
1	2	3	4	5	6	7	8
1	सरगुजा	उदयपुर	संरक्षित	पी. 2005	15.100	1210	17
2	सरगुजा	उदयपुर	संरक्षित	पी 2004	25.700	2444	56
3	सरगुजा	उदयपुर	संरक्षित	पी 2003	13.620	1828	31
4	सरगुजा	उदयपुर	संरक्षित	पी. 2109	3.750	929	5
5	सरगुजा	उदयपुर	संरक्षित	पी. 2106	15.960	4533	46
योग					74.130	10944	155

1.2/- सरगुजा वनमण्डल के अंतर्गत आरक्षित एवं संरक्षित वन भूमि में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ख 01) निम्नानुसार दर्शाया गया है:-

अनु. क्र.	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	कक्ष क्र.	प्रभावित रकबा (हे.में)	विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
						प्रजाति	संख्या	ईमारती काष्ठ (घ.मी.)	चलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (9+10)
1	2	3	4	5	6	7	8	9	10	11
1	सरगुजा	उदयपुर	संरक्षित	पी 2005	15.100	साल	396	370.344	102.732	473.076
						साजा, अर्जुन	3	1.500	0.375	1.875
						अन्य	811	124.921	113.326	238.247
योग :-							1210	496.765	216.433	713.198
2	सरगुजा	उदयपुर	संरक्षित	पी. 2004	25.700	साल	798	762.670	235.230	997.900
						बीजा, तिन्सा, शीशम, खम्हार	3	0.260	0.651	0.911
						साजा, अर्जुन	36	16.906	6.671	23.577
						अन्य	1607	152.150	179.126	331.276
योग :-							2444	931.986	421.678	1353.664

अनु क्र	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (आरक्षित/संरक्षित)	ग्राम का नाम	खसरा क्र	प्रभावित रकबा (हे.मै.)	विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
							प्रजाति	मत्तया	इमारती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (10+11)
1							मात	450	264.737	79.715	344.452
3	सरगुजा	उदयपुर	संरक्षित	पी 2003	13.620	बीजा, लिम्बा	3	0.245	0.613	0.858	
						शीगम, बाम्बहार	13	2.630	1.671	4.301	
						साजा, अर्जुन	1362	88.465	89.248	177.713	
						अन्य	1828	356.077	171.247	527.324	
योग :-								151	55.362	24.219	79.572
4	सरगुजा	उदयपुर	संरक्षित	पी 2109	3.750	मात	6	1.385	0.538	1.923	
						साजा, अर्जुन	772	31.405	36.731	68.136	
						अन्य	929	88.152	61.479	149.631	
योग :-								1200	258.116	114.123	372.239
5	सरगुजा	उदयपुर	संरक्षित	पी 2106	15.960	मात	4	0.018	0.045	0.063	
						बीजा, लिम्बा	3	0.069	0.174	0.243	
						शीगम, बाम्बहार	78	6.274	4.628	10.902	
						हन्दू, मुण्डी, कसई	3248	115.583	131.098	246.681	
						साजा, अर्जुन	4533	380.060	250.068	630.128	
योग :-								10944	2253.04	1120.905	3373.945
महायोग :-											

1.3/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वन भूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों का विवरण (प्रपत्र-ग में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु क्र	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि)	ग्राम का नाम	खसरा क्र	प्रभावित रकबा (हे.मै.)	क्लेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		रिमांक
							क्रमांक/दिनांक	वृक्षों की मत्तया	
1	2	3	4	5	6	7	8	9	10
--- निरंक ---									

1.4/- सरगुजा वनमण्डल के अंतर्गत प्रत्यावर्तित की जाने वाली राजस्व वनभूमि (नारंगी क्षेत्र सहित) में विदोहित किये जाने वाले वृक्षों की प्रजातिवार संख्या तथा अनुमानित उत्पादन का विवरण (प्रपत्र-ग-01 में दर्शित अनुसार) जिसकी जानकारी आपके प्रतिवेदन में संलग्न गोशवारा में निम्नानुसार दर्शाया गया है :-

अनु क्र	वनमण्डल का नाम	परिक्षेत्र का नाम	वन का प्रकार (राजस्व वनभूमि/नारंगी वन क्षेत्र)	ग्राम का नाम	खसरा क्र	प्रभावित रकबा (हे.मै.)	क्लेक्टर की अनापत्ति के अनुसार विदोहित किये जाने वाले वृक्षों का विवरण		अनुमानित उत्पादन		
							प्रजाति	मत्तया	इमारती काष्ठ (घ.मी.)	जलाऊ काष्ठ (घ.मी.)	योग (घ.मी.) (10+11)
1	2	3	4	5	6	7	8	9	10	11	12
--- निरंक ---											

सरगुजा वनमण्डल के अंतर्गत राजस्व भूमि में विदोहित किए जाने वाले वृक्षों का विवरण (प्रपत्र-घ) निम्नानुसार दर्शाया गया है :-

अनु. क्र.	वनमंडल का नाम	परिक्षेत्र का नाम	ग्राम का नाम	भूमि का प्रकार	खसरा क्रमांक	प्रभावित रकबा (हे में)	कलेक्टर की अनुमति से विदोहित किये जाने वाले वृक्षों का विवरण		रिमांक
							क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4	5	6	7	8	9	10
- निरंक -									

1.6/- परिवहन, कटाई एवं ढुलाई व्यय हेतु पी.डी. खाते में जमा किए गए राशि का विवरण (प्रपत्र- ड.) :-

वनमण्डल	खालान क्रमांक/ डी.डी. क्र.	दिनांक	जमा खाते का विवरण पत्र क्र/ दिनांक	राशि का विवरण परिवहन, कटाई एवं ढुलाई (राशि रु में)
1	2	3	4	5
सरगुजा	चा.नं. 13058 डी.डी.नं. 915194	20.06.2024 13.06.2024	8443 Civil Deposit 106 PD Account no. 0299008	2,77,83,463/-
योग				2,77,83,463/-

1.7/- अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के द्वारा विषयांकित प्रकरण में वृक्षों के विदोहन हेतु अब तक दी गई स्वीकृति का विवरण (प्रपत्र-घ) :-

अनुक्रमांक	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा अब तक जारी अनुमति का विवरण		रिमांक (प्रभावित रकबा हे.में)
	क्रमांक/दिनांक	वृक्षों की संख्या	
1	2	3	4
1	560/31.03.2012	21465	222.100
2	792/10.06.2015	14173	254.243
3	1845/25.10.2016	8609	52.199
4	1201/29.06.2018	15224	59.760
5	383/25.02.2019	10779	70.150
6	1431/14.12.2020	13133	95.442
I <sup>st</sup> Phase (762.000 Ha.)		83383	753.894
7	1596/05.05.2022	7960	43.630
8	1833/11.12.2023	15307	91.130
II <sup>nd</sup> Phase (1136.000 Ha.)		23267	134.760
योग :-		106650	888.654

उपरोक्तानुसार भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 15.03.2012 एवं दिनांक 02.02.2022 के द्वारा दी गई मर्गत अनुमति के अनुक्रम में छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित सरगुजा वनमण्डल अंतर्गत Parsa East and Kete Basan Coal Block (PEKB) से कोयला उत्खनन कार्य हेतु द्वितीय चरण (Phase-II) हेतु स्वीकृत रकबा 1654.109 हे. में से 10वें वर्ष के लिये 1136 हे. में से 74.130 हे वन भूमि को वन संरक्षण अधिनियम 1980 की धारा 2 के अंतर्गत दी गई मर्गत अनुमति एवं अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र/भू-प्रबंध/खनिज/331-45/1570 दिनांक 02.07.2024 एवं पत्र क्र/भू-प्रबंध/खनिज/331-45/2021, दिनांक 16.08.2024 द्वारा प्रस्ताधीन 10944 नग वृक्षों के विदोहन की अनुमति की गई है। उक्त के परिप्रेक्ष्य में उपरोक्त तालिका संदर्भित पत्र क्र 01 में दक्षिण विवरण के अनुसार संरक्षित वनभूमि के रकबा 74.130 हे. में स्थित प्रस्ताधीन 10944 नग वृक्षों के विदोहन की स्वीकृति निम्न शर्तों के अधीन प्रदान की जाती है :-

- (1) भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के संदर्भित पत्र दिनांक 15.03.2012 एवं दिनांक 02.02.2022 (संदर्भ क्रमांक-2) द्वारा जारी औपचारिक स्वीकृति में उल्लेखित अधिरोपित शर्तें एवं वन संरक्षण अधिनियम 1980 के प्रावधानों का अक्षरशः पालन किया जाने की शर्तों के अधीन प्रदान की जाती है।
- (2) छत्तीसगढ़ राज्य शासन, वन एवं जलवायु परिवर्तन विभाग के संदर्भित पत्र क्रमांक/एफ 5-4/2010/10-2 दिनांक 25.03.2022 (संदर्भित पत्र क्रमांक-3) में उल्लेखित शर्तों का पालन किया जाये।
- (3) अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र/भू-प्रबंध/खनिज/331-45/2021, दि 16.08.2024 में उल्लेखित अनुसार भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के संदर्भित पत्र दिनांक 15.03.2012 द्वारा जारी अनुमति अनुसार 1654.109 ha. of forest land and 244.119 ha. of notified revenue forest land सही है के आधार पर की गई अनुमति अनुसार यह अनुमति प्रदान की जाती है।
- (4) मुख्य वन संरक्षक, सरगुजा द्वारा स्वीकृत विदोहन योजना अनुसार, प्रकरण अंतर्गत 10944 नग वृक्ष के विदोहन योजना अंतर्गत होने वाले व्यय जिसमें कटाई, ढुलाई एवं परिवहन इत्यादि व्यय शासन व विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर आवेदक संस्थान के द्वारा सरगुजा वनमण्डल के पी.डी. खाते में जमा की गई राशि से किया जावे।
- (5) प्रधान मुख्य वन संरक्षक के पत्र क्रमांक/नि.स./का.आ./456, दिनांक 04.10.2012 के द्वारा दिये गये निर्देशों के अनुरूप समतुल्य पातन की क्षतिपूर्ति हेतु आवश्यक कार्यवाही की जावे।
- (6) विदोहन योजना के संबंध में समय-समय पर भारत शासन/राज्य शासन/वन विभाग द्वारा जारी निर्देशों का पालन भी किया जावे।
- (7) प्रस्ताधीन प्रकरण में संबंधित संस्थान द्वारा सरगुजा वनमण्डल हेतु व्यय राशि का उपयोग उपरोक्त तालिका 1.6 (प्रपत्र- ड.) में दर्शित विवरण अनुसार पी.डी. खाता में निर्धारित मद् \$443, सिविल डिपोजिट 106 मद् प्रकरण अंतर्गत कटाई, ढुलाई एवं परिवहन इत्यादि हेतु होने वाले संभावित व्यय हेतु संदर्भित पत्र दिनांक 25.06.2024 के दर्शित विवरण अनुसार कार्य किया जावे। यदि विदोहन कार्य हेतु शासन एवं विभाग द्वारा अनुमोदित निर्धारित नॉर्म्स एवं जॉबदरों पर विशेष परिस्थितियों के कारण विदोहन कार्य कराया जाना संभव नहीं हो तो विभाग द्वारा निर्धारित नॉर्म्स से अधिक व्यय होने की स्थिति में आवेदक संस्थान के द्वारा जमा राशि की सीमा तक Work Study कराई जाकर विशेष प्रकरण तैयार कर विशेष नॉर्म्स की स्वीकृति इस कार्यालय से ली जाये।

- (8) विषयांकित प्रकरण अंतर्गत 10944 नग वृक्ष विदोहन की अनुमति भारत सरकार के संदर्भित पत्र दिनांक 15.03.2012 एवं दिनांक 02.02.2022 (संदर्भ क्रमांक-02) के द्वारा दी गई शर्त स्वीकृति एवं छत्तीसगढ़ शासन के पत्र दिनांक 25.03.2022 (संदर्भ क्रमांक-03) विदोहन की समस्त शर्तों का पालन कराया जाना प्रकरण के वनमण्डलाधिकारी सह नोडल अधिकारी सरगुजा वनमण्डल का दायित्व रहेगा। उक्त का पालन किया जाना सुनिश्चित हो।
- (9) उपरोक्त तालिका में दर्शित प्रत्यावर्तित संरक्षित वनभूमि के प्रभावित रकबा 74.130 हे. में स्थित प्रश्नाधीन कुल 10944 नग वृक्षों के विदोहन कार्य एवं संदर्भित पत्र/1565 दिनांक 14.06.2024 में उल्लेखित 116 नग ट्री ट्रान्सप्लांटेशन हेतु पौधों की संख्या से संबंधित प्रस्ताव अनुसूच्य कार्यवाही की जाये। विदोहन कार्य पूर्ण रूप से वन विभाग द्वारा किये जाने की शर्त पर एवं उपरोक्त शर्तों का पालन किये जाने की शर्त पर दी जाती है।
- (10) विदोहन के उपरांत डिपो में प्राप्त वास्तविक मात्रा की जानकारी निर्धारित मासिक प्रपत्र में इस कार्यालय को अनिवार्य रूप से उपलब्ध करायी जाये।

  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़

पु. क्रमांक/14/उत्पा 1/536-11/2024-कटाई अनु.क्र.-62/1600  
प्रतिलिपि:-

नवा रायपुर, अटलनगर, दिनांक 21/08/2024

1. अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/खनिज/331-45/771, दि. 04.04.2022, पत्र क्र./भू-प्रबंध/खनिज/331-45/1570, दिनांक 02.07.2024 एवं पत्र क्र./भू-प्रबंध/खनिज/331-45/2021, दिनांक 16.08.2024 के संदर्भ में सूचनार्थ प्रेषित। कृपया उपरोक्त प्रकरण में भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक (संदर्भ क्रमांक-2 के अनुसार) के पत्र दिनांक 02.02.2022 में 1654.109 ha. of revenue forest land and 244.219 ha. of notified forest land के परिप्रेक्ष्य में आपके संदर्भित पत्र दिनांक 16.08.2024 अनुसार आवश्यक कार्यवाही करने का कष्ट करें। उक्त के अतिरिक्त नोडल विभाग की हैसियत से आप अपने स्तर से उपरोक्त पत्र के संदर्भ में अपेक्षित कार्यवाही हेतु भारत सरकार एवं राज्य सरकार द्वारा दी गई अनुमति के अनुसार मुख्य वन संरक्षक सरगुजा द्वारा प्रेषित जानकारी की पुष्टि करने एवं भारत सरकार/राज्य सरकार/स्थानीय प्रशासन/विभाग द्वारा जारी निर्देशों में उल्लेखित शर्तों के सशर्त पालन किए जाने हेतु मुख्य वन संरक्षक सरगुजा वृत्त को निर्देश जारी करें।
2. वनमण्डलाधिकारी सरगुजा वनमण्डल (प्रकरण के नोडल अधिकारी) की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।
3. Superintending Engineer, Rajasthan Rajya Vidyut Utapadan Nigam Ltd, Vidyut Bhawan Janpath, Jyoti Nagar Jaipur की ओर सूचनार्थ प्रेषित।

  
अपर प्रधान मुख्य वन संरक्षक (उत्पादन)  
छत्तीसगढ़

**Relevant information with regards to Hon'ble National Green Tribunal Principal bench, New Delhi's order dated 07.11.2024 in Original Application No. 1080/2024**

**Submitted by the Forest Survey of India to the Nodal authority**

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## **Background**

In their order dated 07.11.2024 in Original Application No. 1080/2024, the Hon'ble National Green Tribunal Principal bench, New Delhi constituted a Joint Committee comprising, *inter alia*, a representative of Director General, Forest Survey of India, Dehradun.

Representative of MoEF&CC has been made the nodal authority for coordination and compliance.

The said committee has been directed **to collect relevant information**, if necessary, after visiting site, and **submit a factual report** within six weeks.

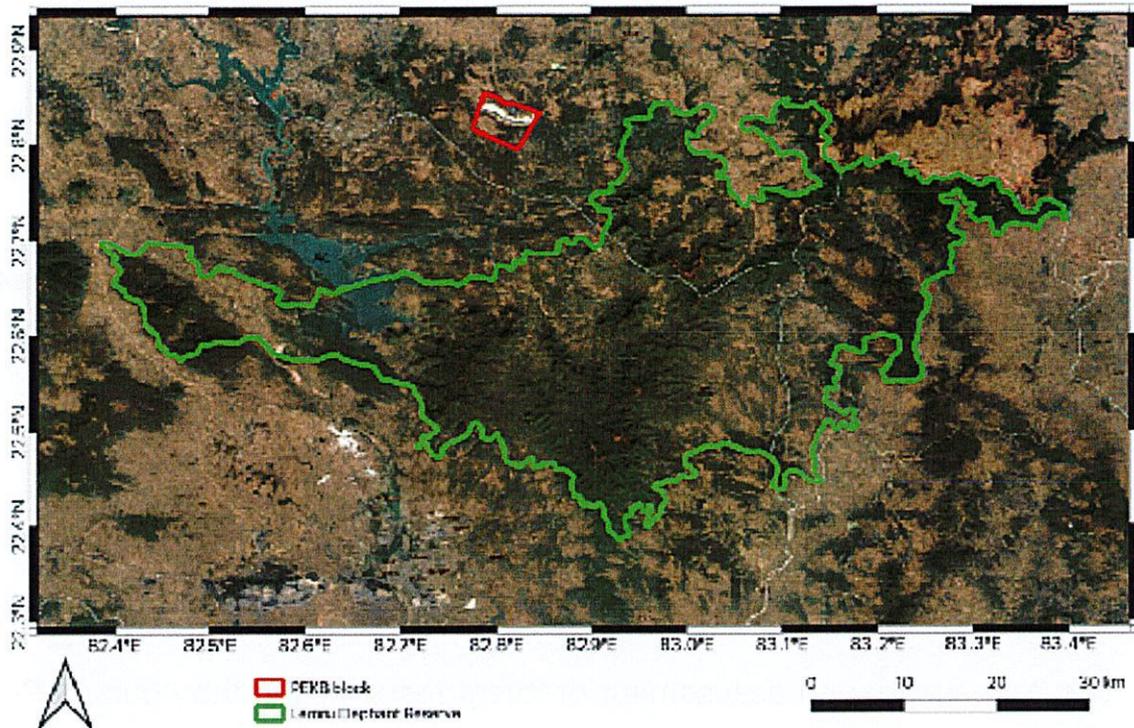
Forest Survey of India (FSI) is an organization under the Ministry of Environment & Forests, Government of India Its principal mandate is to conduct survey and assessment of forest resources in the country. Points on which relevant information has been collected by FSI are as under:

1. Where is the mine located?
2. Were around 15,000 trees cut?
3. Satellite-based time series imagery of the area.

## Location of the mine

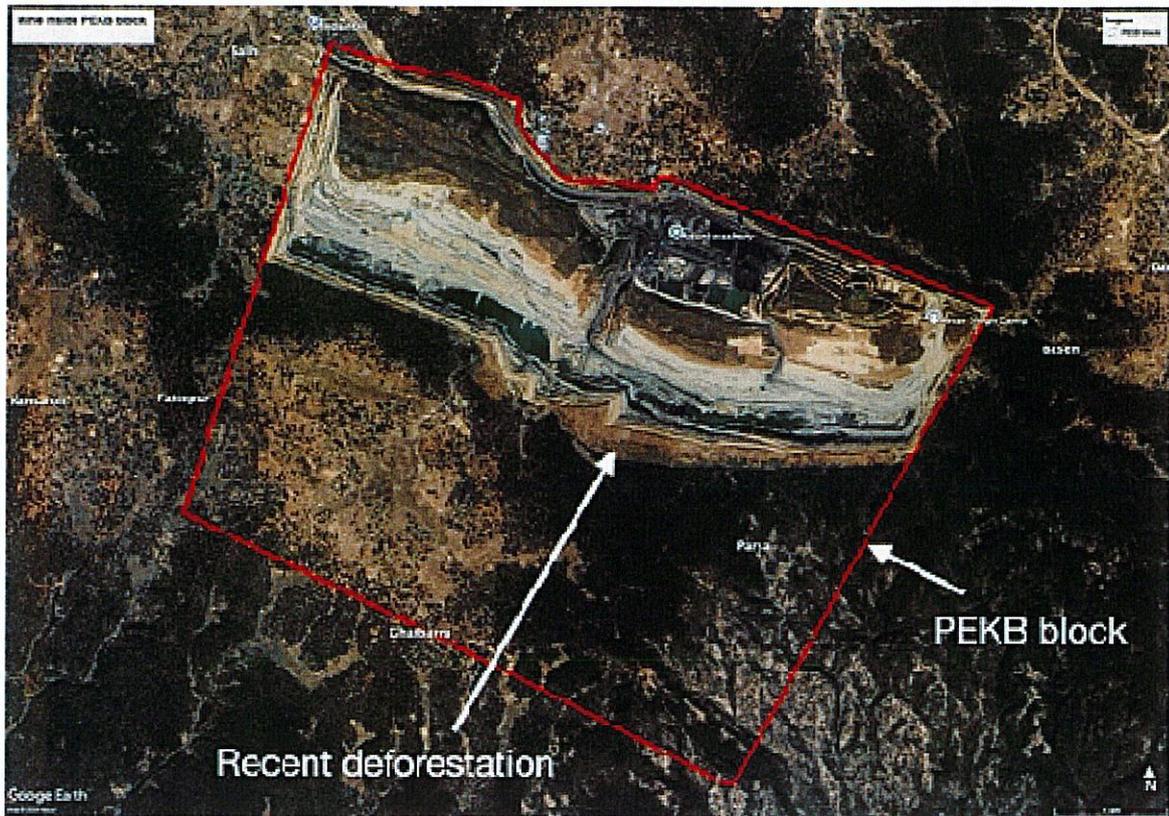
1. Parsa East Kanta Basan (PEKB) coal block is situated in Surguja district, around 10 km from Lemru Elephant Reserve.

Location map of PEKB coal block with district boundaries



Source: Boundaries received from MoEF&CC.

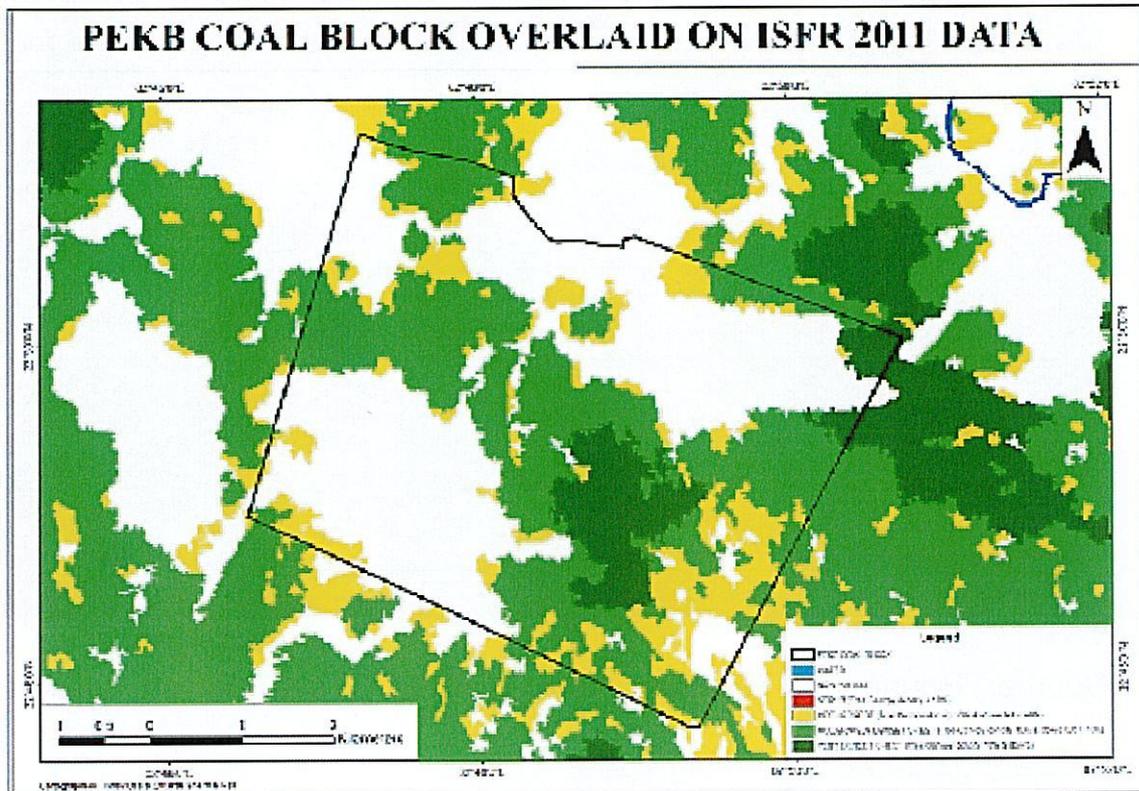
2. The mine and colliery cover the Northern portion of the PEKB block, and further extension is occurring towards the South.



Source: Boundaries received from MoEF&CC overlaid on satellite imagery dated 28 December 2023.

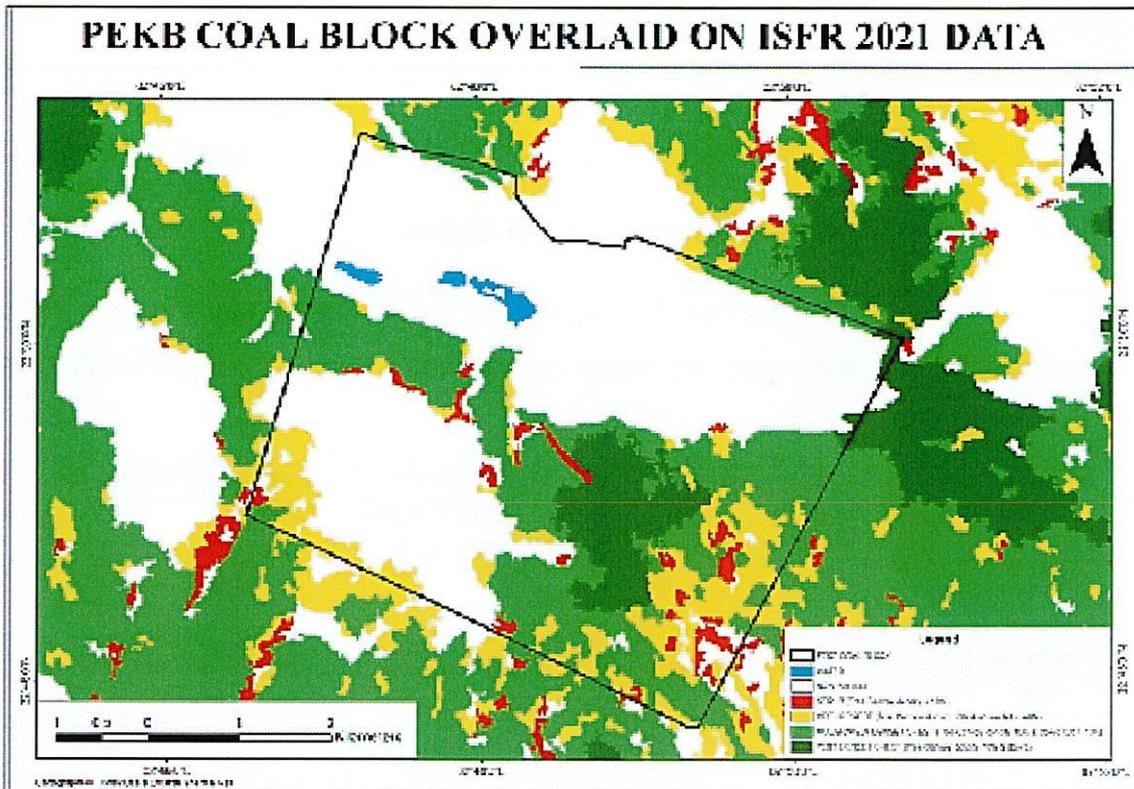
3. Forest canopy density map reveals Very Dense Forests (Canopy Density  $\geq 0.7$ ) to Open Forests (Canopy Density 0.1 – 0.4), besides non-forest and water areas. In particular, the already mined area in the Northern part of the PEKB block earlier had Open Forests (Canopy Density 0.1 – 0.4) and Moderately Dense Forests (Canopy Density 0.4 – 0.7). This region has already been deforested, together with some

Very Dense Forests (Canopy Density  $\geq 0.7$ ) towards the East, as observed in the data from the India State of Forest Report 2011.



Source: India State of Forest Report 2011 (data for the year 2009)

4. The continuing expansion towards the South will now include Very Dense Forests (Canopy Density  $\geq 0.7$ ) and Moderately Dense Forests (Canopy Density 0.4 – 0.7), as observed in the data from the India State of Forest Report 2021.



## Were around 15,000 trees cut?

1. Yes, 15,307 trees were felled. Source: Brief note received from DFO Surguja; relevant portion is reproduced below:

वर्ष 2023-24 में 91.130 हे. क्षेत्र में वृक्ष विदोहन योजना अनुसार विदोहन की अनुमति अपर प्रधान मुख्य वन संरक्षक (उत्पादन) द्वारा प्रदान की गई है जिसका विवरण निम्नानुसार है:-

विदोहन वर्ष	कुल रकबा (ह. म)	मार्कशुदा वृक्षों की कुल संख्या	विदोहित वृक्षों की संख्या	शेष वृक्षों की संख्या	अनुमानित उत्पादन इनारती काष्ठ (घन मी. म)	जलाऊ चट्टा	वृक्ष विदोहन की अनुमति
नौ वर्ष (2023-24 तक) भाग-2	91.130	15307	15307	00	4050.395	3358	अपर प्रधान मुख्य वन संरक्षक (उत्पादन) के पृ क्रमांक / 14 / ज.पा. -1 / 590 / 2022 / बटाई अनु म. 51 / 1834 दिनांक 11.12.2023 <b>Annexure - X</b>

## Progressive deforestation in PEKB coal mine

### area

1. Deforestation in year 2023-24 is observed in the Anavaran application of the Forest Survey of India. This application highlights areas where tree loss has been detected using satellite imagery in the past one year.



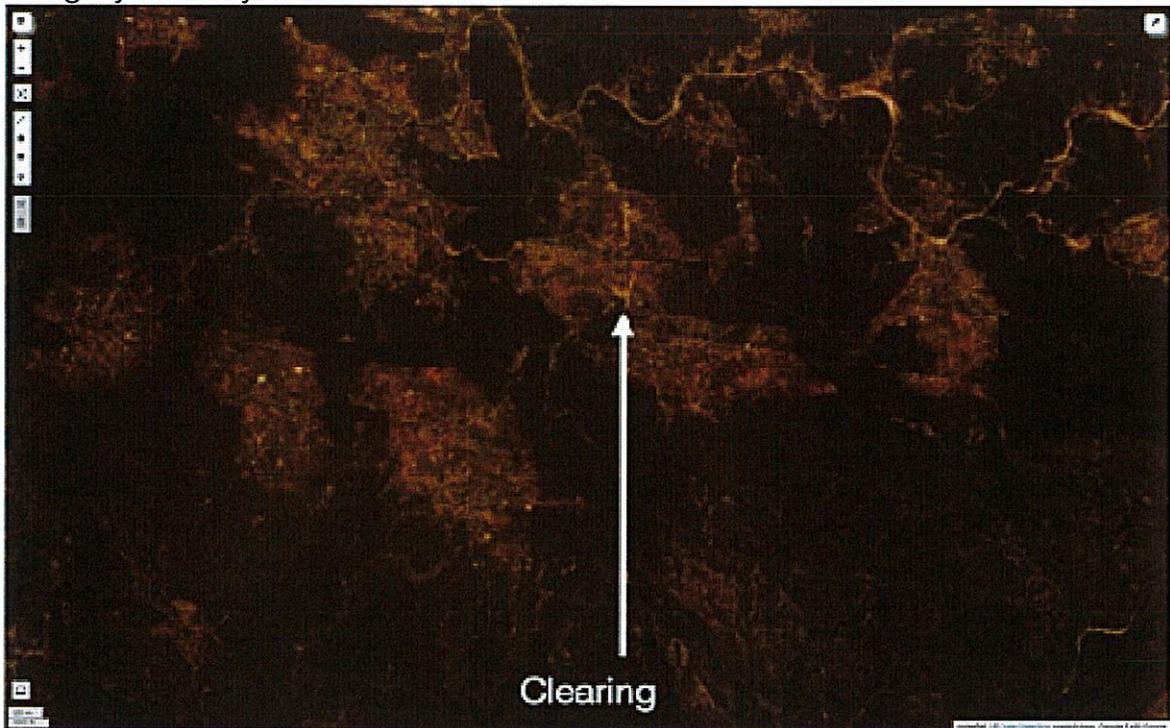
2. It is important to note that the area has been showing continuous and progressive deforestation since the year 2011. Cloud-free composites

generated from satellite imageries of August to December of various years are depicted below.

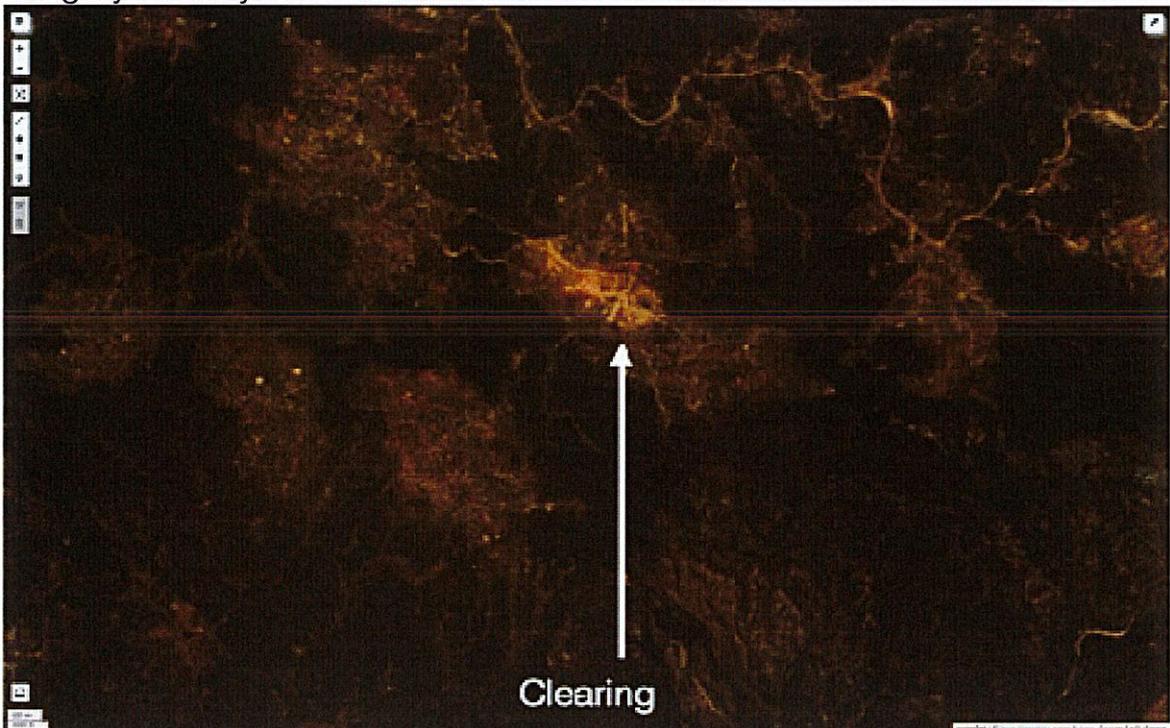
3. Imagery of the year 2001:



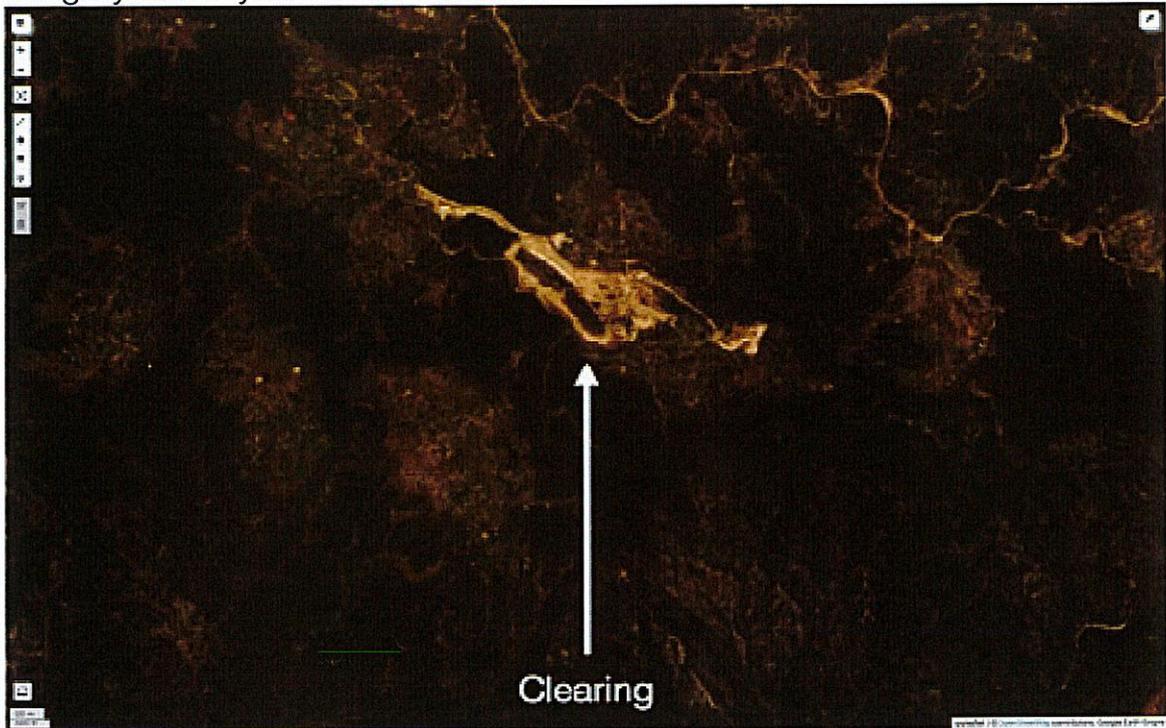
## 4. Imagery of the year 2011:



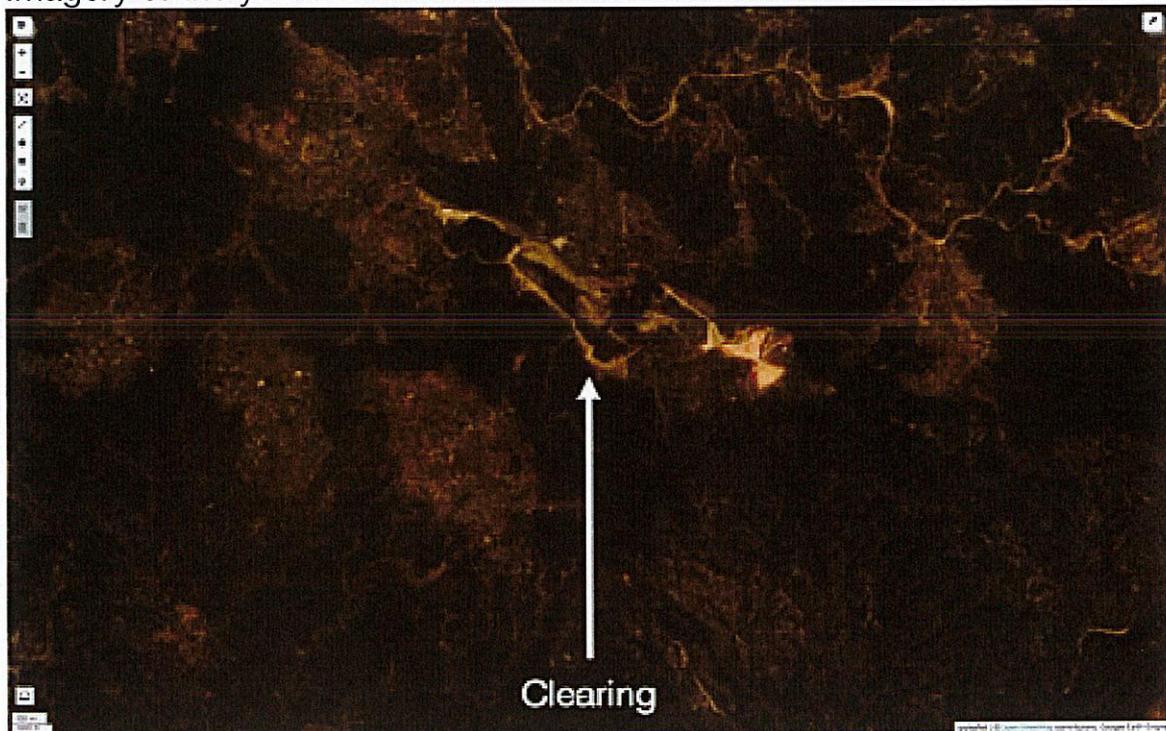
## 5. Imagery of the year 2012:



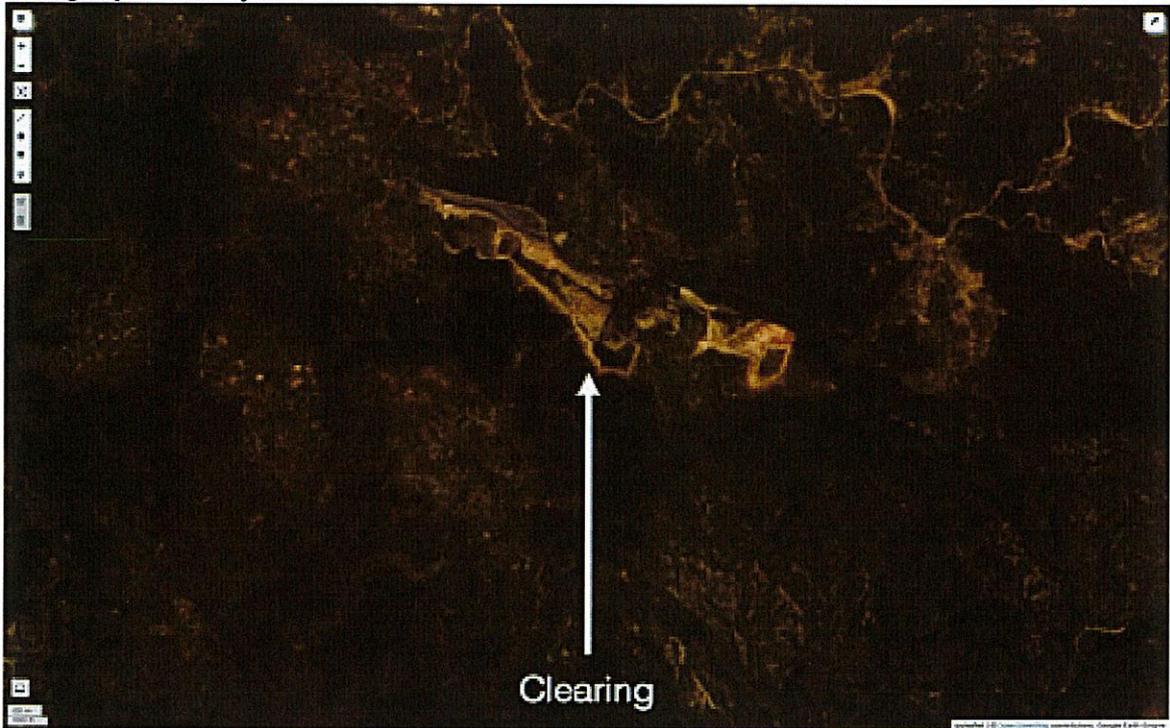
6. Imagery of the year 2013:



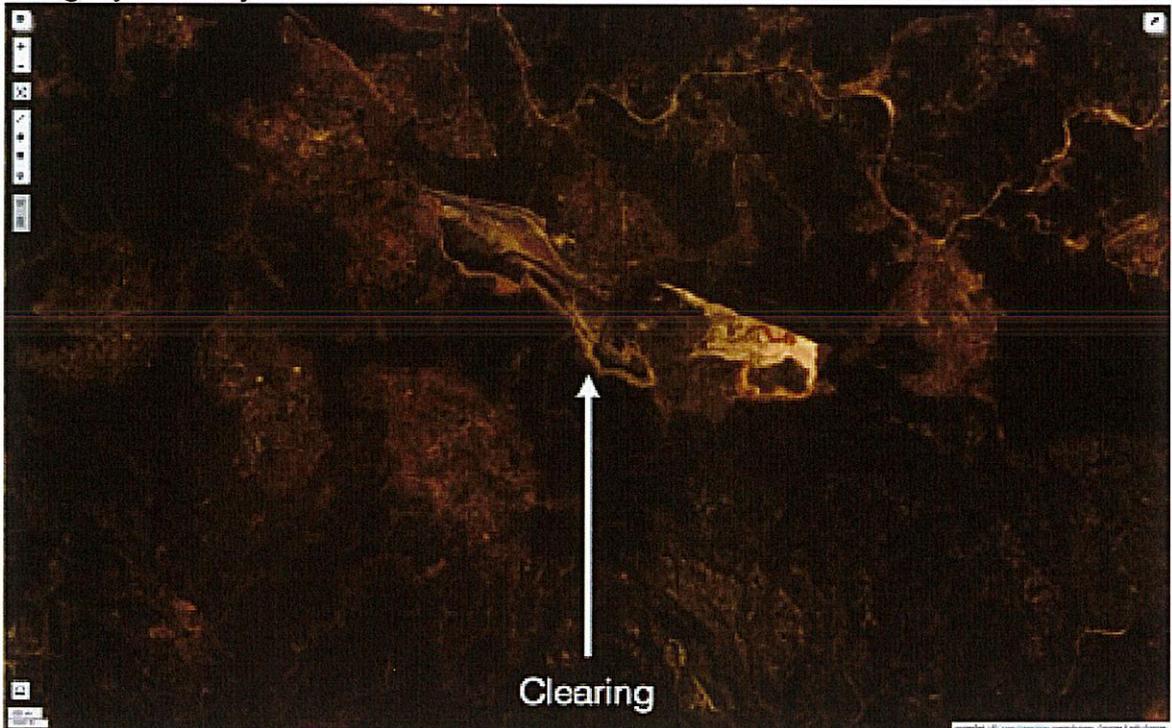
7. Imagery of the year 2014:



8. Imagery of the year 2015:



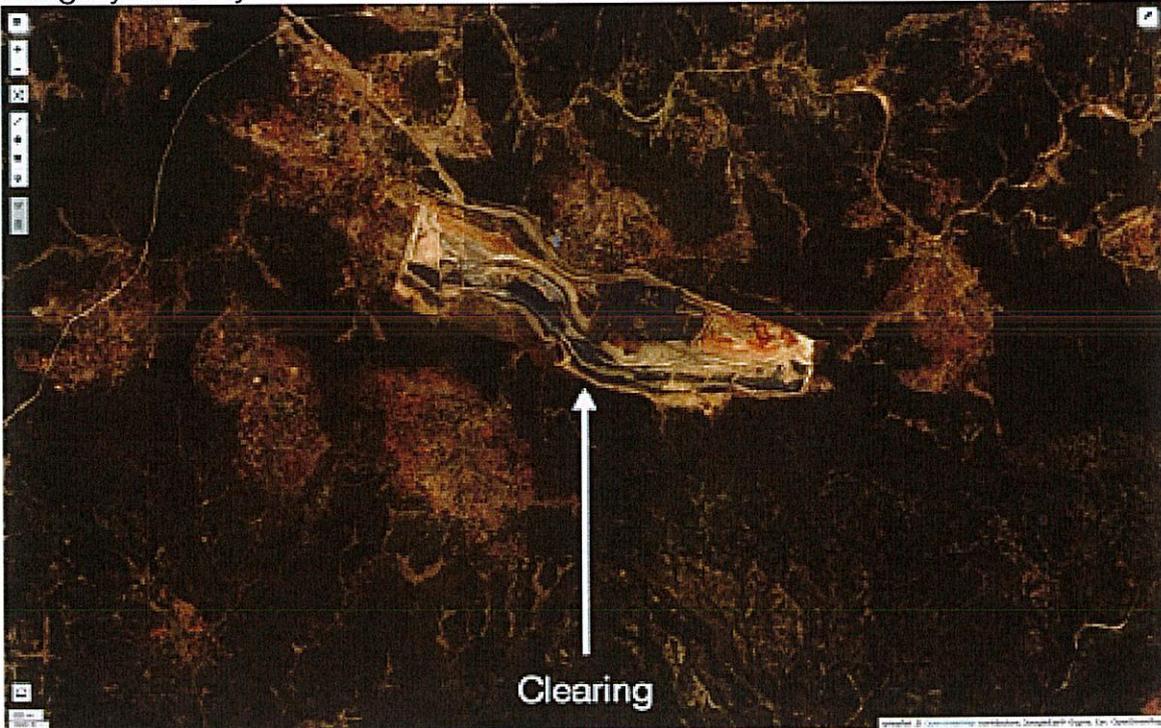
9. Imagery of the year 2016:



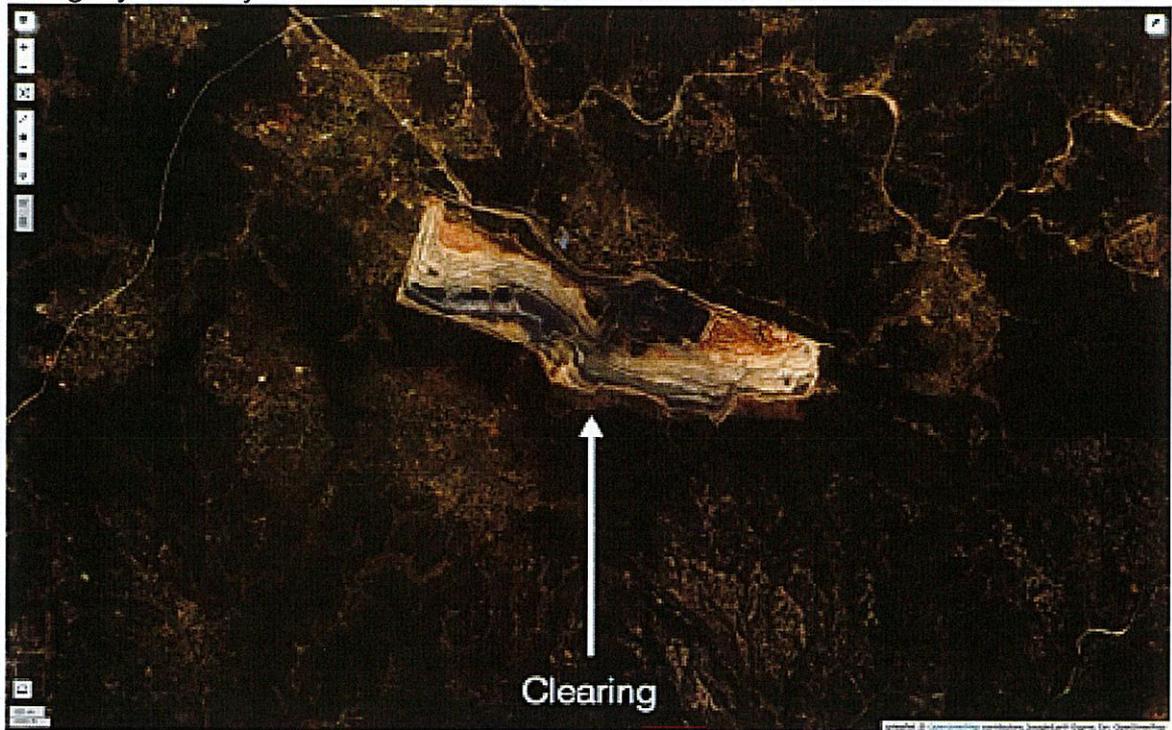
10. Imagery of the year 2017:



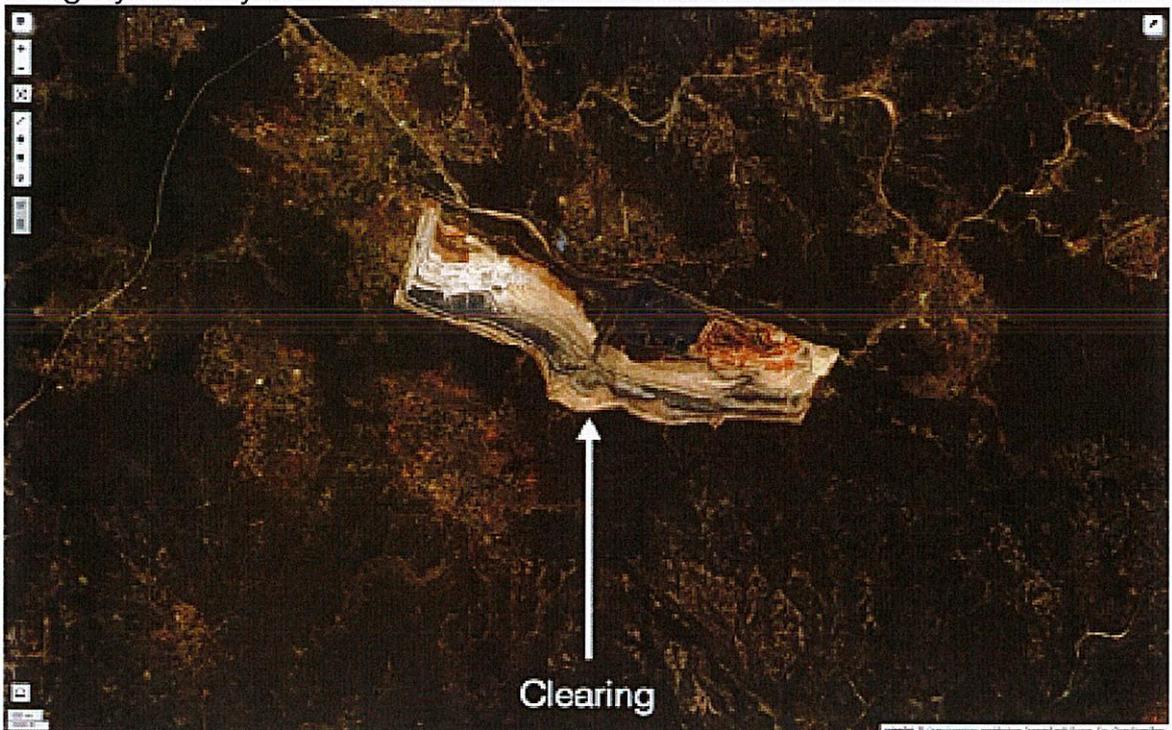
11. Imagery of the year 2018:



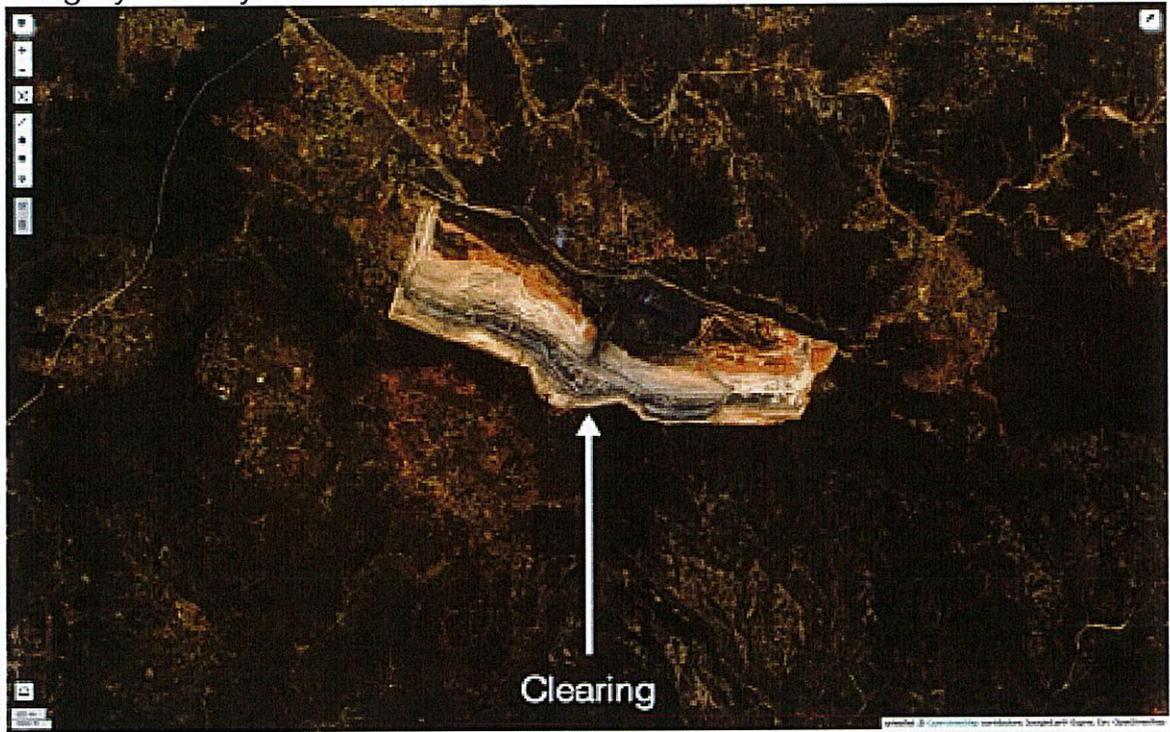
12. Imagery of the year 2019:



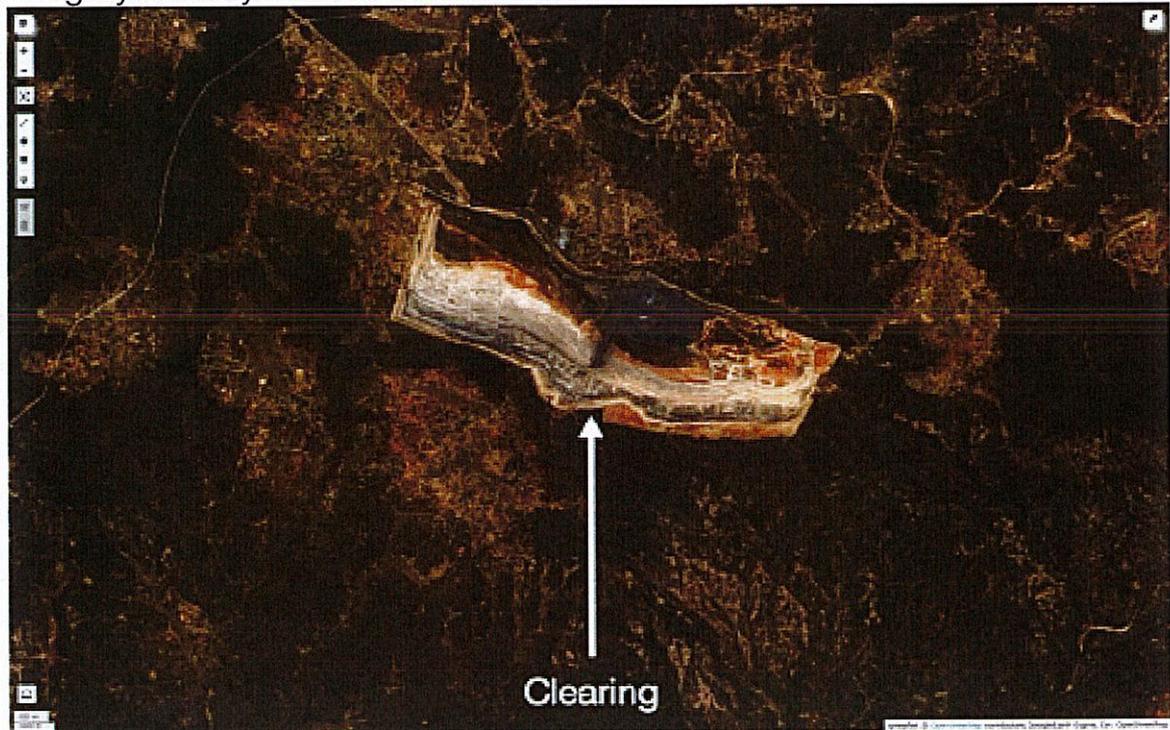
13. Imagery of the year 2020:



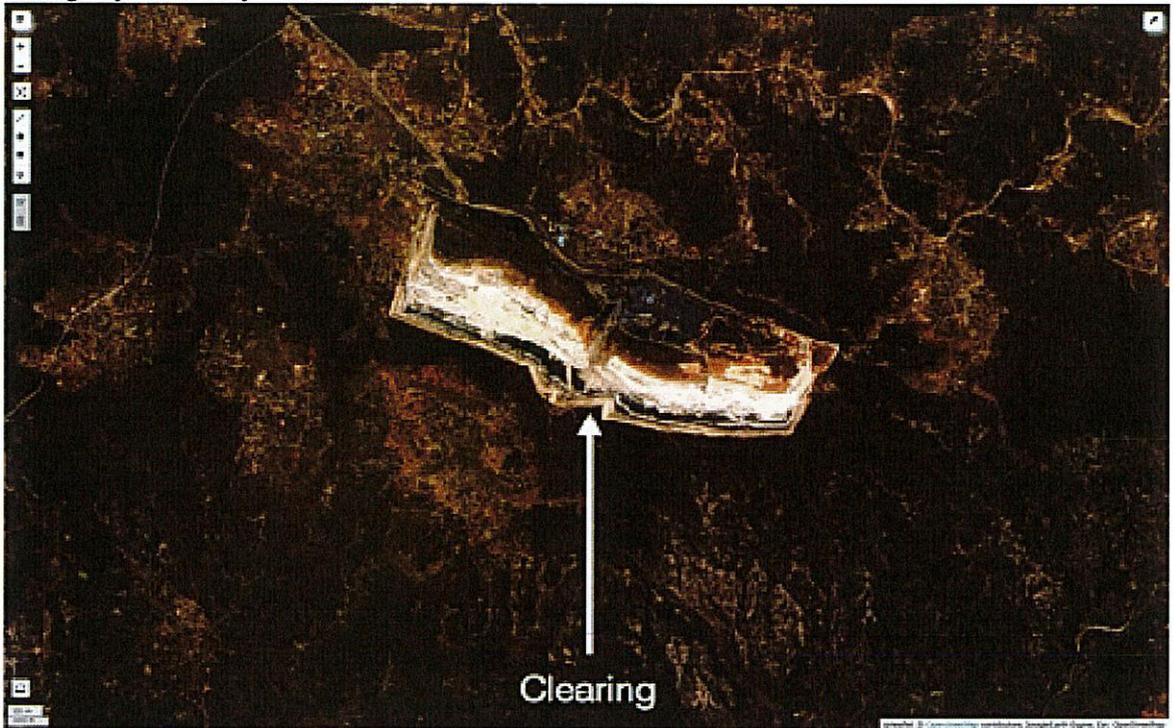
14. Imagery of the year 2021:



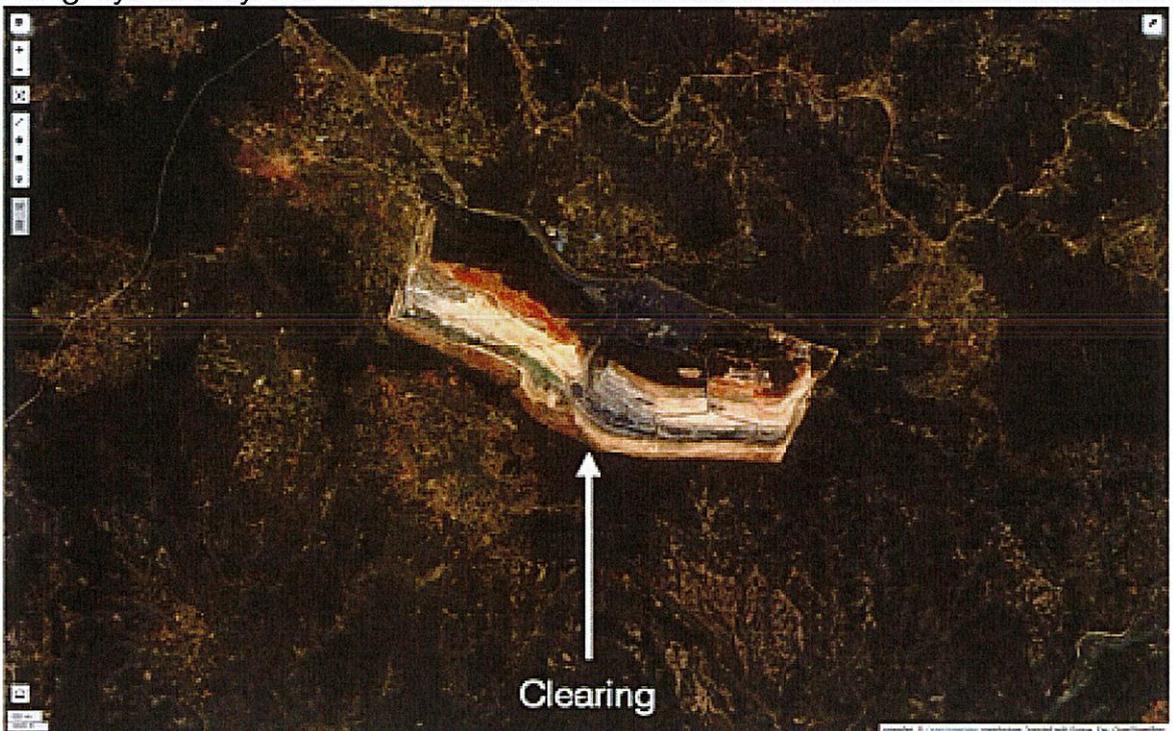
15. Imagery of the year 2022:



16. Imagery of the year 2023:



17. Imagery of the year 2024:



## Summary

1. PEKB coal block lies in Surguja district, and expansion of the mine is southwards towards very dense and moderately dense forests.
2. Satellite imagery is provided.



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Item No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
CENTRAL ZONE BENCH, BHOPAL  
(Through Video Conferencing)**

**Original Application No.05/2025(CZ)  
(O.A.No.1080/2024 – PB )**

Anita & Anr.

Applicant (s)

Vs.

State of Chhattisgarh & Ors.

Respondent(s)

**Date of Hearing: 03.04.2025**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

For Applicant (s):

None

For Respondent(s) :

Mr. Atmaram N.S. Nadkarni, Sr. Adv. Along with  
Mr. Kunal Verma, Adv.  
Mr. Shaurya P.S. Parihar, Adv. with  
Mr. Siddharth Singh Chouhan, Adv.  
Dr. Sapna Aggarwal, Adv.  
Ms.Parul Bhadoria, Adv.

**ORDER**

1. Citizens Action Group of India has sent a letter petition dated 19.01.2014 complaining about illegal cutting of more than 15,000 trees in Hasdev forest which comes within district Korba and sarguja of State of Chhattisgarh for carrying out proposed coal mining project of Parsa East, District Kele Bason. It is said that villagers have raised lot of protest but with intervention of police Authorities, illegal cutting of trees has been allowed at the instance of proponents and cutting is still continuing. Coal mining project was allotted to Rajasthan state Electricity Corporation which has entered into an agreement with

state Government and company of Adani and is proceeding with project by cutting of trees illegally.

2. The matter was taken up by the Tribunal at Principal Bench and after taking cognizance a committee was constituted to submit the factual and action taken report and the matter has been referred to this Bench.
3. The members of the committee visited the site and submitted the report as follows :

“The following documents relevant to the case were collected and perused by the Committee:

a. Permission for Phase-II Mining Operation dated 02/02/2022 accorded by the MoEF&CC, New Delhi under the provisions of the Forest (Conservation) Act, 1980, for diversion of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in South Surguja Forest Division in Surguja District of Chhattisgarh2-rant of permission for mining over phase-II area (Annexure 1).

b. Permission for Phase-II Mining Operation dated 25/03/2022 accorded by the State of Chhattisgarh for non-forestry use of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) in favour of M/s Rajasthan Rajya Vidyut Utpadan Nigam Limited in Village Parsa and Kete, Tehsil, Udaipur, District Sarguja, Chhattisgarh (Annexure-2)

c. Approval for felling of 15,307 trees vide Office of HoFF's letter number  
14/mrk/1/536/2022aasdVkkzb /vuq  
11/12/2023- (Annexure 3)

d. Direction of CCF Surguja to DFO Surguja in reference to the felling of 15.307 trees vide Office of CCF Surguja's letter number ek. fp/u ad z08/2023/7056 dated 12/12/2023- (Annexure 4)

e. Report by the Divisional Forest Officer, Sarguja on Parsa East Kete Basen Coal Project

under Sarguja Forest Division, Range Udaipur of Sarguja District (Annexure 5).

f. Satellite Imagery Report from the Forest Survey of India (FSI), Dehradun (Annexure 6).

The Committee met again on 9th December 2024 at 4.30 PM and 12th December 2024 at 4.30 PM through Video Conference to deliberate based on the documents and report of DFO Sarguja and FSI Dehradun.

**Observations of the committee:**

- The Rajasthan Rajya Vidyut Utpadan Nigam Limited had applied for the diversion of 1898.328 ha of forest land (1654.109 ha of revenue forest land and 244.219 ha of notified forest land) located in villages Parsa and Kete Bason, District Surguja for captive coal block open cast mining.

- The Divisional Forest Officer, Surguja, provided the details of tree felling for Phase-I and Phase-II of the PEKB coal mine block in a letter dated 9.12.2024, which is placed as Annexure-5. 15307 trees were felled in the Ninth year 2022-23 till 2024. The relevant portion is shown in the table below.

- Table: Details of tree cutting till date

Phase and related approval by MoEF&CC	Area approved for mining (ha)	Details of tree cutting till date				Period of tree felling
		Area marked for tree cutting (ha)	No. of trees marked for felling	No. of trees felled till date	No. of trees retained	
Phase-II. Final approval accorded by the MoEF&CC vide letter F.N 8-31/2010-FC dated 02.02.2022	<b>1136</b>	43.63	7960	7960	0	Ninth year 2022-23
		<b>91.130</b>	<b>15307</b>	<b>15307</b>	<b>0</b>	<b>Ninth year 2022-23 till 2024</b>
		74.130	10944	10944	0	Tenth year 2024-25
	<b>PHASE-II TOTAL</b>	208.89	34211	34211	0	-

- The committee deliberated on the above documentary evidence and felt that the field visit was not necessary in light of the above evidence.

**Conclusion:** The letter petition before the Hon'ble NGT pertains to tree felling for PEKE Coal Block. It is found that the State Forest Department has carried out tree felling during 2022-2024. The permission for Phase-II coal mining operations was accorded by the MoEFCC on 02.02.2022 and the State of Chhattisgarh on 25.03.2022, followed by consequential orders by APCCF (Production) and CCF Surguja.

4. The committee has further filed the copy of government order dated 02.02.2020 where under and whereby proposal for non-forestry use of the land has been sanctioned. Relevant orders issued from the MoEF&CC and CCF and the Forest Department quoted in the report has been attached with the report.
5. Learned Counsel for the respondent no. 7 put in appearance and filed reply and submitted that he has no objections against the report submitted by the Joint Committee. The Joint Committee has taken the matter with reference to allegation of tree cutting and found that necessary permissions have been taken by the project proponent. Learned Counsel for the MoEF&CC, CECB and State of Chhattisgarh have submitted that they concur with views and report submitted by the joint committee and further submitted that due permissions have been taken for tree cuttings according to rules.
6. In view of the above due permission has been taken by the authorities concerned for the project and cutting of the trees. Accordingly, no violation has been reported in the joint committee report thus, no further action is required by this Tribunal. However,

we direct the Project Proponent that the necessary plantation must be done to maintain the ecology in the area.

7. With these observations the O.A. No. 05/2025(CZ) stands **disposed** of.

**Sheo Kumar Singh, JM**

**Dr. Vijay Kulkarni, EM**

3<sup>rd</sup> April 2025  
O. A. No. 05/2025 (CZ)  
K



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Item No. 13

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

M.A. No. 12/2024(CZ)  
In  
Appeal No. 16/2019(CZ)

Hasdeo Aranya Bachao Sangharsh Samiti

Applicant

Versus

Union of India &amp; Ors.

Respondent(s)

Date of completion of hearing and reserving of order: 16.10.2024

Date of Pronouncement of order: 29.11.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Archit Krishna, Adv. for Applicant in M.A. No. 12/2024(CZ)

Respondents: Mr. Atmaram N.S. Nadkarni, Senior Advocate with Mr. Kunal Verma, Ms. Yugandhara Pawar Jha, Ms. Lavanya Dhawan, Ms. Yasha Goyal, Ms. Deepti Arya &amp; Ms. Manisha Gupta, Advs. for R - 4

**ORDER**

1. This MA has been filed by the Applicant (Appellant in Appeal No. 16/2019 (CZ)) for restoration of Appeal No. 16/2019(CZ).

2. Appeal No. 16/2019(CZ) was filed by the Appellant challenging the Environment Clearance dated 12.07.2019 granted to Respondent No. 4, M/s. Rajasthan Rajya Vidyut Utpadan Nigam Limited for Parsa Opencast Coal Mining Project of 5 MTPA and Pit Head Coal Washery of 5 MTPA situated in the Hasdeo Aranya Coalfields in the Districts of Surguja and Surajpur, Chhattisgarh.

3. The above Appeal No. 16/2019(CZ) was heard along with Appeal No. 12/2019(CZ) and was finally decided by the NGT by order dated

19.12.2022. In both these appeals, the order dated 12.07.2019 was under challenge.

4. The present restoration application has been filed by the Appellant on 24.05.2024 with an inordinate delay of more than 1 year.

5. Though an application for condonation of delay was filed by the appellant, it was lying in defect and was not numbered, but with the consent of Counsel for the parties, the IA has been heard.

6. The submission of Counsel for the Appellant is that there was a change of Counsel by the Appellant and without any notice to the Appellant, the appeal has been heard and finally decided and that the Appellant came to know about the outcome of the appeal when he inquired after disposal of the Civil Appeal No. 4395/2014 by the Hon'ble Supreme Court. Further submission has been made that though the appeal was tagged with another appeal earlier, it was de-tagged later with a direction of hearing after the disposal of Civil Appeal No. 4395/2014 by the Hon'ble Supreme Court.

7. The restoration application and the application for condonation of delay have been opposed by Counsel for Respondent No. 4 by submitting that such a restoration application is not maintainable because the appeal was decided on merit, there is an inordinate delay in filing the restoration application, no date of knowledge has been disclosed and the Appellant was aware of the final order passed in Appeal by the NGT from much before the disposal of the Civil Appeal No. 4395/2014 by the Hon'ble Supreme Court and no case for condoning the delay is made out.

8. We have heard learned Counsel for the parties.

9. Appeal No. 16/2019(CZ) filed by the Appellant challenging the Environment Clearance dated 12.07.2019 granted by the Ministry of Environment, Forest and Climate Change (MoEF&CC) to Respondent No. 4 was decided finally on merit along with Appeal No. 12/2019(CZ) wherein the same Environment Clearance was under challenge. The Tribunal by order dated 19.12.2022 had dismissed the appeals on merit.

10. The Applicant has filed the present MA for restoration of Appeal No. 16/2019(CZ), which has been decided on merit. Rule-20 of the National Green Tribunal (Practices and Procedure) Rules, 2011 deals with the remedy of restoration of appeal and bars reopening of a case disposed of on merit, except by way of review. Rule 20 is quoted below for ready reference:

“xxx .....xxx.....xxx  
**20. Action on application for applicant's or appellant's default.**- (1) *Where on the date fixed for hearing of the application or appeal, as the case may be, or on any other date to which such hearing may be adjourned the applicant or appellant, as the case may be, does not appear when the application or appeal, as the case may be, is called for hearing, the Tribunal may in its discretion, either dismiss such application or appeal for default or hear and decide it on merit.*

*(2) Where an application or appeal, as the case may be, has been dismissed for default and the applicant or appellant, as the case may be, files an application within thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non- appearance when the application or appeal was called for hearing, the Tribunal shall make an order setting aside the order dismissing the application or appeal, as the case may be, and restore the same:*

***Provided that where the case was disposed of on merits the decision shall not be reopened except by way of review.***”

11. In view of the specific bar contained in Rule 20, the present application for restoration of Appeal No. 16/2019(CZ) is not maintainable.

12. So far as the issue of condonation of delay in filing the appeal is concerned, we have also minutely perused the application for condonation of delay and the application for restoration of appeal but in these applications, the Applicant has not disclosed the date on which the order of the Tribunal dated 19.12.2022 deciding the Appeal No. 16/2019(CZ) came to the knowledge of the Applicant. Only a vague plea has been raised that the Applicant was not aware of the order passed by the Tribunal deciding the appeal.

13. Not only that, we also find that in para 11 of the MA and para 12 of the IA for condonation of delay, Applicant has raised the false plea that after disposal of CA 4395/2014 by the Hon'ble Supreme Court, the Appellant came to know about the disposal of the Appeal No. 16/2019 (CZ) earlier.

14. CA No. 4395/2014 was disposed of by the Hon'ble Supreme Court by the order dated 16.10.2023. Counsel for Respondent No. 4 during the course of argument has placed on record the affidavit dated 10.01.2023 filed by Respondent No. 4 in Civil Appeal No. 8720/2022 wherein a copy of the common order dated 19.12.2022 passed by the NGT in Appeal No. 16/2019(CZ) and Appeal No. 12/2019(CZ) was enclosed. The present Applicant was the Appellant in C.A. No. 8720/2022. Hence, he had come to know and had received a copy of the order of the NGT dated 19.12.2022 much before the disposal of the C.A. No. 4395/2014 by the Hon'ble Supreme Court on 16.10.2023. Therefore, the plea of the Applicant in the present MA and application for condonation of delay that he came to know about the disposal of Appeal No. 16/2019(CZ) after the disposal of C.A. No. 4395/2014 by the Hon'ble Supreme Court is a false plea. The Applicant has not approached the Tribunal with clean hands, which disentitle him for any relief.

15. A perusal of the order dated 19.12.2022, whereby Appeal No. 16/2019(CZ) filed by the Appellant was decided along with Appeal No. 12/2019(CZ), reveals that Mr. Saurabh Sharma, Counsel for the Appellant was duly heard. It is undisputed that Appeal No. 16/2019(CZ) was filed by the Appellant through the Counsel, Mr. Saurabh Sharma, but now the Applicant is raising a plea that, subsequently, there was a change of Counsel. No order of the Tribunal has been produced showing that the earlier Counsel was discharged by the Tribunal. Merely at the subsequent occasion, some other Counsel had appeared on 13.09.2022 to argue IA No. 53/2022 or some Vakalatnama with no objection from the earlier Counsel was placed on record, is not sufficient unless the factum of change of Counsel is brought to the notice of the Tribunal and the earlier Counsel is discharged. No affidavit of the earlier Counsel has been placed on record stating that he had given no objection to another Counsel to appear in the appeal on behalf of the Applicant.

16. The Applicant is also not justified in taking the plea that he was not aware of the listing of this appeal for hearing. The cause list of the Tribunal is duly published in advance, disclosing the matters which were listed on a given date. Therefore, if the Counsel for the Applicant or the Applicant himself was not vigilant in checking the cause list that does not furnish a ground to come to the Tribunal after such a huge delay seeking restoration of an appeal decided on merit.

17. The factual scenario noted above clearly reveals that the Advocate had argued both Appeal No. 16/2019(CZ) and Appeal No. 12/2019(CZ) on 19.12.2022 which were dismissed on merit and the applicant waited for the outcome of C.A. No. 4395/2014 pending before the Hon'ble Supreme Court and when the Hon'ble Supreme Court by order dated 16.10.2023

disposed of the C.A. No. 4395/2014 as not pressed, the Appellant took a chance by filing the present restoration application. Such conduct of the Applicant cannot be appreciated.

18. Thus, we find that neither the Applicant could furnish a sufficient explanation for condonation of delay in filing this MA nor such an MA for restoration of Appeal No. 16/2019(CZ) is maintainable. Therefore, the application for condonation of delay is dismissed. Consequently, MA is also dismissed.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 29, 2024  
MA No. 12/2024(CZ)  
In Appeal No. 16/2019(CZ)  
dv..



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