

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
APPEAL NO.145 of 2024(WZ)

Brijkishore Har Govind Agrawal & Anr. ... Appellants

VERSUS

Union Of India & Ors. ... Respondents

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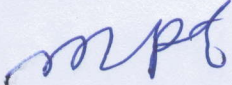
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Pune

Date: 03/10/2024

D.M.Gupte

9422317884 email-advgupte@gmail.com


Advocate for the Respondent No.9

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

APPEAL NO. 145 OF 2024 (WZ)
EARLIER ORIGINAL APPLICATION NO. 102/2024 (WZ)
WITH
I.A. NO. 163/2024 (WZ) IN
APPEAL NO. 145 OF 2024

BRIJKISHORE HARGOVIND AGRAWAL & Anr. .. Appellants

VERSUS

UNION OF INDIA & Ors. .. Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 9 i.e.
PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF
FOREST FORCE) MAHARASHTRA STATE, NAGPUR

1. It is specifically submitted that the Notice for the above titled appeal received this Respondent, hence this Respondent is filing affidavit in reply in relation to this Respondent only.

2. It is submitted that the appellant challenged the Environmental Clearance (EC) dated 05/02/2024 granted by the Respondent No. 1,

MoEF&CC to the Respondent No. 3 i.e. M/s Adani Power



Maharashtra Ltd. "Gondkhairi Underground Coal Mine" having production capacity of 2.0/3.0 MTPA in the mine area of 862.00 Ha. located in Village Gondkhairi, Tahsil Kalmeshwar, Distt. Nagpur. It is submitted that the contention of the appellants is that there are violations of conditions as laid down by the Notification of MoEF&CC dated 14/09/2006 which requires the mode of public hearing and proceedings of the public hearing were neither prepared nor published within the stipulated time and thus, the EC granted by the MoEF&CC dated 05/02/2024 is without following the procedure prescribed in EIA Notification, 2006.

3. It is submitted that the said proposal has been initiated by the present Respondent No. 3 for diversion of 87.351 Ha. Forest Land for Gondkhairi Underground Coal Mine project as the said coal block has been allotted to Adani Power Maharashtra Limited during the 2nd Tranche of Coal Block Auctions in November, 2021 to meet the growing demand for coal and reduce the dependency for high cost imported coal. The operation of the mine will create opportunity for both direct and indirect employment in which local youth will be provided opportunity to get trained in various skills.



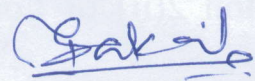
4. It is specifically submitted that no deforestation will be undertaken since the mining operations are through underground method deploying the latest technology. The Chief Conservator of Forests (T) Nagpur and Deputy Conservator of Forests (T) Nagpur inspected the site and found that there is no any violation of Forest (Conservation) Act, 1980. It is also submitted that the non-forest area covered under the project is not under the provisions of MPF(A) Act, 1975 by virtue of application of Section 35 of Indian Forest Act, 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the Expert Committee appointed under order dated 12/12/1996 of the Hon'ble Supreme Court of India. Even No felling of trees is involved in the project. It is submitted that, as the User Agency has submitted all related undertakings required for the Department, the said proposal was recommended for approval under Section 2(ii) of Forest (Conservation) Act, 1980 subject to various conditions mentioned in the proposal, to the Government of Maharashtra vide letter dated 10/10/2023 a copy of which is annexed

as ANNEXURE-I.

5. It is submitted that the Government of Maharashtra recommended the said proposal subject to conditions proposed by the Respondent No. 9 with one additional condition i.e. User agency shall submit the details of land for Compensatory Afforestation (CA), prior to the commencement of work, if required, vide its letter dated 21/11/2023, on the basis of this the Government of India accorded "In-principle/Stage-I" approval to the said project subject to fulfilment of conditions mentioned in the letter dated 02/01/2024. It is specifically submitted that the Conservator of Forests (T) Nagpur submitted compliance of conditions of Stage-I approval to this Respondent, hence compliance report submitted to Government of India vide letter dated 01/08/2024 a copy of which is annexed as ANNEXURE-II.

6. It is submitted that ^{the} Government of India accorded ^{its} Final approval to the said project subject to fulfilment of conditions mentioned in the letter dated 12/09/2024 a copy of which is annexed as ANNEXURE-III.

Hence this affidavit.


DEPONENT

Place: Nagpur

Dated: 01st October, 2024.



Reg. No. 497
Date. 01.10.2024

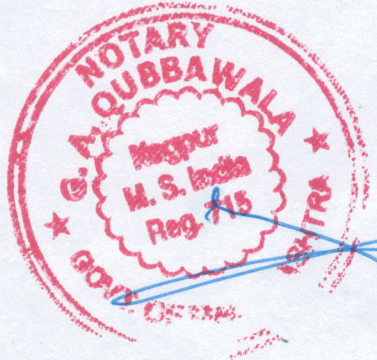
SOLEMN AFFIRMATION

I, Pandurang S/o Shivajirao Pakhale Aged about 45 yrs., Occu.: Asst. Conservator of Forest, Nagpur Division, Nagpur, R/o Civil Lines, Nagpur, Dist: Nagpur, do hereby take oath & declare on solemn affirmation and do hereby verify that the contents of all the above paras are true and correct to my personal knowledge and belief and have been drafted by my Counsel as per my instructions and read over to me in vernacular. Hence, verified and signed on this 01st day of ~~September~~ ^{October}, 2024 at Nagpur.

[Signature]
DEPONENT

I KNOW THE DEPONENT

[Signature]
Adv. U. L. Changanani
Advocate



[Signature] Pandurang S. Pakhale
takes oath before me and he/she
has been identified by Adv
[Signature] Umesh Changanani

[Signature]
G. A. QUBBAWALA
ADVOCATE & NOTARY
RESHMOLI BUDHWARI, NAGPUR

NOTARY
Nagpur Area
Maharashtra State India



Annexure R-1



सत्यमेव जयते
महाराष्ट्र शासन

Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,
Ramgiri Road, Civil Lines, Nagpur 440 001.

The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,
Ramgiri Road, Civil Lines, Nagpur 440 001.

0712-2556916

Email: apccfnodal@mahaforest@gov.in

Speed Post/Email

No.Desk-17/FCA-S1/PID-408247/Nagpur/23-24/2023
Nagpur 440 001 Dt. 10/10/2023.

To,
Principal Secretary (Forests),
Revenue and Forest Department,
Mantralaya Mumbai-32.

Sub: Diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at village Gondkhairi Tah. Kalmeshwar, Dist. Nagpur in favour of M/s. Adani Power Maharashtra Ltd. in the State of Maharashtra-Regarding.

Ref: Chief Conservator of Forests (T) Nagpur letter no.Desk-10/Land/CR-1152/23-24/467, Dtd.27.06.2023.

The Government of India has launched new Parivesh i.e., 2.0 version, Hence, the User Agency has registered aforesaid proposal after 28th June 2022. The Parivesh ID Number generated is (FP/MH/MIN/QRY/408247/2022)

2.0 In this connection, Government of India has issued notification vide dated 28/06/2022 and Project Screening Committee has been constituted as per Para No.8 of the said Notification.

3.0 The said proposal was discussed in the Project Screening Committee-I meeting held on 07/02/2023 and this office vide letter dated 16.06.2023 was again informed to submit query compliance to User Agency as desired by the PSC-I committee.

4.0 The User Agency has complied above shortcomings vide letter dtd.27.06.2023. After compliance of said shortcomings, the proposal was accepted on Parivesh Portal by Member, Secretary, Deputy Conservator of Forests (Forest Conservation).

5.0 The Chief Conservator of Forests (T), Nagpur on 27/06/2023 had submitted proposal to this office for diversion of 87.351 ha. Forest land for Gondkhari Underground Coal Mine project at village Gondkhari Tahsil Kalmeshwar, District Nagpur in the State of Maharashtra in favor of M/s. Adani Power Maharashtra Limited for seeking approval under Forest (Conservation) Act, 1980.

6.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has submitted its Part-II through Online Parivesh Portal on 31/05/2023. The copy of the same is enclosed on page No. 27 to 29. for acceptance.

7.0 After that, the said proposal was discussed in the Project Screening Committee-II meeting held on 25.07.2023. The Chief Conservator of Forests (C), Nagpur and Deputy Conservator of Forests, Nagpur were present in the meeting. The PSC after thorough deliberation and discussion decided to recommend the proposal for prior approval by Government of India. The brief details of the said proposal is shown as under:-

- Gondkhairi Coal Block of 2 MTPA capacity is an underground coal mine allotted as commercial mine to accelerate economic development of the nation.
- Total requirement of land is 862.00 ha which includes 87.351 ha of Revenue Forest land (undisturbed surface area) and 774.648 ha of non-forest land.
- Forest land involved at the surface will remain undisturbed as no infrastructure activities planned in forest land and method of mining is underground.
- Mining Plan was approved by Ministry of Coal vide letter dtd.09.01.2023.
- TOR has been granted vide letter no.IA-J-1105/46/2022-IA.II(M), dtd.13.02.2023 from Ministry of Environment Forests and Climate Change.
- Forest application for diversion 87.351 ha of forest (undisturbed surface area) land submitted vide proposal No.FP/MH/MIN/QRY/4082447/2022, dtd.06.01.2023.
- TOR for EIA/EMP was approved by Expert Appraisal Committee (Coal Mining) in its meeting held on 13.01.2023

8.0 The details of the forest land proposed for diversion are as under:- (P-P-No-44)

Details of Forest/Revenue Land within Gondkhairi Coal Block							
Tehsil	Village	Survey No.	Area (Ha)	Area within ML (Ha)	Total Area (Ha)	Name of Owner	Legal Status
Kalmeshwar	Gondkhairi	142	0.10	0.1	7.44	Revenue Dept	Zudpi Jungle
Kalmeshwar	Gondkhairi	137	0.09	0.09		Revenue Dept	Zudpi Jungle
Kalmeshwar	Gondkhairi	103	1.05	1.05		Forest Dept	Section 4 RF
Kalmeshwar	Gondkhairi	107	1.40	1.4		Forest Dept	Section 4 RF
Kalmeshwar	Gondkhairi	117	1.42	1.42		Revenue Dept	Zudpi Jungle
Kalmeshwar	Gondkhairi	139	3.02	3.02		Forest Dept	Section 4 RF
Kalmeshwar	Gondkhairi	145	0.36	0.36		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	11	11.93	3.1	57.27	Forest Dept	Section 4 RF
Kalmeshwar	Karli	14	0.12	0.12		Revenue Dept	Zudpi Jungle
shwar	Karli	63	0.91	0.05		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	179	3.48	3.48		Forest Dept	Section 4 RF
Kalmeshwar	Karli	192	1.71	1.71		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	193	15.95	15.12		Forest Dept	Section 4 RF
Kalmeshwar	Karli	194	4.03	4.03		Forest Dept	Section 4 RF
Kalmeshwar	Karli	195	1.96	1.96		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	198	0.13	0.13		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	199	0.32	0.32		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	201	0.41	0.41		Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	202	3.90	3.9		Forest Dept	Section 4 RF
Kalmeshwar	Karli	204	0.050	0.05		Revenue Dept	Zudpi Jungle

Kalmeshwar	Karli	205	0.04	0.04	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	206	0.43	0.43	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	207	0.04	0.04	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	208	0.06	0.06	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	220	0.31	0.31	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	221	0.92	0.92	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	229	2.81	2.81	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	230	1.35	1.35	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	234	0.11	0.11	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	239	1.12	1.06	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	240	5.69	5.69	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	241	7.26	7.26	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	266	1.21	1.21	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	268	1.22	1.22	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	269	0.10	0.1	Revenue Dept	Zudpi Jungle
Kalmeshwar	Karli	275	0.28	0.28	Revenue Dept	Zudpi Jungle
Hingna	Waddhamana	82	4.65	4.65	22.6384	Forest Dept Section 4 RF
Hingna	Waddhamana	90	31.19	17.99		Forest Dept Section 4 RF
		Total Forest Area		87.351	87.351	

9.0 The proposal has been initiated by M/s Adani Power Maharashtra Ltd. for diversion of diversion of 87.351 ha. Forest land for Gondkhari Underground Coal Mine project at village Gondkhari Tahsil Kalmeshwar,, District Nagpur in the State of Maharashtra.

- The Gondkhari coal block has been allotted to Adani Power Maharashtra Limited during the 2nd Tranche of coal block auctions in Nov-2021 to meet the growing demand for coal and reduce the dependency for high cost imported coal. The Coal block has been allotted for commercial use of coal and not limited to any particular industry.
- Although the mine has been allotted for commercial use of coal, APML plans to utilize the coal for consumption in its nearby power plant located at Tiroda and also sell it to other local and domestic consumers.
- The operation of the mine will create opportunity for both direct and indirect employment. Local youths will be provided the opportunity to get trained in various skills through company's skill training program including under CSR which will create an impact for upliftment of the population.
- No deforestation will be undertaken since the mining operations are through underground method deploying the latest technology. APML is also committed for protection of environment and carrying the operations in a safe, sustainable is also planned in the block area.
- Afforestation is also planned in the block area. With the operations of this mine, the local and surrounding economy will also get a boost.

10.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 10.01 The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur (P-P-30 to 32) and the Chief Conservator of Forests (T), Nagpur are enclosed on (P-P- No. 24 to 26)
- 10.02 The block was under auction for commercial coal mines from Ministry of coal in 2nd Tranche vide Coal mines Special provision act 2015 and was vested to M/s APML vide

11.07 The User Agency has submitted an undertaking regarding No Objection Certificate from Maharashtra State Pollution Control Board will be obtained and submitted as per act. (P/424 A)

12.0 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur(P/27 to 29) and Chief Conservator of Forests (T), Nagpur has accepted the proposal for diversion of 87.351ha. Forest land. (P/23)

13.0 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: -

13.1 Legal status of the forest land shall remain unchanged.

13.2 Forest land will be handed over only after required non-forest land for the project is handed over to the User Agency.

13.3 **Compensatory Afforestation:-**

(a) The user agency has submitted under taking that the details of land for Compensatory Afforestation (CA) for Gondkhari coal block (Area-862.00 ha) in Kamptee coalfield located in Gondhairi, Nande (Rithi), Asesur, Kalambi, Karli Surabardi, Pendhari, Waddhamna villages of Nagpur district of Maharashtra state would be provided during late stage (Part-II) of forest clearance after identification of the same as per criteria/guideline of the forest department in lieu of diversion of 87.351 ha. forest land for the project.

13.4 The non-forest land transferred and mutated in favour of the Forest Department shall be notified by the State Government as RF under section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, latest within a period of six months from the date of issue of Stage-II approval. The Conservator of Forests (T), Yavatmal shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927 or under the relevant sections of the local Forest Act, as the case may be, within the stipulated period to the Central Government for information and record;

13.5 The User Agency shall transfer the cost of raising and maintaining the CA plantation as per conditions stipulated above, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;

13.6 **NPV:-**

b) The State Government shall charge the Net Present Value (NPV) for the 87.351 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 and File No.5-3/2011-FC (Vol-I), Dated 06/01/2022 in this regard.

b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

13.7 User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and

- the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 13.8 All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
- 13.9 All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to CAMPA through the e-payment module to the designated account of the State Concerned;
- 13.10 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 as amended or Rules framed there under;
- 13.11 The User Agency shall prepare a schedule for surrender of the mined out and reclaimed forest land in accordance with existing mining plan and submit the same along with an undertaking to surrender the mined out and reclaimed forest land as per such schedule to the MoEF&CC before grant of Stage-II approval under the FC Act for diversion of the said forest land;
- 13.12 The mining activities shall be restricted and the User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area.
- 13.13 Following activities shall be undertaken by the User Agency for the management of safety zone:
- (a) User Agency shall ensure demarcation of boundary of safety zone and its protection by erecting adequate number of 6-8 feet chain link fencing to avoid incident of trapping of wildlife. Prescribe RCC boundary pillars with DGPS coordinates and adequate number of watchers under the supervision of the State Forest Department shall be deployed.
 - (b) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation/regeneration activities in the safety zone.
 - (c) 7.5 meter Safety zone shall be maintained as green belt around the mining lease area to ensure dense canopy cover, regeneration, precautions for safety of wild life from dust/noise and vibrations shall be taken in this area by the State Forest Department at project cost.
 - (d) No Mining/ No blasting/ No transport will be allowed from 6 pm to 6 am.
 - (e) Control Blasting with minimum duration during day time will be allowed, the User Agency will maintain record for inspection for the forest staff.
 - (f) Water sprinkling during mining/haul roads and approach road.
 - (g) Strict compliances of mitigation measures suggested in Mine Closure Plans, Wild Life Mitigation Plan and conditions of Environment Clearance and NBWL if required.
- 13.14 User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act. 1986, if applicable.
- 13.15 Following activities, if applicable, shall be undertaken by the User Agency at the Project cost:
- (a) Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams;
 - (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;

- (c) Construction of check dams, retention/toe walls along the contour to arrest sliding down of the excavated material;
- (d) Stabilize the overburden dumps by appropriate grading/ benching so as to ensure that that angles of repose at any given place is less than 28° ; and
- (e) Strict adherence to the prescribed top soil management.
- 13.16 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 13.17 No labour camp shall be established on the forest land.
- 13.18 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 13.19 The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 13.20 No damage to the flora and fauna of the adjoining area shall be caused.
- 13.21 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 13.22 The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- 13.23 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 13.24 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- 13.25 Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11- 42/2017-FC dt. 29/01/2018.
- 13.26 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- 13.27 The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

14.0 It is therefore, requested that Government of Maharashtra may kindly recommend the proposal approving for diversion of 87.351 ha. of forests for the Gondkhairi Underground Coal Mine project at village Gondkhairi Tah. Kalmeshwar, Dist. Nagpur in favour of M/s. Adani Power Maharashtra Ltd under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 2 copies

(Signature)
10/12/23
(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests And Nodal Officer
Maharashtra State, Nagpur

Copy forwarded to Conservator of Forests (T) Nagpur for information.

Copy forwarded to Adani Power Maharashtra Ltd; Plot no.316, 1st Floor, Bhaskar Enclave, Behind Axis Bank, Rabindarnath Tagor Marg, Civil Lines Nagpur 440 001 for information.



Government of India

...

(Forest Conservation Division)



Online Proposal No.:
FP/MH/MIN/QRY/408247/2022

Dated: 02/01/2024

To,

The Principal Secretary (Forests),
Government of Maharashtra,
Mumbai.

Subject: Diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at Village - Gondkhari, Tehsil-Kalmeshwar, District Nagpur in favour of M/s Adani Power Maharashtra Ltd (APML), in the State of Maharashtra - regarding.

Sir/Madam,

I am directed to refer to the Government of Maharashtra letter No. FLD-3423/CR-310/F-10 dated 21.11.2023 on the above subject seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government & on the basis of the recommendations of the Advisory Committee and with due approval of the competent authority, the Central Government hereby accords "**In-principle/Stage-I**" approval under Section 2(1) (ii) of the Van(Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at Village -Gondkhari, Tehsil-Kalmeshwar, District Nagpur in favour of M/s Adani Power Maharashtra Ltd (APML), in the State of Maharashtra subject to fulfilment of the following conditions:

1. General Conditions

S. No	Conditions
1.1	Legal status of the diverted forest land shall remain unchanged
1.2	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years

S. No	Conditions
1.3	The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard
1.4	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India
1.5	All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Savings Bank Account pertaining to the State concerned
1.6	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required
1.7	The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar
1.8	The User agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the State Forest Department. A scheme of the same may be submitted along with the compliance report
1.9	No labour camp shall be established on the forest land
1.10	The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas
1.11	The forest land shall not be used for any purpose other than that specified in the proposal
1.12	The layout plan of the proposal shall not be changed without the prior approval of the Central Government
1.13	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government
1.14	No damage to the flora and fauna of the adjoining area shall be caused
1.15	Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department
1.16	The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project
1.17	The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State

S. No	Conditions
1.18	The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year
1.19	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife
1.20	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project
1.21	Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.08.2015

2. Standard conditions

S. No	Conditions
2.1	The State Government shall upload the KML files of the area under diversion in the E-green watch portal of FSI, before handing over forest land to the user agency;
2.2	The R&R Plan shall be implemented as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
2.3	The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the concern Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed
2.4	In the subsidence prediction study carried out by the IIT, Kharagpur, it has been mentioned that 'No working has been proposed directly under any of the water bodies'. The State shall ensure that no working is allowed directly under the water bodies.

3. Specific Conditions

S. No	Conditions
3.1	The violation carried out by NHAI in the proposed diversion area in the form of road shall be dealt appropriately as per the existing Rules and Guidelines. The user agency M/s Adani Power Maharashtra Ltd. shall obtain NoC from NHAI before Stage-II approval.

S. No	Conditions
3.2	The gap planting within the area proposed for diversion with a minimum of 100 plants per hectare shall be carried out at the cost of the user agency. A detailed plantation scheme in this regard shall be submitted.
3.3	A certificate indicating that the FEM model is a 3D subsidence method shall be submitted and the NPV shall be charged as per surface strain predicted by the 3D subsidence prediction model.
3.4	Since the area of air strip is located at the confluence of private and Govt. lands, a joint demarcation of Forest and Revenue Departments shall be undertaken to ascertain exact boundaries between cited private survey numbers and Government survey numbers. In case the air strip is within forest land, the action for the removal of encroachment shall be taken by the state govt. or the said area shall be excluded from the area proposed for diversion or appropriate action deemed fit as per rules shall be taken by the State Government.

After receipt of the compliance report on the fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Government in this regard.

Copy To

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

Your's faithfully

(Suneet Bhardwaj)

Assistant Inspector General of Forests



**Office of the Principal Chief Conservator of Forests (Head of Forests Force),
Maharashtra State.**

Additional Principal Chief Conservator of Forests & Nodal Officer,

1st Floor, B Wing, Van Bhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001

Tel.No.: 0712- 2556916 . E-mail: apccfnodal@mahaforest.gov.in

By E-mail/Speed Post

No.Desk-17/FCA-S2/PID-408247/Nagpur/ 1083 /2024-25

Nagpur - 440 001,

Date: 1/8/2024

To,

The Assistant Inspector General of Forests (FC),
Government of India, Ministry of Environment, Forests
and Climate Change (Forest Conservation Division),
Indira Paryavaran Bhawan, New Delhi-110 003.

Sub: Proposal for diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at Village Gondkhari, Tehsil-Kalmeshwar, District Nagpur in favour of M/s Adani Power Maharashtra Ltd (APML), in the State of Maharashtra.

- Ref:** 1. Government of India MoEF & CC, New Delhi, letter no. FP/MH-MIN/ QRY/-408247/ 2022, dated 02/01/2024.
2. The Conservator of Forests (T), Nagpur letter no. Desk-10/Land/C.R.1152/500, dated 27/06/2024.
3. The Conservator of Forests (T), Nagpur, letter no. Desk 10/Land/C.R.1152/607, dated 19/07/2024.
4. M/s. Adani Power Maharashtra Ltd. (APML), letter no. APML/GDK/2024/016, dated 30/07/2024

Sir,

The Government of India vide letter under reference no.1 has accorded in-principle approval subject to fulfillment of conditions. Accordingly, the Conservator of Forests (T), Nagpur vide letter under reference no.2 and 3 has submitted the compliance of conditions of Stage-I approval to this office. The compliance report on conditions as desired by the Government of India vide letter dated 02/01/2024 is submitted as under:

Sr. No.	Conditions	Compliance
1.1	The legal status of the diverted forest land shall remain unchanged.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded

		by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking that the legal status of the diverted forest land remains unchanged. Undertaking is attached as Annexure I-A (Page No.373)
1.2	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The Scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The User Agency vide letter under reference no. 4 has addressed Assistant Inspector General of Forests, GoI requesting for waiving condition no. 1.2 mentioned in stage-I approval by GoI dated 02/01/2024. (Page No. 513)
1.3	The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India 28/03/2008, 24/04/2008 and 09/05/2008 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide No 5-3/2007-FC dated 05/02/2009, in this regard.	The User Agency vide letter under reference no. 4 has addressed Assistant Inspector General of Forests, GoI requesting for waiving condition no. 1.3 mentioned in stage-I approval by GoI dated 02/01/2024. (Page No. 513)
1.4	At the time of Payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure II-B (Page No.367)
1.5	All the funds received from the user agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-C (Page No.365)
1.6	The User Agency shall obtain the Environment Clearance as per the provision of the Environmental	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur

	(Protection) Act, 1986, if required.	mentioned that, the user agency has submitted undertaking is attached as Annexure III (Page No.359)
1.7	The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure IV (Page No.315)
1.8	The User Agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the State Forest Department. A scheme of the same may be submitted along with the compliance report.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-D (Page No.307)
1.9	No labour camp shall be established on the forest land;	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-E (Page No.305)
1.10	The User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-F (Page No.303)
1.11	The forest land shall not be used for any purpose other than that specified in the proposal.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-G (Page No.301)
1.12	The layout plan of the proposal shall not be changed without prior approval of Central Government.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted

	the State.	undertaking is attached as Annexure I-L (Page No.283)
1.18	The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31 st December of every year.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the DCF Nagpur will be complied and yearly report will be submitted for the same.
1.19	Any other condition that the concerned Regional Officer of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-P (Page No.281)
1.20	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-M (Page No.279)
1.21	Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.8.2015.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the working permission granted by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.8.2015.

2. Standard Conditions

2.1	The State Government shall upload the KML files of the area under diversion in the E-green watch portal of FSI, before handing over forest land to the user agency.	As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the KML files of the area under diversion will be uploaded in the E-green watch portal of FSI, before handing over forest land to the user agency.
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<p>2.2 The R&R plan shall be implemented as per the R&R policy of State Government in consonance with National R&R policy, Government of India before the commencement of the project work and implementation. The said R&R plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, R&R is not applicable as this is an underground mining project and no surface rights are provided to User Agency.</p>
<p>2.3 The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980 in the concerned State Government and the concerned Regional Officer of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Nodal Officer or the concern Addl. Principal Chief Conservator of Forest (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-N (Page No.277)</p>
<p>2.4 In the subsidence prediction study carried out by the IIT, Kharagpur, it has been mentioned that 'No working has been proposed directly under any of the water bodies'. The State shall ensure that no working is allowed directly under the water bodies.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as Annexure I-O (Page No.275)</p>

3. Specific Conditions		
3.1	<p>The violation carried out by NHAI in the proposed diversion area in the form of road shall be dealt appropriately as per the existing Rules and Guidelines. The User Agency M/s Adani Power Maharashtra Ltd. shall obtain NOC from NHAI before State-II approval.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as "Annexure V (Page No.273)</p>
3.2	<p>The gap planting within the area proposed for diversion for diversion with a minimum of 100 plants per hectares shall be carried out at the cost of the user agency. A detailed plantation scheme in this regard shall be submitted.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that the gap planting within the area proposed for diversion with a minimum of 100 plants per hecters with an estimate provided by DyCF Nagpur costing Rs. 1,46,65,500/- (One Crore Forty Six lacs Sixty Five Thousand and Five Hundred Only) and funds received from user agency had deposited to CAMPA fund only through e-portal. Copy of the payment receipt of Rs.1,78,32,100/- is enclosed at "Annexure IV (Page No.269)</p>
3.3	<p>A certificate indicating that the FEM model is a 3D subsidence method shall be submitted and the NPV shall be charged as per surface strain predicated by the 3D subsidence prediction model.</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the user agency has submitted undertaking is attached as "Annexure II-C (Page No.261)</p>
3.4	<p>Since the area of air strip is located at the confluence of private and Govt. lands, a joint demarcation of Forest and Revenue Departments shall be undertaken to ascertain exact boundaries between cited private survey numbers and Government survey numbers. In case the air strip is within forest land, the action for the removal of encroachment shall be taken by the state Govt. or the said area shall be excluded from the area proposed for diversion or appropriate action deemed fit</p>	<p>As per the Compliance submitted by Deputy Conservator of Forest Nagpur and forwarded by Conservator of Forests (T), Nagpur mentioned that, the joint survey of Forest Department & Revenue Departments for survey number 194 identified as Forest Land it was studied that the airstrip does not fall under the said survey number. However, airstrip and building encroachment has been observed in the adjacent survey no. 195 identified as Revenue land on the basis of the survey carried out of survey no 194. Necessary instructions</p>

as per rules shall be taken by the State Government.	have been given to the Revenue department to carry out further procedure in line with encroachment at survey number 195. Both the survey numbers 194 and 195 are considered in the FCA proposal. Annexure VI attached on (Page No.189)
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The User Agency vide letter dated 30/07/2024 has requested to waive condition no. 1.2 and 1.3 of Stage-I approval and compliance of remaining conditions pertaining to Stage-I approval is submitted herewith.

In view of the above facts, the aforesaid compliance submitted for further needful action.

Encl: As above

Star 48/24

(Naresh Zurmure)

Addl. Principal Chief Conservator of Forests & Nodal Officer

OK
MPL
1/08/24

Copy submitted for information to:-The Principal Secretary (Forests), Revenue & Forest Department, Mantralaya, Mumbai-32

Copy for information & necessary action:

1. The Conservator of Forests (T), Nagpur
2. The Deputy Conservator of Forests, Nagpur
3. M/s. Adani Power Maharashtra Ltd. (APML).

Annexure - R-3



सत्यमेव जयते

Government of India

Ministry of Environment, Forest and Climate Change

(Forest Conservation Division)



Online Proposal No.:
FP/MH/MIN/QRY/408247/2022

Dated: 12/09/2024

To,

The Principal Secretary (Forests),
Government of Maharashtra,
Mumbai.

Subject: Diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at Village Gondkhari, Tehsil- Kalmeshwar, District Nagpur in favour of M/s Adani Power Maharashtra Ltd (APML), in the State of Maharashtra (Online No. FP/MH/MIN/QRY/408247/2022) - regarding.

Sir/Madam,

I am directed to refer to the Government of Maharashtra letter No. FLD-3423/CR-310/F-10 dated 21.11.2023 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination and recommendation of the proposal by the Advisory Committee, constituted under Section-3 of the aforesaid act and with due approval of the competent authority *Stage-I/In-principle approval* for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 02.01.2024 subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report uploaded online by the State Government on dated 29.08.2024 '**Stage-II/Final approval**' of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 87.351 ha of forests for the Gondkhairi Underground Coal Mine project at Village Gondkhari, Tehsil- Kalmeshwar, District Nagpur in favour of M/s Adani Power Maharashtra Ltd (APML), in the State of Maharashtra subject to fulfillment of the following conditions:

1. General Conditions

S. No	Conditions
1.1	"Legal status of the diverted forest land shall remain unchanged"

S. No	Conditions
1.2	"The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar"
1.3	"The User agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the State Forest Department. A scheme of the same may be submitted along with the compliance report"
1.4	"No labour camp shall be established on the forest land"
1.5	"The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas"
1.6	"The forest land shall not be used for any purpose other than that specified in the proposal"
1.7	"The layout plan of the proposal shall not be changed without the prior approval of the Central Government"
1.8	"The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government"
1.9	"No damage to the flora and fauna of the adjoining area shall be caused"
1.10	"Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department"
1.11	"The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project"
1.12	"The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State"
1.13	"The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year"
1.14	"Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife"
1.15	"The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project"

2. Standard conditions

S. No	Conditions
2.1	<p>"</p> <p>The State Government shall upload the KML files of the area under diversion in the E-green watch portal of FSI, before handing over forest land to the user agency;</p> <p>"</p>
2.2	<p>"</p> <p>The R&R Plan shall be implemented as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;</p> <p>"</p>
2.3	<p>"</p> <p>The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the concern Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed</p> <p>"</p>

3. Specific Conditions

S. No	Conditions
3.1	<p>Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;</p>
3.2	<p>The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter dated 02.01.2024 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.</p>
3.3	<p>The gap planting within the area proposed for diversion with a minimum of 100 plants per hectares shall be carried out at the cost of the user agency as per approved plantation scheme by the State Govt. The State Govt. shall ensure that a detailed plantation scheme in this regard is prepared and approved before handing over forest land to the user agency and the copy of scheme shall be provided to Regional Office, Nagpur for record and further monitoring works in future.</p>

Copy To

1. The PCCE (HoFF), Department of Forest, Government of Maharashtra, Nagpur;

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

Your's faithfully

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests