

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 116 OF 2026**

IN THE MATTER OF:

Ajay Dubey

...Appellant

VERSUS

Union of India,
Ministry of Environment, Forest
and Climate Change & Ors.

...Respondents

INDEX

S. NO.	PARTICULARS	PAGES
1.	Reply on behalf of Respondent No. 7 i.e. M/s Stratatech Mineral Resources Pvt. Ltd, (SMRPL) currently known as Mahan Energen Ltd.	1 – 36
2.	<u>ANNEXURE R-1 (Colly)</u> : A Copy of the public hearing notice dated 29.03.2022 along with newspaper cuttings.	37 – 41
3.	<u>ANNEXURE R-2</u> : A copy of the Environment clearance dated 07.12.2024.	42 – 61
4.	<u>ANNEXURE R-3</u> : A copy of the Forest Clearance dt. 09.05.2025.	62 – 67
5.	<u>ANNEXURE R-4</u> : A copy of the State Forest Diversion order dt. 22.05.2025.	68 – 70
6.	<u>ANNEXURE R-5</u> : A copy of the Forest Clearance Half Yearly Compliance Report dt. 23.03.2026.	71 – 81
7.	<u>ANNEXURE R-6</u> : A copy of the order dated 17.02.2026.	82 – 83
8.	<u>ANNEXURE R-7</u> : A copy of the final order and judgment dated 22.04.2026 passed by this Hon'ble Tribunal in Appeal No. 14 of 2026.	84 – 94
9.	<u>ANNEXURE R-8</u> : A copy of the final order dated 11.05.2026 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 610 of 2026.	95

10.	<u>ANNEXURE R-9:</u> A copy of the Application for Directions filed by the Applicant herein being I.A. No. 159080 of 2026 in Civil Appeal No. 7060 of 2026.	96 – 109
11.	<u>ANNEXURE R-10:</u> A copy of the final order dated 21.05.2026 passed in Civil Appeal No. 7060 of 2026.	110 – 111
12.	<u>ANNEXURE R-11:</u> A copy of the Press Release dt. 19.05.2026.	112
13.	<u>ANNEXURE R-12:</u> A copy of the State Forest Department Letter dated 25.04.2024.	113 – 117
14.	<u>ANNEXURE R-13:</u> A copy of the NGT appointed Joint Committee Report.	118 – 127
15.	<u>ANNEXURE R-14:</u> A copy of the final order and judgment dated 11.10.2023 passed by Hon’ble Tribunal in O.A. No. 97 of 2023 (C.Z.).	128 – 158
16.	<u>ANNEXURE R-15:</u> A copy of the Minutes of Meeting dt. 27.08.2024 by Forest Advisory Committee (FAC).	159 – 170
17.	<u>ANNEXURE R-16:</u> A copy of the Letter dated 30.08.2012 along with letter dated 24.09.2012 (“Colly”).	171 – 172
18.	Vakalatnama and Board Resolution	173 – 174

FILED BY:



MAHESH AGARWAL/ARSHIT ANAND/
 GEETIKA SHARMA
 AGARWAL LAW ASSOCIATES
 ADVOCATE FOR THE RESPONDENT NO.7
 GROUND FLOOR, MERCANTILE HOUSE,
 15, K. G. MARG, NEW DELHI-110001
 PH: 011-42200000
 Email: mail@aglaw.in

PLACE: NEW DELHI
 DATED: 25.05.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 116 OF 2026

IN THE MATTER OF:

AJAY DUBEY

...Appellant

VERSUS

UNION OF INDIA, MINISTRY
OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE & ORS.

...Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 7 I.E. M/S
STRATATECH MINERAL RESOURCES PVT. LTD, (SMRPL)
CURRENTLY KNOWN AS MAHAN ENERGEN LTD.**

MOST RESPECTFULLY SHOWETH:

1. The present Reply to the Original Application is being filed by the Respondent No. 7 pursuant to the order dt. 26.02.2026 passed by this Hon'ble Tribunal.

Preliminary objections:

2. At the outset, Respondent No. 7 submits that the present Original Application is not maintainable in law or on facts, and deserves to be dismissed in limine as being a clear abuse of the process of law, devoid of bona fides, and filed with the sole



object of obstructing a duly approved project which has already attained statutory finality.

3. It is submitted that the Applicant herein is not a public-spirited person and has been litigating from pillar to post before various forums including the Hon'ble Supreme Court of India with sole ulterior motive of stalling a project of national importance and public utility in the name of so called "environment activism". The Applicant who hails from Bhopal, Madhya Pradesh, is neither a "person aggrieved" with the current coal mining project situated in Singrauli District.

A. **ORIGINAL APPLICATION IS A GROSS ABUSE OF THE PROCESS OF LAW AND INADMISSIBLE ON ACCOUNT OF FORUM SHOPPING:**

4. It is submitted that the Respondent No. 7 herein has been granted Environmental Clearance ("EC") on 07.12.2024 by the Ministry of Environment, Forest and Climate Change ("MoEF & CC"). Significantly, the Applicant herein who claims to be an RTI activist and environment litigant did not challenge the said Environmental Clearance at the relevant stage nor participated in the statutory process, and admittedly did not attend or raise any objection during the public hearing conducted in relation to the project. The issue of Environment Clearance has attained finality way back in 2024. A Copy of the



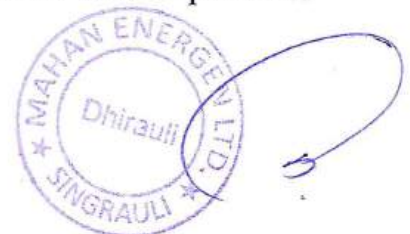
public hearing notice dated 29.03.2022 along with newspaper cuttings are annexed herewith and marked as ANNEXURE R-1 (Colly). A copy of the Environment clearance dated 07.12.2024 is annexed herewith and marked as ANNEXURE R-2.

5. Thereafter, Respondent No. 7 was granted Forest Clearance approval dated 09.05.2025 by the Ministry of Environment, Forest and Climate Change for diversion of forest land, followed by consequential approval dated 22.05.2025 issued by the State Government of Madhya Pradesh. That as per the Forest Clearance condition, the Respondent No. 7 has been filing its half yearly FC compliance report with the MoEF & CC, which is being annexed for the perusal of this Hon'ble Tribunal. A copy of the Forest Clearance dt. 09.05.2025 is annexed herewith and marked as ANNEXURE R-3. A copy of the State Forest Diversion order dt. 22.05.2025 is annexed herewith and marked as ANNEXURE R-4. A copy of the Forest Clearance Half Yearly Compliance Report dt. 23.03.2026 is annexed herewith and marked as ANNEXURE R-5
6. The Applicant remained wholly silent during the entire environment/ forest permissions approval process, despite the project having obtained the requisite statutory permissions and Respondent No. 7 having, in reliance thereon, altered its



position and made substantial investments in the project. The conduct of the Applicant is wholly inconsistent with the conduct of a bona fide litigant.

7. The Applicant, while claiming to be an environmental activist and an "RTI expert", took no steps whatsoever at the relevant stage of the approval process and remained aloof from the entire statutory process. The present OA proceedings have been initiated only after the project substantially progressed and begun mining operations and after Respondent No. 7 incurred enormous expenditure and altered its position irreversibly.
8. It is further submitted that, after consciously choosing to let the project proceed, the Applicant at the very fag end, first chose to file Original Application No. 116/2026 before this Hon'ble Tribunal seeking, inter alia, challenge to the Forest Clearance as well as a declaration that the area be treated as an Eco-Sensitive Zone/Elephant Corridor.
9. That by order dated 17.02.2026, this Hon'ble Tribunal specifically held that the statutory remedy of appeal under Section 16(e) of the NGT Act, 2010 was the proper remedy against the approval granting diversion of forest land, and that separate proceedings were required in respect of distinct causes of action. It is only after that this Hon'ble Tribunal observed that the present Applicant was required to



avail the statutory remedy of appeal under Section 16(e) of the NGT Act against the impugned approval for diversion of forest land, and that for other issues, a separate Original Application was required to be filed. The Hon'ble Tribunal observed as under:

“4. Thus, Applicant is required to avail the statutory remedy of appeal in terms of Clause 16(e) of the NGT Act, 2010 against the impugned approval for diversion of the forest land. For other issues, he has a remedy of filing the O.A. separately.”

A copy of the order dated 17.02.2026 is annexed herewith and marked as ANNEXURE R-6.

10. Further, this Hon'ble Tribunal had further granted liberty to the Applicant either to convert the Original Application into an appeal confined to Prayer A or to file a separate statutory appeal. Even thereafter, instead of diligently pursuing the Original Application, the Applicant adopted a strategy of multiplying proceedings and filed Appeal No. 14 of 2026 before this Hon'ble Tribunal under Section 16(e) of the NGT Act challenging the Forest Clearance Stage-I approval granted on 24.09.2024, and the final approval granted on 09.05.2025.
11. The said Appeal was hopelessly barred by limitation and that this Hon'ble Tribunal lacked the jurisdiction. By detailed



judgment dated 22.04.2026, this Hon'ble Tribunal rejected the application for condonation of delay and held that there was a delay of 259 days in filing the statutory appeal. This Hon'ble Tribunal also recorded the submission of Respondent No. 7 that the order dated 09.05.2025 had been uploaded on the website of MoEF & CC on the very same date and had entered public domain. A copy of the final order and judgment dated 22.04.2026 passed by this Hon'ble Tribunal in Appeal No. 14 of 2026 is annexed herewith and marked as ANNEXURE R-7.

12. Having failed before this Hon'ble Tribunal, the Applicant thereafter approached the Hon'ble Supreme Court of India by filing of Statutory Civil Appeal under Section-22 of the NGT Act, being Civil Appeal No. 7060 of 2026, challenging the final order and judgment dt. 22.04.2026 passed in Appeal No. 14 of 2026.
13. While the above Civil Appeal was pending adjudication by the Hon'ble Supreme Court, the Applicant went a step ahead and invoked the extraordinary jurisdiction of the Hon'ble Supreme Court by filing Writ Petition (Civil) No. 610/2026 under Article 32 of the Constitution of India, seeking substantially similar reliefs as prayed in the present O.A. However, when the matter was called for hearing, the said writ petition was withdrawn after substantial arguments by the Applicant on merits. The

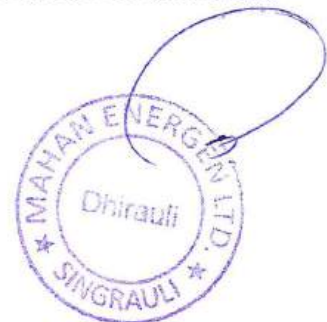


Hon'ble Supreme Court, by order dated 11.05.2026, recorded as follows:

“After arguing the case for some time, learned counsel for the petitioner seeks and is permitted to withdraw this petition. The Writ Petition is, accordingly, dismissed as withdrawn.”

A copy of the final order dated 11.05.2026 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 610 of 2026 is annexed herewith and marked as **ANNEXURE R-8.**

14. It is further submitted that even after having withdrawal of the Article -32 Writ Petition before the Hon'ble Supreme Court, the Applicant herein continued to pursue substantially identical reliefs and issues raised in the present O.A., by way of an extraordinary application being I.A. No. 159080 of 2026 in the pending Civil Appeal No. 7060 of 2026 filed by the Applicant herein. In the said application, the Applicant herein sought and prayed the Hon'ble Supreme Court of India for *suo-moto* invocation of Article 142 of the Constitution of India for quashing of the Forest Clearance granted in favour of the Respondent No. 7 herein. A copy of the Application for Directions filed by the Applicant herein being I.A. No. 159080 of 2026 in Civil Appeal No. 7060 of 2026 is annexed herewith and marked as **ANNEXURE R-9.**



15. It is submitted that when the said Civil Appeal was taken up for hearing by the Hon'ble Supreme Court, the Applicant having argued the issue of limitation, eventually sought permission to withdraw the said Civil Appeal. The Hon'ble Supreme Court, vide order dated 21.05.2026, recorded as under:

“Learned counsel appearing for the appellant seeks permission to withdraw the Civil Appeal to avail alternative remedies, if any. Permission, as sought for, is granted. The Civil Appeal is, accordingly, dismissed as withdrawn.”

A copy of the final order dated 21.05.2026 passed in Civil Appeal No. 7060 of 2026 is annexed herewith and marked as ANNEXURE R-10.

16. The above narration of facts and the conduct of the Applicant herein, clearly establishes a deliberate pattern of forum shopping, re-agitation of concluded issues, and repeated desperate attempts to obtain the same or substantially similar reliefs after failure before any competent fora. The Applicant first files an Original Application with composite prayers, then a time barred statutory Appeal before this Hon'ble Tribunal, thereafter a Civil Appeal before the Hon'ble Supreme Court, then a Writ Petition under Article 32, and even sought recourse under Article 142 with substantially identical prayers.
17. The chronology of events further demonstrates that the Applicant is not a bona fide environmental activist acting in



public interest, as sought to be projected. The Applicant remained silent throughout the statutory process, never participated at the relevant stage, never challenged the approvals within limitation, and approached multiple fora only after the project had substantially advanced and Respondent No. 7 had made irreversible investments in reliance upon valid statutory clearances.

18. It is, therefore, respectfully submitted that the present proceedings are not a bona fide public interest action, but are speculative, obstructive, and vexatious proceedings instituted after inordinate delay, solely with a view to stalling a lawfully approved project after the statutory clearances had attained finality.
19. The repeated withdrawal of proceedings after extensive arguments on merits, coupled with repeated filing of fresh proceedings seeking substantially identical reliefs, disentitles the Applicant from any equitable or discretionary relief from this Hon'ble Tribunal.

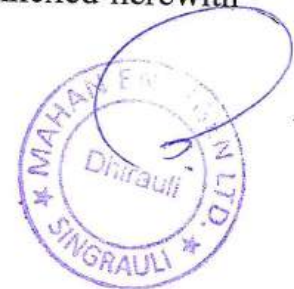
B. STRATEGIC IMPORTANCE OF DHIRAULI COAL MINE PROJECT:

20. The Dhirauli coal block was allocated to Respondent No. 7 by the Ministry of Coal, Government of India on March 03, 2021



and respective mining lease dt. August 29, 2025 has been executed with the State of Madhya Pradesh for the same.

21. The coal mined from this block will be supplied to the Mahan Energen Power Plant situated in Bandhaura, Singrauli. This Power Plant has a power generation capacity of 1320MW (under expansion upto 3600 MW) will in turn meet the energy requirement of the State of Madhya Pradesh.
22. The total planned investment in the coal mine project amounts to Rs 3,250 crore, out of which Rs 1,840 crore has been invested up to March 2026. The coal mine project is an ongoing mine which is undertaking coal mine production and supplying coal. Further, as per the press release of the Ministry of Coal, Government of India, the increased production from this mine will play an important role in meeting the rising domestic coal demand, reducing reliance on imports and supporting sustained economic growth. Further, in addition to meeting energy requirements, the coal from this mine will also be utilized for fertilizers and industrial gases through the recently Government approved coal gasification project which will in turn meet and contribute to the energy security of the nation. A copy of the Press Release dt. 19.05.2026 is annexed herewith and marked as **ANNEXURE R-11**.



23. It is respectfully submitted that the Dhirauli Coal Block project is a project of significant national importance and public utility undertaken in furtherance of the larger public interest and national energy security requirements. The coal block has been developed with the objective of ensuring continuous and reliable coal supply for power generation within the State of Madhya Pradesh. The coal extracted from the subject block is intended to be supplied to the Mahan Energen Power Plant for generation and supply of electricity to the State distribution utilities pursuant to long-term power procurement arrangements and meet the energy requirement of the State of Madhya Pradesh. The project is therefore intrinsically connected with meeting the growing electricity demand of the State and ensuring uninterrupted power availability to consumers of the State of Madhya Pradesh.
24. It is pertinent to note that India has recently witnessed unprecedented and record-breaking power demand owing to severe summer conditions and heatwaves, with peak national electricity demand crossing 270 GW in May, 2026 (as per the Ministry of Power, Government of India data). The increasing demand for electricity, particularly during extreme climatic conditions, underscores the necessity of maintaining adequate domestic coal supply for thermal power generation in order to ensure grid stability and avoid shortages affecting the public at



large. In this backdrop, the Dhirauli Coal Block assumes considerable significance as an important source for supporting energy generation and public utility infrastructure in the State of Madhya Pradesh and other states as well. In addition to meeting energy requirements, coal will also be utilized for fertilizers and industrial gases, as the coal gasification project has just been approved by the Government.

25. It is further submitted that Respondent No. 7 has acted bona fide and strictly in accordance with law at every stage of the project. All statutory permissions and approvals have been obtained only after detailed scrutiny by the competent authorities and subject to stringent environmental, wildlife, rehabilitation and compensatory safeguards. Respondent No. 7 has also undertaken substantial obligations towards wildlife management, compensatory afforestation and rehabilitation measures in compliance with the conditions imposed by the expert authorities. The project thus reflects a balanced approach between developmental needs and environmental protection within the framework of sustainable development.

C. **ALLEGATIONS IN OA ARE BASED ON INCORRECT ASSUMPTIONS, OUTDATED REFERENCES AND SELECTIVE RELIANCE UPON SUPERSEDED DOCUMENTS:**

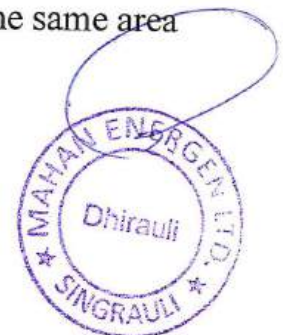


26. It is submitted that the allegations in the present Original Application, which pertains to allegations concerning the notification of elephant corridor and Eco-Sensitive Zone (“ESZ”) in relation to the Dhirauli Coal Block mining Project situated in District Singrauli, Madhya Pradesh. It is submitted that the entire case of the Applicant is based upon incorrect assumptions, outdated references and selective reliance upon superseded documents, while ignoring the current statutory records and findings of competent authorities.
27. The total area involved in Dhirauli Coal Block project is 2672 ha, out of which 1397.54 ha falls in forest land for which Forest Clearance dt. 09.05.2025 has been granted by the MoEF & CC and consequential Forest Diversion order dt. 22.05.2025 has been issued by the State Forest Department.
28. Respondent No. 7 submits that the Dhirauli Coal Block project has undergone detailed scrutiny by all competent statutory authorities including the Ministry of Environment, Forest and Climate Change (“MoEF & CC”), Forest Advisory Committee (“FAC”), State Forest Department and other expert bodies before grant of requisite approvals and permissions including the Forest Clearance and Environment Clearances. The subject coal mining project has been considered after extensive site inspections, evaluation of wildlife concerns,



forest impact assessment and compliance with applicable environmental safeguards.

29. It is respectfully submitted that the allegations of the Applicant regarding the project area forming part of an elephant corridor are *ex facie* false and contrary to the official government records. The Divisional Forest Officer, Forest Division Singrauli, vide official communication dated 25.04.2024, has stated that the subject project area does not form part of any elephant corridor. The said communication further records that the minimum distance between the Dhirauli Coal Block and the nearest elephant corridor is approximately 5 km. A copy of the State Forest Department Letter dated 25.04.2024 is annexed as ANNEXURE R-12.
30. It is further submitted that the issue relating to alleged elephant movement and corridor existence in nearby mining areas had earlier been examined by a fact finding joint committee constituted by this Hon'ble Tribunal in O.A. No. 97 of 2023 (C.Z.) in the matter of Saurabh Dev Pandey Versus The State of Madhya Pradesh & Ors. It is imperative to mention that in the said proceedings this Hon'ble Tribunal had taken cognizance of a letter petition filed by Applicant Saurabh Dev Pandey and examined the issue raised in the proceedings in detail pertaining to Suliyari Coal Block falling in the same area i.e. Singrauli Coalfields, Madhya Pradesh.

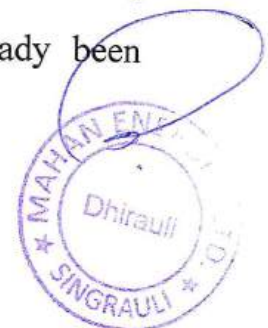


31. The Joint Committee appointed by this Hon'ble Tribunal had conducted on-site inspections and observed that no elephant corridor activity had been noticed in the relevant area for several years. The site inspection conducted on 05.07.2022 revealed no signs of elephant presence, thereby negating the Appellants' allegations. A copy of the NGT appointed Joint Committee Report is annexed as ANNEXURE R-13.
32. The findings of the Committee were scrutinised and thereafter accepted by the Hon'ble Tribunal vide its final order and judgment dated 11.10.2023, which has now attained finality. A copy of the final order and judgment dated 11.10.2023 passed by Hon'ble Tribunal in O.A. No. 97 of 2023 (C.Z.) is annexed as ANNEXURE R-14.
33. In view of the aforesaid detailed inquiry and specific findings already rendered by this Hon'ble Tribunal for the same geographical area and on the same core factual issues, the present attempt to raise identical allegations is wholly unwarranted. It is most respectfully submitted that permitting the same issue, once thoroughly examined through a duly constituted Joint Committee and decided on the basis of site inspection and official records, to be re-agitated again would undermine the certainty and finality of adjudicatory proceedings. The Appellant who is an RTI Activist based from Bhopal, in effect, is seeking re-opening and re-consideration of

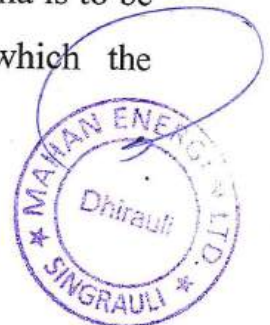


issues already dealt with and concluded by this Hon'ble Tribunal, which is impermissible in law. Accordingly, the present allegations deserve to be rejected at the threshold as being devoid of merit and contrary to the settled factual findings already on record.

34. Without prejudice to the above, Respondent No. 7 submits that extensive Wildlife Mitigation and Environmental Management measures have already been incorporated as part of the project's EC as well FC conditions. Further, a detailed Wildlife Management Plan has been prepared and approved for implementation under the supervision of the competent forest authorities, including periodic monitoring by officials of the Forest Department and participation of local stakeholders.
35. It is submitted that Respondent No. 7 has complied and will comply with all the statutory obligations and conditions imposed by the competent authorities in its Forest Clearance as well Environment Clearance. To this effect, half-yearly compliance report is filed by the Respondent No. 7 to the MoEF & CC. It is further submitted that significant amounts towards compensatory afforestation i.e. an amount of Rs. 108 crores towards compensatory afforestation and Rs. 10.65 crores towards wildlife management plan and allied environmental (including flora and fauna) safeguards have already been



- deposited in accordance with law and corresponding afforestation areas have been identified by the State authorities.
36. It is respectfully submitted that the proposal of Respondent No. 7 has been duly examined by the Forest Advisory Committee (“FAC”) in its meeting dated 27.08.2024, wherein after detailed deliberations and consideration of all environmental and wildlife aspects, the Forest Advisory Committee specifically recorded that the Chief Wildlife Warden, Government of Madhya Pradesh, had approved a comprehensive Wildlife Management Plan amounting to INR 10.65 Crores for protection and conservation of flora and fauna in the region. The FAC further noted that the minimum distance between the Dhirauli Coal Block and the nearest elephant corridor is approximately 5 kilometers and that the project area is situated outside the Eco-Sensitive Zone of the Sanjay Tiger Reserve, the nearest ESZ boundary being at a distance of 10.386 kilometers i.e. beyond 10 kilometers distance. The FAC also took into consideration that the compensatory afforestation over an equivalent area of 1397.54 hectares of non-forest land has been identified across multiple districts of Madhya Pradesh including Shivpuri, Agar Malwa, Raisen and Sagar North in accordance with the applicable statutory requirements. That as per MoEF notification dt. 08/Nov/2017, 1000 tress/ha is to be planted by the State Forest Department for which the



Respondent No. 7 has already deposited Rs. 108 crores towards the Compensatory Afforestation and a total land of 1398.83 hectares have been acquired in the abovementioned districts and handed over to the State Government. Further, the FAC noted that a detailed Rehabilitation and Resettlement Plan for the affected 49 families has already been prepared and approved. The aforesaid findings clearly demonstrate that all environmental, wildlife, rehabilitation and compensatory safeguards were comprehensively considered by the expert statutory authorities prior to recommendation of the project, and therefore the allegations raised by the Applicant are wholly unfounded and contrary to the official record. The relevant paras from the Forest Advisory Committee minutes of meeting held on 27.08.2024 are reproduced as following:

“3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:

.....

xv. In this regard, Govt. of Madhya Pradesh informed that the Chief Wildlife Warden (CWLW), Govt. of Madhya Pradesh approved a Wildlife management plan of INR 10.65 crores with a view to protect & conserve the flora and fauna in the region. Furthermore, minimum distance between the Dhirauli Coal block and an Elephant corridor is 5 Km and the instant coal block is located outside at a distance of 10.386 km from the Eco-sensitive zone boundary of Sanjay Tiger Reserve.

xxi. The total proposed diversion area is 1397.54 ha for open cast Coal mining by M/s Stratatech Mineral



resources Pvt. Ltd. Accordingly, as per the rules, the area proposed for Compensatory Afforestation is 1397.54 ha in non-forest land, spread over 45 patches, 29 villages and in 04 districts. The details are as under:

Sn	District/ Division	Tehsil	Village	Total Area (Ha)
1.	Sagar North	Rahatgarh	Laxmanpur a	33.56
2.	Raisen	Begamganj	Chainpura Muzafata	9.89
3.	Shivpuri	Bairad, Shivpuri, Pohri, Kolaras	Basai, Budha, Implipura & Others	757.88
4.	Agar Malwa	Agar, Badod, Baraud	Sanawad, Shivgarh, Chipya & Others	597.5(as actual)
			Total area	1398.83

xxii. The project involves rehabilitation of 49 families from the proposed diversion area. However, the user agency has prepared and submitted an approved rehabilitation plan.”

A copy of the Minutes of Meeting dt. 27.08.2024 by Forest Advisory Committee (FAC) is annexed herewith and marked as **ANNEXURE R-15.**

37. It is respectfully submitted that the allegation of the Applicant that the subject project falls within a purported “No-Go Area” is wholly misconceived, legally untenable and based upon an



obsolete policy framework which no longer holds the field. The Applicant has selectively relied upon the erstwhile MoEF communication dated 13.12.2011 while deliberately suppressing the subsequent policy decision of the Government of India whereby the very concept of “Go-No-Go” classification for coal mining projects was expressly discontinued.

38. In this regard, it is pertinent to note that the Ministry of Environment and Forests, Government of India, vide communication bearing F. No. 11-269/2012-FC dated 30.08.2012, issued pursuant to the decision of the Group of Ministers constituted by the Government of India has decided that the concept of “Go-No-Go” for coal mining projects “*should be done away with*” and that all proposals seeking diversion of forest land for coal mining are required to be considered independently on their own merits and on a case-to-case basis. A copy of the Letter dated 30.08.2012 along with letter dated 24.09.2012 (“Colly”) is annexed as **ANNEXURE R-16.**
39. Accordingly, the proposal of Respondent No. 7 was processed strictly in accordance with the prevailing legal and policy framework and was subjected to extensive scrutiny by all competent statutory authorities including the State Forest Department, Regional Office of MoEF & CC, Forest Advisory



Committee and the Ministry of Environment, Forest and Climate Change, Government of India. The project was thereafter recommended only after consideration of all environmental, wildlife and forest-related aspects. Hence, by way of the present O.A., the Applicant cannot seek to invalidate a duly granted Forest Clearance dt. 09.05.2025 r/w 22.05.2025 (being the State Forest Diversion order), by placing reliance upon a superseded and non-operative policy framework which ceased to exist more than a decade ago.

40. It is further submitted that the present O.A. is nothing but an attempt to mislead this Hon'ble Tribunal by relying upon outdated materials while ignoring the current statutory position and the detailed findings rendered by expert authorities. The allegations pertaining to the so-called "No-Go Area" are therefore liable to be rejected outright.
41. The Applicant has sought to create an artificial environmental dispute despite the fact that the subject project has been duly recommended by expert statutory bodies after considering all relevant environmental and wildlife aspects. It is well settled that technical findings and recommendations of expert bodies deserve due deference unless shown to be patently arbitrary or illegal, which is not the case herein.



42. In these circumstances, any interference with the project at the instance of speculative and unsupported allegations would not only prejudice Respondent No. 7 despite full statutory compliance, but would also adversely impact public interest, energy availability and infrastructure planning in the State.
43. In view of the aforesaid facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the present Original Application with costs, being devoid of merits and constituting an abuse of the process of law.

Para wise Reply:

44. The contents of paragraphs 1 to 5 are denied save and except what is matter of record. At the outset, it is submitted that the present Original Application is misconceived, based on selective and outdated material and liable to be dismissed. The Applicant has sought to challenge a duly scrutinized and approved coal mining project by raising speculative allegations contrary to the official records and findings of expert statutory authorities. It is denied that the subject area falls within any "No-Go Area" or notified elephant corridor or Eco-Sensitive Zone as alleged. The concept of "Go-No-Go" classification for coal mining projects admittedly stood discontinued by the Government of India vide decision dated 30.08.2012 and therefore reliance on the superseded policy framework of



2011–2012 is wholly misplaced. It is further submitted that the Divisional Forest Officer, Singrauli vide official communication dated 25.04.2024 has categorically clarified that the project area does not form part of any elephant corridor and that the nearest elephant corridor is approximately 5 kilometers away from the project area. Further, the Forest Advisory Committee in its meeting dated 27.08.2024, after detailed consideration of all wildlife, forest and environmental concerns, specifically recorded that the project is situated outside the Eco-Sensitive Zone boundary of Sanjay Tiger Reserve at a distance of 10.386 kilometers and approved a comprehensive Wildlife Management Plan of Rs. 10.65 crores along with Compensatory Afforestation over equivalent non-forest land of 1397.54 hectares. It is denied that the approvals were granted mechanically or without due application of mind. On the contrary, the proposal underwent extensive scrutiny by the MoEF&CC, FAC, Regional Office, State Forest Department and other expert bodies through site inspections, evaluation reports and statutory appraisal processes before grant of approvals. It is further submitted that Respondent No. 7 has complied with all statutory safeguards and conditions including deposit of substantial amounts towards wildlife management and compensatory afforestation. The allegations regarding deemed ESZ, violation of judgments of the Hon'ble Supreme Court and absence of empirical studies are



specifically denied as being contrary to record. The Applicant is attempting to reopen and reagitate issues already examined by expert authorities in earlier proceedings concerning the same geographical area. Hence, the present Original Application deserves dismissal with costs being devoid of merits and constituting abuse of process of law.

45. The contents of paragraphs 5.1 to 5.5 are denied save and except what is matter of record. It is submitted that the present Original Application is based on incorrect and selective interpretation of official records. The official communication dated 25.04.2024 issued by the Divisional Forest Officer, Singrauli categorically clarify that the subject project area does not fall within any elephant corridor and that the nearest elephant corridor is approximately 5 kilometers away. It is further submitted that the project proposal was duly scrutinized by all expert authorities including the Forest Advisory Committee, MoEF&CC and State Forest Department before grant of approvals and therefore the allegations to the contrary are denied.
46. The contents of paragraphs 5.6 to 5.8 are denied. It is submitted that the Applicant is relying upon an obsolete and superseded "Go-No-Go" policy framework of 2011-2012, which admittedly stood withdrawn by the Government of India vide communication dated 30.08.2012, whereby all coal mining



proposals were directed to be considered independently on a case-to-case basis and on their own merits.

47. The contents of paragraphs 5.9 to 5.14 are denied save and except what is matter of record. It is submitted that the Site Inspection Reports and deliberations of the Forest Advisory Committee formed part of the statutory appraisal process and were duly considered by the competent authorities before grant of approval. Merely because certain observations were made during preliminary inspections does not render the final decision illegal, particularly when the matter was subsequently re-examined by the competent expert bodies and the Forest Advisory Committee after detailed deliberations. The FAC in its meeting dated 27.08.2024 specifically considered all environmental, wildlife and forest-related concerns, including the Wildlife Management Plan, compensatory afforestation measures and the location of the project vis-à-vis the elephant corridor and Eco-Sensitive Zone, before recommending approval. It is specifically denied that the approvals were granted mechanically, in haste or without application of mind; rather, the proposal underwent multi-tier scrutiny by the MoEF&CC, Regional Office, State Forest Department and expert committees in accordance with the prescribed statutory procedure. Further, the operative official records including the communication dated 25.04.2024 issued by the Divisional



Forest Officer, Singrauli categorically establish that the project area does not fall within any elephant corridor.

48. The contents of paragraphs 5.15 to 5.17 are denied. It is submitted that the Stage-I and final approvals dated 24.09.2024 and 09.05.2025 respectively were granted only after detailed consideration of all Site Inspection Reports, recommendations, compliance documents and expert assessments by the Forest Advisory Committee, MoEF&CC and other statutory authorities. The Applicant has deliberately ignored that the Forest Advisory Committee, in its meeting dated 27.08.2024, specifically considered the Wildlife Management Plan, Compensatory Afforestation measures and the status of the alleged elephant corridor before recommending the proposal. It is further denied that the project area falls within any elephant corridor or prohibited zone, inasmuch as the official communication dated 25.04.2024 issued by the Divisional Forest Officer, Singrauli categorically records that the project area does not form part of any elephant corridor and that the nearest elephant corridor is approximately 5 kilometers away. The reliance placed by the Applicant on the judgment in Binay Kumar Dalei is wholly misconceived and inapplicable to the facts of the present case, particularly when the competent statutory authorities have already examined the wildlife and



environmental aspects and approved a comprehensive Wildlife Management Plan for the project.

49. The contents of paragraph 5.18 are denied insofar as they are contrary to the record and the approvals granted in favour of Respondent No. 7. It is submitted that the judgments and orders relied upon by the Applicant are distinguishable and have no application to the facts of the present case, particularly when the competent statutory authorities have categorically found that the subject project area does not fall within any notified elephant corridor or Eco-Sensitive Zone. Hence, the reliance placed by the Applicant on the aforesaid orders is wholly misplaced and misconceived.
50. The contents of paragraph 5.19 are denied. It is submitted that mere reference to Sidhi–Singrauli in a response to an unstarred parliamentary question does not establish that the subject project area falls within a notified elephant corridor or Eco-Sensitive Zone, nor does it invalidate the statutory approvals granted in favour of Respondent No. 7. Hence, the allegations raised by the Applicant are misconceived and contrary to the official record.
51. The contents of paragraphs 5.20 to 5.27 are denied being misconceived, legally untenable and contrary to the official record. It is specifically denied that the subject project area



forms part of any notified elephant corridor, Eco-Sensitive Zone or “No-Go Area” or that prior approval of the National Board for Wildlife was required in the facts of the present case. The Applicant is seeking to substitute the findings of expert statutory bodies with its own assumptions and interpretations, which is impermissible in law. Hence, the allegations raised are liable to be rejected and the present Original Application deserves dismissal with costs. It is submitted that the reliance placed by the Applicant on the order passed by the Hon’ble Supreme Court in T.N. Godavaraman Thirumulpad v. Union of India & Ors. is wholly misplaced and distinguishable on facts. In the present case, the competent statutory authorities have categorically found that the subject project area does not fall within any notified Eco-Sensitive Zone or elephant corridor.

52. The contents of Para 6.1 are denied. It is submitted that the allegations regarding the subject area being a “No-Go Area” are misconceived and based upon an obsolete policy framework which has ceased to operate since 2012. The concept of “Go/No-Go” classification for coal mining projects was expressly discontinued by the Government of India vide communications dated 30.08.2012 and 24.09.2012. The project has thereafter been duly considered independently on its own merits by all competent statutory authorities including the FAC,



MoEF&CC and the State Forest Department, after detailed scrutiny of environmental, forest and wildlife aspects.

53. The contents of Para 6.2 are denied. It is submitted that the necessity and public importance of the project were duly considered by the competent authorities while granting statutory approvals. The Dhirauli Coal Block is a captive coal block intended to ensure continuous coal supply for power generation to meet the growing energy requirements of the State of Madhya Pradesh. All approvals have been granted after detailed consideration under the applicable statutory framework including assessment of environmental impact, compensatory safeguards and rehabilitation measures.
54. The contents of Para 6.3 are denied. It is specifically denied that RF Nos. 371, 372 and 373 constitute any notified elephant corridor or Eco-Sensitive Zone. The Divisional Forest Officer, Singrauli vide official communication dated 25.04.2024 has categorically clarified that the project area does not fall within any elephant corridor and that the minimum distance between the project area and nearest elephant corridor is approximately 5 km. The allegation regarding any deemed ESZ is wholly misconceived and unsupported by law.
55. The contents of Para 6.4 are denied. It is submitted that the reliance placed upon the judgments in *Binay Kumar Dalei* and



T.N. Godavarman is misplaced and distinguishable on facts. The project area is neither situated within any notified elephant corridor nor within any notified ESZ. The FAC specifically considered wildlife aspects, including elephant movement, and recorded that the project is located outside the ESZ boundary of Sanjay Tiger Reserve at a distance of approximately 10.386 km. Further, a comprehensive Wildlife Management Plan amounting to Rs. 10.65 Crores has already been approved by the Chief Wildlife Warden, Madhya Pradesh. Hence, no separate approval from NBWL was required in the facts of the present case.

56. The contents of Para 6.5 are denied. It is submitted that the Site Inspection Report relied upon by the Applicant was only one of the materials considered during the decision-making process and was subsequently examined in detail by the competent authorities and expert bodies including the FAC. Thereafter, further inspections and deliberations were undertaken before grant of Stage-I and final approval. The approvals have been granted only after comprehensive consideration of all environmental safeguards, wildlife mitigation measures and statutory compliances. The allegation that approvals were granted mechanically is emphatically denied.
57. The contents of Para 6.6 are denied. It is submitted that the approvals granted in favour of Respondent No. 7 are based



upon detailed examination by expert statutory authorities after considering all relevant materials, inspections, reports and safeguards under the applicable legal framework. The decision-making process neither suffers from non-application of mind nor arbitrariness. The FAC and MoEF&CC have duly considered forest, wildlife, environmental and rehabilitation aspects before grant of approval.

58. The contents of Para 6.7 are denied. It is submitted that the competent authorities were entitled to consider subsequent inspection reports, updated field assessments and recommendations of expert committees while taking a final decision. The subsequent Sub-Committee inspection and FAC deliberations were conducted in accordance with law and after due consideration of all relevant aspects. The allegation of administrative haste, abdication of responsibility or arbitrariness is baseless and denied.
59. The contents of Para 6.8 are denied. Mere reference to elephant corridors in replies to parliamentary questions or other general documents does not establish that the project area falls within any notified elephant corridor or notified ESZ. The official records presently governing the area and findings of the competent forest authorities, clearly establish that the project area is outside any elephant corridor. Consequently, the



allegation regarding mandatory NBWL approval is wholly misconceived.

60. The contents of Para 6.10 are denied. It is submitted that all aspects contemplated under the applicable statutory framework, including impact on forest land, wildlife, rehabilitation, compensatory afforestation and environmental safeguards, were duly examined by the competent authorities including the FAC and MoEF&CC before grant of approval. The proposal was processed strictly in accordance with law after detailed scrutiny and expert evaluation.
61. The contents of Para 6.11 are denied. It is submitted that the allegations regarding non-consideration of alternatives or necessity are incorrect and contrary to record. The project has been approved after due consideration by the competent authorities in the larger public interest and for ensuring energy security and uninterrupted power supply to the State of Madhya Pradesh. The Applicant cannot seek substitution of the expert assessment undertaken by statutory authorities with speculative assertions.
62. The contents of Para 6.12 are denied. The actions of the answering Respondent and the statutory authorities are legal, valid and in accordance with the applicable statutory framework and approvals granted by competent authorities.



63. The contents of Para 6.13 are matters of record and require no reply. However, it is submitted that environmental protection and sustainable development have been duly balanced by the competent authorities while granting approvals subject to stringent safeguards and conditions.
64. The contents of Para 6.14 are denied. It is submitted that the statutory authorities have acted strictly in accordance with their constitutional and statutory obligations while considering and approving the project after detailed scrutiny and imposition of extensive environmental, wildlife and rehabilitation safeguards.
65. The contents of Para 6.15 does not warrant any reply.
66. The contents of the paragraph 7 relating to limitation are denied to the extent contrary to record. It is submitted that the challenge to the Forest Clearance dated 09.05.2025 and consequential State Forest Diversion order dated 22.05.2025 is barred by limitation under the provisions of the National Green Tribunal Act, 2010. It is further submitted that the Applicant had already challenged the said permissions separately before this Hon'ble Tribunal in Appeal No. 14 of 2026, which came to be dismissed vide judgment dated 22.04.2026 on the ground of limitation. The plea of continuing cause of action is misconceived and not applicable in the facts of the present case.



67. The contents of the Prayer Clause are denied. It is submitted that the reliefs sought by the Applicant are wholly misconceived, untenable and liable to be rejected.

FILED BY



MAHESH AGARWAL/ARSHIT ANAND/
GEETIKA SHARMA
AGARWAL LAW ASSOCIATES
ADVOCATE FOR THE RESPONDENT NO.7
GROUND FLOOR, MERCANTILE HOUSE,
15, KASTURBA GANDHI MARG,
NEW DELHI-110001
PH: 011-42200000
Email: mail@aglaw.in

PLACE: NEW DELHI
DATED: 25.05.2026



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 116 OF 2026

35

IN THE MATTER OF:

Ajay Dubey

...Appellant

VERSUS

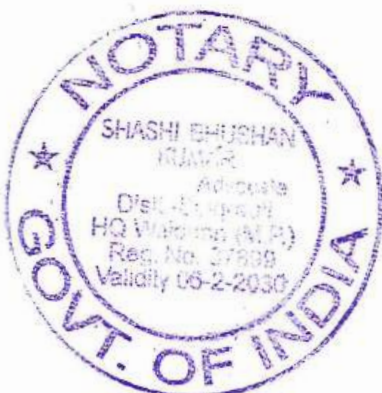
Union Of India,
Ministry of Environment,
Forest and Climate Change & Ors

...Respondents

AFFIDAVIT

I, Col. Kehar Singh (Retd), S/o Maj. Jameet Singh (Retd) aged about 52 years, Authorized Signatory – MEL, having my office at M/S STRATATECH MINERAL RESOURCES PVT. LTD, (SMRPL) currently known as MAHAN ENERGEN LTD, Adani Corporate House, Shantigram, S G Highway, Ahmedabad, Gujarat - 382 421 do hereby solemnly affirm and state as follows:

1. I am the Authorized Signatory of the Respondent No.7 i.e. M/s Stratatech Mineral Resources Pvt. Ltd, (SMRPL) currently known as Mahan Energen Ltd in the above said matter. I am fully aware of the facts and circumstances of the present case, therefore, competent to sign the accompanying Petition.
2. That I have read and understood the contents of the accompanying reply and say that the facts stated therein are true and correct to my knowledge as derived from the records of the case of the Respondents, which may be read as part and parcel of the present affidavit as the same are not repeated herein for the sake of brevity
3. That I say that the annexures annexed to the reply are true copies of their respective originals.



Shashi Bhushan Kumar
25/05/2026
SHASHI BHUSHAN KUMAR
Advocate & Notary
Govt. of India (भारत सरकार)
District Singrauli Hq. Waidhan M.P

[Signature]
DEPONENT
Sign Of Deponent
Executant

VERIFICATION:

I, the above-named Deponent, do hereby verify that the contents stated hereinabove are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

36

Verified at Waidhan Dist. Singrauli MP., on this 25th day of May 2026.



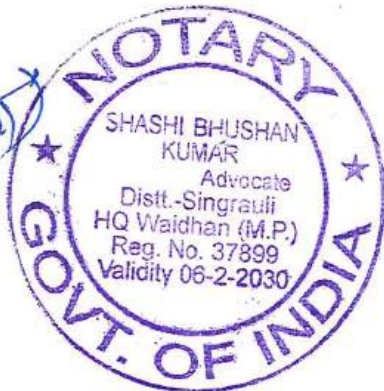
DEPONENT

Signature of Deponent
Executant

NOTARIAL
Stamp Rs. 50.00
Affixed



Identified By
(Signature and Name)



SHASHI BHUSHAN KUMAR
Advocate & Notary
Govt. of India (भारत सरकार)
District Singrauli Hq. Waidhan M.P.



क्षेत्रीय कार्यालय
म.प्र. प्रदूषण नियंत्रण बोर्ड
भकुआर, नौगढ, जिला सिंगरौली (म.प्र.)-486887
E-Mail: romppcb.sgrl@gmail.com , Contact No. : 9752497772

पत्र क्र. 291 /क्षे.का./प्रनिबो/2022,

सिंगरौली, दिनांक: 29/03/2022

प्रति,

1. संपादक, दैनिक भास्कर, जिला-सिंगरौली (म.प्र.)
2. संपादक, समाचार पत्र पत्रिका जिला-सतना (म.प्र.)
3. संपादक, समाचार पत्र टाइम्स ऑफ़ इण्डिया नई दिल्ली ।

विषय:- पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना का प्रकाशन करने बावत्।

उपरोक्त विषयान्तर्गत भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना क्रमांक 1533 दिनांक 14.09.2006 के प्रावधानानुसार, मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला – सिंगरौली (म.प्र.) की पर्यावरणीय स्वीकृति प्राप्त किये जाने हेतु मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project, जिला – सिंगरौली (म.प्र.) के द्वारा मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड भोपाल के समक्ष आवेदन प्रस्तुत किया गया है।

उक्त के संबंध में पर्यावरणीय स्वीकृति हेतु लोक सुनवाई कराये जाने हेतु आम सूचना का प्रकाशन आपके समाचार पत्र में कल दिनांक 31/03/2022 को प्रकाशित होने वाले अंक में प्रकाशित करने का कष्ट करे।

संलग्न: पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना प्रारूप ।

(डॉ.नीरज वर्मा)
क्षेत्रीय अधिकारी
सिंगरौली (म.प्र.)

पृ. क्रमांक 292 /क्षे.का./प्रनिबो/2022,

सिंगरौली, दिनांक: 29/03/2022

प्रतिलिपि:-

- 1- कलेक्टर महोदय,सिंगरौली, जिला - सिंगरौली की ओर कृपया सूचनार्थ।
- 2- सदस्य सचिव महोदय म.प्र. नियंत्रण बोर्ड भोपाल की ओर कृपया सूचनार्थ।
- 3- मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला – सिंगरौली (म.प्र.) की ओर सूचनार्थ ।

(डॉ.नीरज वर्मा)
क्षेत्रीय अधिकारी
सिंगरौली (म.प्र.)

पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना

भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना क्रमांक 1533 दिनांक 14.09.2006 के प्रावधानानुसार, मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला - सिंगरौली (म.प्र.)की पर्यावरणीय स्वीकृति प्राप्त किये जाने हेतु मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला - सिंगरौली (म.प्र.) के द्वारा मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड भोपाल के समक्ष आवेदन प्रस्तुत किया गया है। Coal Mines Project को पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के द्वारा पत्र क्रमांक J-11015/49/2021-IA-II(M), दिनांक 03/08/2021 के माध्यम से TOR (Terms of Reference) जारी किया गया है। परियोजना की ड्राफ्ट ई.आई.ए. रिपोर्ट की हार्ड कॉपी एवं साफ्ट कॉपी तथा कार्यकारी सारांश हिन्दी व अंग्रजी में परियोजना द्वारा प्रस्तुत किया गया है। जो कि आम जन के अवलोकन हेतु- कलेक्टर महोदय, कलेक्टर कार्यालय सिंगरौली, जिला - सिंगरौली (म.प्र.), 2. जिला पंचायत कार्यालय, जिला- सिंगरौली (म.प्र.), 3. जनपद कार्यालय, सिंगरौली, जिला - सिंगरौली (म.प्र.), 4. जिला उद्योग एवं व्यापार केन्द्र, जिला- सिंगरौली (म.प्र.), 5. कार्यालय नगर पालिका निगम, जिला- सिंगरौली (म.प्र.), 6. कार्यालय ग्राम पंचायत - धिरौली, तहसील - सरई, जिला - सिंगरौली (म.प्र.)। 7. कार्यालय ग्राम पंचायत - झलरी, तहसील - सरई, जिला - सिंगरौली (म.प्र.)। 8. कार्यालय ग्राम पंचायत - मझौलीपाठ, तहसील - सरई, जिला - सिंगरौली (म.प्र.)। 9. अतिरिक्त मुख्य वन संरक्षक, क्षेत्रीय कार्यालय, भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भोपाल (म.प्र.), 10. क्षेत्रीय निदेशक (मध्य), भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, पर्यावरण परिसर ई-5 अरेरा कालोनी, भोपाल (म.प्र.), 11. म.प्र. प्रदूषण नियंत्रण बोर्ड, ई-5, पर्यावरण परिसर, भोपाल (म.प्र.)। क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, सिंगरौली एवं म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल की बेवसाइट www.mppcb.nic.in में भी उपलब्ध रहेगा।

परियोजना के संबंध में पर्यावरणीय स्वीकृति हेतु लोक सुनवाई कलेक्टर महोदय सिंगरौली अथवा उनके द्वारा नामित प्रतिनिधि (अतिरिक्त जिला दण्डाधिकारी, सिंगरौली) की अध्यक्षता में कलेक्टर महोदय द्वारा अनुमोदित दिनांक 04/05/2022 दिन-बुधवार, स्थान- शासकीय पूर्व माध्यमिक विद्यालय, ग्राम- बासीबेरदाह, तहसील- सरई, जिला - सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से लोक सुनवाई प्रस्तावित है। इस Coal Mines Project प्रोजेक्ट कि पर्यावरणीय स्वीकृति के सम्बंध में आम जन से पर्यावरणीय विषयों पर आपत्ति, सुझाव, टीका-टिप्पणी, आक्षेप इस आम सूचना के प्रकाशन की तिथि से 30 दिवस के अंदर क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, भकुआर नौगढ़, जिला- सिंगरौली (म.प्र.) 486887 को लिखित रूप से प्रस्तुत की जा सकती है। परियोजना की लोक सुनवाई दिनांक 04/05/2022 दिन-बुधवार, स्थान- शासकीय पूर्व माध्यमिक विद्यालय, ग्राम- बासीबेरदाह, तहसील- सरई, जिला - सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से आयोजित की जायेगी, लोक सुनवाई के दौरान भी आम जनता द्वारा पर्यावरणीय विषय पर आपत्ति, सुझाव टीका-टिप्पणी, आक्षेप लिखित/मौखिक रूप से प्रस्तुत किये जा सकते हैं।

कलेक्टर सिंगरौली द्वारा अनुमोदित

(डॉ. नीरज वर्मा),
क्षेत्रीय अधिकारी,
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड,
सिंगरौली (म.प्र.)

पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना

भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना क्रमांक 1533 दिनांक 14.09.2006 के प्रावधानानुसार, मेसर्स Stratatech Mineral Resources Private Limited. (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला सिंगरौली (म.प्र.) की पर्यावरणीय स्वीकृति प्राप्त किये जाने हेतु मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला सिंगरौली (म.प्र.) के द्वारा मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड भोपाल के समक्ष आवेदन प्रस्तुत किया गया है। Coal Mines Project को पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के द्वारा पत्र क्रमांक J-11015/49/2021-EA II(M). दिनांक 03/08/2021 के माध्यम से TOR (Terms of Reference) जारी किया गया है। परियोजना की ड्राफ्ट ई.आई.ए. रिपोर्ट को हार्ड कॉपी एवं साफ्ट कॉपी तथा कार्यकारी सारांश हिन्दी व अंग्रेजी में परियोजना द्वारा प्रस्तुत किया गया है। जो कि आम जन के अवलोकन हेतु कलेक्टर महोदय, कलेक्टर कार्यालय सिंगरौली, जिला सिंगरौली (म.प्र.), 2. जिला पंचायत कार्यालय, जिला- सिंगरौली (म.प्र.), 3. जनपद कार्यालय, सिंगरौली, जिला सिंगरौली (म.प्र.), 4. जिला उद्योग एवं व्यापार केन्द्र, जिला- सिंगरौली (म.प्र.) 5. कार्यालय नगर पालिका निगम, जिला- सिंगरौली (म.प्र.), 6. कार्यालय ग्राम पंचायत धिरौली, तहसील- सरई, जिला सिंगरौली (म.प्र.) 7. कार्यालय ग्राम पंचायत झलरी, तहसील- सरई, जिला सिंगरौली (म.प्र.) 8. कार्यालय ग्राम पंचायत मझौलीपाठ, तहसील सरई, जिला सिंगरौली (म.प्र.) 9. अतिरिक्त मुख्य जन संरक्षक क्षेत्रीय कार्यालय, भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भोपाल (म.प्र.) 10. क्षेत्रीय निदेशक (मध्य), भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, पर्यावरण परिसर ई-5 अरेरा कालोनी, भोपाल (म.प्र.), 11. म.प्र. प्रदूषण नियंत्रण बोर्ड, ई-5, पर्यावरण परिसर, भोपाल (म.प्र.)। क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, सिंगरौली एवं म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल को वेबसाइट www.mppcb.nic.in में भी उपलब्ध रहेगा।

परियोजना के संबंध में पर्यावरणीय स्वीकृति हेतु लोक सुनवाई कलेक्टर महोदय सिंगरौली अथवा उनके द्वारा नामित प्रतिनिधि (अतिरिक्त जिला दण्डाधिकारी, सिंगरौली) की अध्यक्षता में कलेक्टर महोदय द्वारा अनुमोदित दिनांक 04/05/2022 दिन बुधवार, स्थान- शासकीय पूर्व माध्यमिक विद्यालय, ग्राम- बासीबेरदाह, तहसील सरई, जिला सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से लोक सुनवाई प्रस्तावित है। इस Coal Mines Project प्रोजेक्ट कि पर्यावरणीय स्वीकृति के संबंध में आम जन से पर्यावरणीय विषयों पर आपत्ति, सुझाव, टीका-टिप्पणी, आक्षेप इस आम सूचना के प्रकाशन की तिथि से 30 दिवस के अंदर क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, भकुआर नौगाढ़, जिला- सिंगरौली (म.प्र.) 486887 को लिखित रूप से प्रस्तुत की जा सकती है। परियोजना की लोक सुनवाई दिनांक 04/05/2022 दिन बुधवार स्थान शासकीय पूर्व माध्यमिक विद्यालय, ग्राम बासीबेरदाह, तहसील- सरई, जिला सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से आयोजित की जायेगी, लोक सुनवाई के दौरान भी आम जनता द्वारा पर्यावरणीय विषय पर आपत्ति, सुझाव टीका-टिप्पणी, आक्षेप लिखित/ मौखिक रूप से प्रस्तुत किये जा सकते है।

कलेक्टर सिंगरौली द्वारा अनुमोदित

(डॉ. नीरज वर्मा),
क्षेत्रीय अधिकारी,
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड,
सिंगरौली (म.प्र.)

सिंगरौली भास्कर

पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना

भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना क्रमांक 1533 दिनांक 14.09.2006 के प्रावधानानुसार, मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला सिंगरौली (म.प्र.) की पर्यावरणीय स्वीकृति प्राप्त किये जाने हेतु मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला सिंगरौली (म.प्र.) के द्वारा मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड भोपाल के समक्ष आवेदन प्रस्तुत किया गया है। Coal Mines Project को पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के द्वारा पत्र क्रमांक J-11015/49/2021-IA-II(M), दिनांक 03/08/2021 के माध्यम से TOR (Terms of Reference) जारी किया गया है। परियोजना को ड्राफ्ट ई. आई. ए. रिपोर्ट की हार्ड कॉपी एवं साफ्ट कॉपी तथा कार्यकारी सारंश हिन्दी व अंग्रेजी में परियोजना द्वारा प्रस्तुत किया गया है। जो कि आम जन के अवलोकन हेतु-

कलेक्टर महोदय, कलेक्टर कार्यालय सिंगरौली जिला - सिंगरौली (म.प्र.), 2. जिला पंचायत कार्यालय, जिला-सिंगरौली (म.प्र.), 3. जनपद कार्यालय, सिंगरौली जिला-सिंगरौली (म.प्र.), 4. जिला उद्योग एवं व्यापार केन्द्र, जिला-सिंगरौली (म.प्र.), 5. कार्यालय नगर पालिका निगम, जिला-सिंगरौली (म.प्र.), 6. कार्यालय ग्राम पंचायत-धिरौली, तहसील-सरई, जिला-सिंगरौली (म.प्र.), 7. कार्यालय ग्राम पंचायत - झलरी, तहसील- सरई, जिला-सिंगरौली (म.प्र.), 8. कार्यालय ग्राम पंचायत - मड़ौलीपाठ, तहसील-सरई, जिला-सिंगरौली (म.प्र.), 9. अतिरिक्त मुख्य वन संरक्षक, क्षेत्रीय कार्यालय, भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भोपाल (म.प्र.), 10. क्षेत्रीय निदेशक (मध्य), भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, पर्यावरण परिसर ई-5 अरेंज कालोनी, भोपाल (म.प्र.), 11. म.प्र. प्रदूषण नियंत्रण बोर्ड, ई-5, पर्यावरण परिसर, भोपाल (म.प्र.)। क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, सिंगरौली एवं म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल की वेबसाइट www.mppcb.nic.in में भी उपलब्ध रहेगा।

परियोजना के संबंध में पर्यावरणीय स्वीकृति हेतु लोक सुनवाई कलेक्टर महोदय सिंगरौली अथवा उनके द्वारा नामित प्रतिनिधि (अतिरिक्त जिला दण्डाधिकारी, सिंगरौली) की अध्यक्षता में कलेक्टर महोदय द्वारा अनुमोदित दिनांक 04/05/2022 दिन-बुधवार, स्थान- शासकीय पूर्व माध्यमिक विद्यालय, ग्राम- बासीबेरवाह, तहसील- सरई, जिला-सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से लोक सुनवाई प्रस्तावित है। इस Coal Mines Project प्रोजेक्ट कि पर्यावरणीय स्वीकृति के सम्बंध में आम जन से पर्यावरणीय विषयों पर आपत्ति, सुझाव, टीका-टिप्पणी, आक्षेप इस आम सूचना के प्रकाशन की तिथि से 30 दिवस के अंदर क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, भकुआर नौगढ़, जिला- सिंगरौली (म.प्र.) 486887 को लिखित रूप से प्रस्तुत की जा सकती है। परियोजना की लोक सुनवाई दिनांक 04/05/2022 दिन-बुधवार, स्थान- शासकीय पूर्व माध्यमिक विद्यालय, ग्राम-बासीबेरवाह, तहसील-सरई, जिला-सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से आयोजित की जाएगी, लोक सुनवाई के दौरान भी आम जनता द्वारा पर्यावरणीय विषय पर आपत्ति, सुझाव टीका-टिप्पणी, आक्षेप लिखित / मौखिक रूप से प्रस्तुत किये जा सकते हैं।

कलेक्टर सिंगरौली द्वारा अनुमोदित

(डॉ. नीरज वर्मा),
क्षेत्रीय अधिकारी,
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड,
सिंगरौली (म.प्र.)



क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड

भकुआर, नौगढ़, जिला सिंगरौली (म.प्र.) - 486887

पर्यावरणीय स्वीकृति हेतु लोक सुनवाई की आम सूचना

भारत सरकार पर्यावरण एवं वन मंत्रालय की अधिसूचना क्रमांक 1533 दिनांक 14.09.2006 के प्रावधानानुसार, मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला-सिंगरौली (म.प्र.) की पर्यावरणीय स्वीकृति प्राप्त किये जाने हेतु मेसर्स Stratatech Mineral Resources Private Limited (SMRPL) Dhirauli Coal Mines Project of Open cast cum Underground, Capacity of 6.5 MTPA (5 MTPA open cast & 1.5 MTPA underground) 2672 Hec. जिला-सिंगरौली (म.प्र.) के द्वारा मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड भोपाल के समक्ष आवेदन प्रस्तुत किया गया है। Coal Mines Project को पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय/भारत सरकार के द्वारा पत्र क्रमांक)-11015/49/2021-IAII (M), दिनांक 03/08/2021 के माध्यम से TOR (Terms of Reference) जारी किया गया है। परियोजना की ड्राफ्ट ई.आई.ए रिपोर्ट की हार्ड कॉपी एवं साफ्ट कॉपी तथा कार्यकारी सारांश हिन्दी व अंग्रेजी में परियोजना द्वारा प्रस्तुत किया गया है। जो कि आम जन के अवलोकन हेतु कलेक्टर महोदय, कलेक्टर कार्यालय सिंगरौली, जिला-सिंगरौली (म.प्र.), 2. जिला पंचायत कार्यालय, जिला-सिंगरौली (म.प्र.), 3. जनपद कार्यालय, सिंगरौली, जिला-सिंगरौली (म.प्र.), 4. जिला उद्योग एवं व्यापार केंद्र, जिला-सिंगरौली (म.प्र.), 5. कार्यालय नगर पालिका निगम, जिला-सिंगरौली (म.प्र.), 6. कार्यालय ग्राम पंचायत-धिरौली, तहसील-सरई, जिला-सिंगरौली (म.प्र.)। 7. कार्यालय ग्राम पंचायत-झलरी, तहसील-सरई, जिला-सिंगरौली (म.प्र.)। 8. कार्यालय ग्राम पंचायत-मझौलीपाठ, तहसील-सरई, जिला-सिंगरौली (म.प्र.)। 9. अतिरिक्त मुख्य वन संरक्षक, क्षेत्रीय कार्यालय, भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भोपाल (म.प्र.), 10. क्षेत्रीय निदेशक (मध्य), भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, पर्यावरण परिसर ई-5 अरब कालोनी, भोपाल (म.प्र.), 11. म.प्र. प्रदूषण नियंत्रण बोर्ड, ई-5, पर्यावरण परिसर, भोपाल (म.प्र.)। क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, सिंगरौली एवं म.प्र. प्रदूषण नियंत्रण बोर्ड भोपाल की वेबसाइट www.mppcb.nic.in में भी उपलब्ध रहेगा।

परियोजना के संबंध में पर्यावरणीय स्वीकृति हेतु लोक सुनवाई कलेक्टर महोदय सिंगरौली अथवा उनके द्वारा नामित प्रतिनिधि (अतिरिक्त जिला दण्डाधिकारी, सिंगरौली) की अध्यक्षता में कलेक्टर महोदय द्वारा अनुमोदित दिनांक 04/05/2022 दिन-बुधवार, स्थान-शासकीय एवं माध्यमिक विद्यालय, ग्राम-बासीबेरदाह, तहसील-सरई, जिला-सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से लोक सुनवाई प्रस्तावित है। इस Coal Mines Project प्रोजेक्ट की पर्यावरणीय स्वीकृति के संबंध में आम जन से पर्यावरणीय विषयों पर आपत्ति, सुझाव, टीका-टिप्पणी, आक्षेप इस आम सूचना के प्रकाशन की तिथि से 30 दिवस के अंदर क्षेत्रीय कार्यालय म.प्र. प्रदूषण नियंत्रण बोर्ड, भकुआर नौगढ़, जिला-सिंगरौली (म.प्र.) 486887 को लिखित रूप से प्रस्तुत की जा सकती है। परियोजना की लोक सुनवाई दिनांक 04/05/2022 दिन-बुधवार, स्थान-शासकीय एवं माध्यमिक विद्यालय, ग्राम-बासीबेरदाह तहसील-सरई, जिला-सिंगरौली (म.प्र.) में समय प्रातः 11.00 बजे से आयोजित की जायेगी। लोक सुनवाई के दौरान भी आम जनता द्वारा पर्यावरणीय विषय पर आपत्ति, सुझाव टीका-टिप्पणी, आक्षेप लिखित/मौखिक रूप से प्रस्तुत किये जा सकते हैं।

कलेक्टर सिंगरौली द्वारा अनुमोदित

(डॉ. नीरज वर्मा), क्षेत्रीय अधिकारी,
मध्य प्रदेश प्रदूषण नियंत्रण बोर्ड,
सिंगरौली (म.प्र.)

ANNEXURE R-2

42



File No.: IA-J-11015/49/2021-IA-II(M)

Government of India
Ministry of Environment, Forest and Climate Change
IA Division



Dated 07/12/2024



To,

Sh. Bacha Prasad
M/s STRATATECH MINERAL RESOURCES PRIVATE LIMITED
Adani Corporate House, Shantigram, S.G. Highway, Ahmedabad- 382421 , Dhirauli, Phatpani, Sirswah, Amdand, Jhalari, Amraikhoh, Bansibridha, and Belwar, SINGRAULI, MADHYA PRADESH, , 382421
E-mail: dhirauli@adani.com

Subject: Dhirauli Coal Mining Project of Open cast cum Underground of 6.5 MTPA (5 MTPA Open Cast & 1.5 MTPA Underground) in Mine Lease Area of 2672 ha by M/s Stratatech Mineral Resources Private Limited (SMRPL) located at villages Dhirauli, Phatpani, Sirswah, Amdand, Jhalari, Amraikhoh, Bansibridha, and Belwar, Tehsil Sarai, District Singrauli, (Madhya Pradesh) –Consideration for Environmental Clearance-Regarding

Sir/Madam,

This is in reference to your application submitted to MoEF&CC vide proposal number IA/MP/CMIN/427946/2023 dated 13/05/2023 and subsequent additional information submitted on 26/09/2024 for grant of Environmental Clearance (EC) to the project mentioned above under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC23A0605MP5511241N
(ii) File No.	IA-J-11015/49/2021-IA-II(M)
(iii) Clearance Type	Fresh EC
(iv) Category	A
(v) Project/Activity Included Schedule No.	1(a) Mining of minerals
(vi) Sector	Coal Mining
(vii) Name of Project	M/s Dhirauli Coal Mine Project of Opencast cum Underground of 6.5 MTPA (5 MTPA OC & 1.5 MTPA UG) in mine lease area of 2672 Ha
(ix) Location of Project (District, State)	SINGRAULI, MADHYA PRADESH
(x) Issuing Authority	MoEF&CC
(xii) Applicability of General Conditions	No

3. M/s. Stratatech Mineral Resources Private Limited (SMRPL) has made an online application vide proposal no.

IA/MP/CMIN/427946/2023, dated 13.05.2023 along with copy of EIA report and Forms (Part A, B and C) seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. Further, project proponent uploaded the Stage-I FC for forest land of 1397.54 ha on 26/09/2024 and requested the Ministry to grant of Environment clearance.

4. The proposed project activity is listed at S. No. 1(a) Mining of minerals under Category "A" of the schedule of the EIA Notification, 2006 (as amended) and appraised at Central Level.

5. The instant Proposal was considered in the 45th EAC Meeting held on 31st May 2023. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>.

Details submitted by the project proponent

6. The proposal is for Environmental Clearance of Dhirauli Coal Mining Project of Open cast cum Underground of 6.5 MTPA (5 MTPA Open Cast & 1.5 MTPA Underground) in Mine Lease Area of 2672 ha by M/s Stratatech Mineral Resources Private Limited (SMRPL) located at villages Dhirauli, Phatpani, Sirswah, Amdand, Jhalari, Amraikhoh, Bansibridha, and Belwar, Tehsil Sarai, District Singrauli, (Madhya Pradesh). This is a Greenfield project.

7. ToR was granted vide letter J-11015/49/2021-IA.II (M) dated: 03.08.2021. Amendment in ToR was granted vide letter no. J-11015/49/2021-IA.II (M) dated 09.01.2023.

8. **Environmental site settings:** The project area is covered under Survey of India Topo Sheet No. 63 L/8 and is bounded by the geographical coordinates ranging from Latitude 23°56'07" N to 24°03'04" N Longitude 82°19'04" E to 82°24'21" E. Coal linkage of the project is not applicable as the mine is commercial coal mine. Project does not fall in the Critically Polluted Area (CPA), where the MoEF&CC vide is OM dated 13th January, 2010 has imposed moratorium on grant of Environment Clearance.

Mining Lease area: Total mining lease area as per block allotment is 2672 ha. Mining plan & Mine Closure Plan was approved vide letter No. MPS-34011/4/2021-MPS dated 04th May 2021.

Forest Area: PP submitted that the project involves 1397.54 Ha of Forest land (1335.35 Ha Reserve Forest land + 62.19 Ha Revenue Forest Land). The Stage – I FC clearance for the same was obtained MoEF&CC on 24.09.2024 for diversion of 1397.54 ha forest land.

Protected Area: PP submitted that there are no National Park, Eco-Sensitive Zones, Wildlife Sanctuaries in 10 km radius of the project for which NOC has been obtained by CCF, Sanjay Tiger Reserve, Sidhi vide letter no. kramank/machi/2022/5404 dated 17.08.2022. PP submitted that there is no violation of WLP Act. PP also submitted that there is presence of Schedule – I species for which a comprehensive Wildlife Conservation Plan has been prepared and approved by PCCF on 24.11.2022.

9. Details of Land usage:

A. Pre-mining:

Ownership	Type of Land	Area, (Ha)
Tenancy Land	Agricultural	553.54
	Township	
Govt Non-Forest Land	Grazing	720.92
	Barren (Road)	
	Water bodies	
	Other	
Forest Land	Protected Forest land	1335.35
	Revenue Forest	62.19
Total		2672.00

B. Post Mining

Mining Activity	Land Use Area	Agricul-	Plantation	Water	Public Use	Forest land
-----------------	---------------	----------	------------	-------	------------	-------------

	(End of Life)	ture land		Body		
Excavation Area	2,096.59	-	1,843.03	-	-	1843.03
Backfilled Area (in Excavation Area)	1,796.23	-	1,843.03	-	-	1843.03
Excavated Void (in Excavation Area)	300.36	-	-	253.56	-	-
Topsoil Dump	35.34 (upto 5th Year)	-	-	-	-	-
External Dump	387.55	-	387.55	-	-	387
Safety Zone	19.73	-	19.73	-	-	19.73
Haul Road Between quarries	-	-	-	-	-	-
Road diversion	4.13	-	-	-	4.13	-
Settling pond	2.20	-	-	2.20	-	-
Road & Infrastructure area	20.80	-	20.80	-	-	20.80
CHP & Washery	8.10	-	8.10	-	-	8.10
Coal Evacuation Route & Approach Road	1.15	-	1.15	-	-	1.15
Garland drains	5.34	-	5.34	-	-	5.34
Embankment	7.50	-	7.50	-	-	7.50
Green Belt	46.80	-	46.80	-	-	46.80
Water Reservoir	-	-	-	-	-	-
Rationalization area	72.11	-	72.11	-	-	72.11
Total (exclude back filled void & Topsoil area)	2672.00	-	2412.11	255.76	4.13	2412.11

10. **Mining Plan & Method of Mining:** Mining plan & Mine Closure Plan was approved as per the letter No. MPS-34011/4/2021-MPS dated 04th May 2021. Mining operations envisaged: Coal (OC) - Surface miner-FEL-Dumper, Overburden (OC) - Shovel Dumper, UG mine - Continuous Miner.

11. **Geological reserve:** Total Geological Reserve reported in the mine lease area is 558.011 MT (Opencast Mine – 260.263 MT, Underground Mine – 297.748 MT). Total Mineable Reserve are 313.79 MT of which 195.74 MT are by open cast method mining & 118.05 MT are by underground mining. Extractable Reserves are 298.12 MT (Opencast Mine – 186.06 MT Underground Mine – 112.07 MT) are available for extraction. Percent of extraction is 53.43% (Opencast Mine – 71.49 %, Underground Mine – 37.64 %).

12. **Thickness of seams:** Thickness of Seam VII-COMB varies from 1.27 to 9.08 and thickness of Seam VII-TOP varies from 0.83 to 8.48.

Type	Seam	Thickness Range (m)
Open Cast	VIII- Top	0.55 - 3.16
	VIII-Comb	1.37 - 4.47
	VII- Top	0.83 - 8.48
	VII-Bottom	0.32-1.52
	VII-Comb	1.27 - 9.08
Under Ground	VI	0.58 - 2.47
	IV	0.55 - 3.9
	III- Top	1.6 - 7.6
	II	0.4 - 4.55

13. **Coal quality:** Grade of coal: G8 (Overall); Stripping ratio: 10.55 m³/t; Average gradient: 20- 40.

14. **Life of Mine:** Total life of mine is 87 years.

15. **OB dump:** The project has one external OB dump in an area of 387.55 ha with 90 m height and 259.01 M. cum of OB. One internal dump in an area of 1796.23 ha with 1704.54 M. cum of material is envisaged in the project.

16. **Quarry area:** Total quarry area is 2,096.59 ha out of which backfilling will be done in 1843.03 ha. Remaining 253.56 ha. mine void will be converted into water body at post closure stage. Backfilled quarry area of 1843.03 ha shall be reclaimed with plantation. Final mine void will be converted into water body.

17. Transportation of Coal:

In pit	Dumpers for initial five years & In-pit conveyor after five years
Surface to siding	Dumpers for initial five years & In-pit conveyor after five years
Siding to loading	Transportation of mineral for initially 5 years will be done by the trucks after that in-pit conveyor belt with silo loading will be installed for transportation of coal till railway siding.

18. Consent to operate for the proposed capacity will be obtained after grant of EC.

19. Hurdul nallah is flowing through the mine lease. The Nallah will be diverted in consultation with Water Resources Department of the State Government.

20. In general, the results of ambient air quality monitoring data were found within prescribed limits except few aberrations which can be attributed to the specific local conditions during the day of sampling.

21. **Legal Issues/ Violation:** PP reported that there is no court cases, violation cases are pending against the project.

22. **Reclamation Plan:** Reclamation has been planned in an area of 387.55 Ha & 1843.03 Ha, comprising of OB Waste Dump and Backfilled Area respectively and 19.73 Ha & 46.80 Ha in the safety zone & green belt respectively.

23. **R&R issues:** The project involves 3037 PAF. R&R of the PAPs will be done as per prevailing laws.

24. **Baseline Data:** PP submitted that the environmental baseline data was generated in the pre-monsoon from March to May 2021.

25. **Water Requirement:** The ground water level has been reported to be varying between 5 to 13 m bgl, during pre-monsoon and between 3 to 8 m bgl during post-monsoon. Total water requirement for the project is 1936 m³/day. NOC for ground water withdrawal has been approved by the Central Ground Water Authority (CGWA) vide NOC no. CGWA/NOC/MIN/ORIG/2022/15765 on 15/06/2022.

26. **Public Hearing:** Public hearing for the project was conducted on 04.05.2022 at Senior Secondary School, Village - Basi Bardah, Dist: Singrauli, Madhya Pradesh under the Chairmanship of Shree D.P. Barman, ADM, Singrauli. Major issues raised in the public hearing & appropriate action to address the issues raised in the Public Hearing have already been taken/proposed to be taken are given in the action plan prepared and mentioned in Chapter 7 in EIA/EMP report. The public hearing budget has been revised from Rs. 6.53 crores to Rs. 10.73 crores.

Action plan as per MoEF&CC O.M. dated 30/09/2020

S. No.	Proposed Activities under public hearing commitment scheme	Phasing of Allocated proposed PH commitment Budget, Rs. Lakh						
		FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total	
1.	Health Facility at village Dhirauli, Jhalari, Amdand Belwar and rehabilitation colony	Providing infrastructure facilities such as beds, medical instruments in medical centers and 24x7 Ambulance to be made available to Basi bardah, Jhalari	25	50	50	75	75	275
2.	Educational Facilities (Dhirauli)	English medium school with modern amenities like library,	200	200	20	-	-	420

	Village Basi bardah, Jhalari Amdand Belwar and rehabilitation colony and rehabilitation colony (rehabilitation colony)	laboratories, sports facilities, virtual learning, etc. Free education, books, uniform, etc. Construction of Toilets in the schools Construction of Laboratory in the schools	0	0	10	0	10	20
3.	Rural infrastructure development	Construction of Pucca roads, Waiting Shed, Construction of Overhead tanks, piping, drainages & internal roads Renovation of Temples (religious places)	0	0	50	0	50	100
			15	15	15	15	20	80
			0	0	2	3	3	8
4.	Employment Generation	Skill Development Training for operators, fitters, electricians Training centers for Ladies (stitching, Embroidery, tailoring etc.)	10	10	10	10	10	50
			10	10	10	10	10	50
5.	Livelihood Development & farmers productivity	Farmer's training in recent crop specific training on cultivation, harvesting and marketing.	5	10	0	10	25	50
Total			265	295	167	133	213	1073

27. **Cost of Project:** Total cost of the project is Rs. 2800 Crore. Cost of production is Rs 1402 per tonne. CSR cost will be 2% profit of last three years. R&R cost 390 Crore. Environment Management Cost is: 1832 Lakh, Capital Rs 1550 Lakh; & Recurring Rs. 282 Lakh.

28. Submission of ADS reply: PP has uploaded the ADS reply on 26/09/2024 as below-

S.No.	Information sought	Information provided
i.	Stage I FC letter for 1394.54 ha	Stage 1 Forest clearance letter granted by MoEF&CC on 24.09.2024 for diversion of 1397.54 ha forest land
ii.	Letter of Intent (LoI) granted by State Government	This mine has been vested vide vesting order No. NA-104/7/2020-NA dated 03.03.2021 by Nominated Authority, Ministry of Coal. However, application for mining lease submitted to the Collector, Singrauli on 17.06.2021. Collector Singrauli forwarded application with necessary documents to Director of Geology and Mining, Bhopal on 30.03.2022. Mine lease will be executed by respective authority after submission of Environment & Forest Clearances.

Observations and deliberations of the EAC:

29. The EAC in its meeting held on 31st May 2024, inter alia deliberated the following:

i. Terms of References (ToR) obtained vide letter No. J-11015/49/2021-IA. II (M) dated 03.08.2021. Further, Amendment of ToR was granted vide letter J-11015/49/2021-IA. II (M) dated 09.01.2023.

ii. Mining plan & Mine Closure Plan was approved as per the letter No. MPS-34011/4/2021-MPS dated 04th May 2021. In mine lease area of 2672 Ha, total 1397.54 Ha of Forest land (1335.35 Ha Reserve Forest land + 62.19 Ha Revenue Forest Land) involved.

iii. Life of mine is 87 years.

iv. Public hearing conducted on 04.05.2022 under Chairmanship of ADM, Singrauli for Dhirauli Coal Mine project. PP submitted the activities- wise public hearing budget of Rs. 653 Lakh.

v. PP has collected the Baseline data for period from March to May 2021 and October to December 2021.

vi. NOC for 1936 m³/day (Fresh Water 50 m³/day & dewatering 1886 m³/day) obtained from CGWA, which is valid up to 14.06.2024, vide NOC No. CGWA/NOC/MIN/ORIG/2022/15765.

vii. Hurdul Nala flowing within Mine Lease area. The Nala Diversion study has been carried out and also approved by Chief Engineer Ganga Basin Rewa.

viii. PP has submitted NOC from Principal Chief Conservator of Forest Madhya Pradesh vide letter no KRAMANK/MACHI. /2022/5404 dated 17.08.2022, stating that there is No Eco-sensitive zone within the 10 KM radius.

ix. The PP has submitted the total environmental management cost of Rs.1550 lakhs as a Capital Cost and Rs.282 lakhs as Recurring Expenditure.

x. The PP vide letter dated 02.06.2023 submitted the following:

a) Dhirauli Coal block at an aerial distance of about 30 km from the Severely Polluted area of Singrauli District. PP later submitted a letter from Member Secretary, MPPCB vide no 1335/TS/HQ/Mine 2063 dated 06.06.2023 wherein it is reported that said mine location is away from 114 sq km area of Singrauli, designated as CEPI.

b) PP later also confirmed that the grazing area in the R&R colony will be increased from 4 ha to 10 ha. An undertaking has been enclosed.

c) The public hearing budget has been increased from Rs. 6.53 crores to Rs. 10.73 crores. To improve education, an English medium school will be built with modern amenities like a library, laboratories, sports facilities etc., which will also ensure that free education, books, uniform, etc., would be provided for all children. Also, free drinking water will be supplied to nearby villages through pipelines, tankers, etc.

d) The budget for Hurdul Nala diversion has been separated from the EMP. The revised EMP budget has been mentioned below:

S. No.	Environmental Protection Measures	Capital Cost (Rs. In Lakhs)	Recurring Cost (Rs. In Lakhs)
1.	Air Pollution Control Measures (Dry fog Dust Suppression Systems at CHP, and Loading Point)	100	60
2.	Water Pollution Control Measures (Construction of Garland drain, Construction of Garland drain around the OB dump, Toe wall around the dump)	118	50
3.	Noise Pollution Control Measures	15	10
4.	Greenbelt/ Nursery Development	37	50
5.	Rainwater Harvesting	80	10
6.	Fire Fighting and Safety measures	100	10
7.	Installation of Online Ambient Air Quality Monitoring System & Online Monitoring ETP	200	10
8.	Budget/ Scheme for the Public Hearing Commitments	1073	0
	Total EMP Budget*	1723	200

* The EMP capex budget shall be utilized within 5 years from the date of operation.

e) Committee noted that approx 90% of the coal from Dhirauli Coal Mine will be utilized in the Thermal Power Plant of M/s Mahan Energen Ltd. A five-kilometer pipe conveyor system has been planned for transportation of coal from Mine to

Power Plant, which is likely to be implemented in 3.5 years, from the start date of planned coal production as per allocation order/ CBDPA with MOC, Govt. of India.

The remaining coal will be supplied through rail/road in the open market since it is a commercial coal mine. However, road transportation may be allowed for an initial 3.5 years of coal production for supply to thermal power plant. A commitment and undertaking in this regard has been enclosed.

f) The CO₂ emissions from mining activity and loss of CO₂ sequestration due to deforestation have been estimated with CO₂ sequestration due to compensatory afforestation. A report has been submitted in this regard, which mentions that total number of 16,80,000 trees will be planted in 1400 Ha of land area under compensatory Afforestation (maintaining tree density of 1200 trees/ha). The CO₂ sequestration starts right after the plantation is done. Total amount of CO₂ that will be sequestered in 2nd year and that in 10th year of plantation will be 377,081.4 and 5,706,152.90 tons of CO₂ annually.

xi. The EAC after deliberation noted that the instant proposal is a green field opencast cum underground project. PP obtained the ToR on 03.08.2021 and later its amendment vide letter dated 09.01.2023 regarding diversion of stream which is flowing in middle of mine. The Committee noted that PP has to obtain forest clearance for 1397.54 ha of forest land.

xii. The Committee during discussions highlighted concerns on impact related to catchment of the Hurdul stream and advise the PP to take all possible precautions with proper design of channel to maintain the natural flow of water along the periphery of mine without loss within catchment area alongwith maintaining natural biodiversity at downstream. The same time, PP was advised not to divert north eastern stream (Bardiya/Jharia Stream) and leave safe distance on both sides with embankment alongwith dense plantation. The Committee opined that IRO shall monitor the implementation of Report on Hydrology prepared by Srushti Seva Private Limited for diversion of Hurdul Stream so that the natural flow of water will be maintained at the exit of the Mine lease area. The diverted route of nallah also needs to be protected with dense plantation. Water flow meter and Ground water piezometer should be installed at the various location for measuring surface as well as ground water level.

xiii. While discussing the coal evacuation plan, the Committee emphasized to put in place a dedicated mechanized coal transportation system by in pit belt conveyor with silo loading and railway siding for rail transportation for at least 90% of total coal capacity to thermal power plant within three and half year. Meanwhile PP could utilize the road for transportation.

xiv. Regarding public hearing issues, as noted from the proceeding of meeting held on the project, PP admitted to enhance the budget, subsequently, which has been increased from Rs. 6.53 crores to Rs. 10.73 crores to improve education. A dedicated modern facility school was advised to be built on the priority basis considering school capacity as per children's available within the 5 km of the project area. Later, PP proposed for English medium school to be equipped with modern amenities like library, laboratories, sports facilities, virtual learning, Free education, books, uniform, etc. and Rs. 420 lakhs to be spent on the Educational Facilities wherein expenditure related to the salary of staff, education to be provided free and recurring cost of school to be met under CSR budget so that no burden to be imposed on fee structure. Besides, drinking water facility to nearby villages through pipelines, tankers, etc shall be ensured. Also the recurring cost related to the other public hearing activities was advised to be covered under CSR budget after completing the task.

xv. As committed, the Capital EMP budget of Rs. 1723 lakh and annual recurring cost of Rs. 200 lakhs was advised to be properly spent for pollution control measures only. The Committee also emphasized that 20% of the mine energy requirement should be met through clean fuel source alongwith shifting 80% vehicles to clean fuel within mine from commencement of the mining activity. As committed in report, PP shall start sequestration of CO₂ in 2nd year of operation and IRO will review the progress of CO₂ sequestration.

xvi. The Committee noted that there is no national Park/Wildlife Sanctuary, tiger and Biosphere within 10 km of mine lease area. However, Project area consists of Schedule I species for which a comprehensive Wildlife Conservation Plan has been prepared and approved by PCCF on 24.11.2022. The committee also noted that as per CCF, Sidhi, MP vide letter no. KRAMANK/ MACHI/ 2022/ 3494 dated 20.05.2022, the Elephant corridor is passing through the project as per work plan of the Forest Division. Therefore, EAC proposed while considering this project, it would be appropriate to take opinion of WL-division /Project Elephant of MoEF&CC in this regard.

Recommendations of the Committee

30. Based on the discussions held and the documents submitted, the EAC **recommended** the proposal for grant of

Environmental Clearance of Dhirauli Coal Mining Project of Open cast cum Underground of 6.5 MTPA (5 MTPA Open Cast & 1.5 MTPA Underground) in Mine Lease Area of 2672 ha by **M/s Stratatech Mineral Resources Private Limited (SMRPL)** located at villages Dhirauli, Phatpani, Sirswah, Amdand, Jhalari, Amraikhoh, Bansibridha, and Belwar, Tehsil Sarai, District Singrauli, (Madhya Pradesh) under EIA Notification, 2006 and its amendments therein subject to the compliance of the following specific conditions in addition to the Standard EC conditions (**Annexure 1**).

31. The MoEF&CC has examined the proposal in accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the EAC hereby accords Environmental Clearance to M/s Stratatech Mineral Resources Private Limited (SMRPL) for Dhirauli Coal Mining Project of Open cast cum Underground of 6.5 MTPA (5 MTPA Open Cast & 1.5 MTPA Underground) in Mine Lease Area of 2672 ha, located at villages Dhirauli, Phatpani, Sirswah, Amdand, Jhalari, Amraikhoh, Bansibridha, and Belwar, Tehsil Sarai, District Singrauli, Madhya Pradesh, subject to compliance of the specific Environmental safeguard Conditions in addition to the standard EC conditions (**Annexure 1**)

32. The proponent shall obtain all necessary clearances/approvals that may be required before the start of the project. The Ministry or any other competent authority may stipulate any further condition for environmental protection. The Ministry or any other competent authority may stipulate any further condition for environmental protection.

33. The Environmental Clearance to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

34. The PP is under obligation to implement commitments made in the Environment Management Plan, which forms part of this EC.

35. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

36. General Instructions:

(i) The project proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded environment clearance and the details of MoEF&CC website where it is displayed.

(ii) The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn must display the same for 30 days from the date of receipt.

(iii) The project proponent shall have a well laid down environmental policy duly approved by the Board of Directors (in case of Company) or competent authority, duly prescribing standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions.

(iv) Action plan for implementing EMP and environmental conditions along with responsibility matrix of the project proponent (during construction phase) and authorized entity mandated with compliance of conditions (during operational phase) shall be prepared. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Six monthly progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six-Monthly Compliance Report.

(v) Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.

(vi) The Regional Office of this MoEF&CC shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data /

information/monitoring reports.

(vii) Validity of EC is as per the provision of EIA Notification, 2006 and its subsequent amendment.

37. This issue with an approval of the Competent Authority

Yours faithfully,

(Sundar Ramanathan)
Scientist 'E'/Additional Director
Tel: 011- 20819378
Email- r.sundar@nic.in

Copy To

1. The Secretary, Ministry of Coal, Shastri Bhawan, New Delhi
2. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office, E-5, Kendriya Paryavaran Bhawan, E-5 Arera Colony, Link Road-3, Ravishankar Nagar, Bhopal – 462016.
3. The Chairman, Central Ground Water Authority, Ministry of Water Resources, Curzon Road Barracks, A-2, W-3 Kasturba Gandhi Marg, New Delhi.
4. The Member Secretary, Central Pollution Control Board, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32.
5. The Regional Director, Central Ground Water Board, North Central Region, Block-1, 4th Floor, Paryawas Bhawan Area Hills, Jail Road, Bhopal - 462011, Madhya Pradesh.
6. The Chairman, Madhya Pradesh Pollution Control Board, E-5, Main Rd No. 3, Ekant Park, Arera Colony, Bhopal, Madhya Pradesh 462.016.
7. The Member Secretary, Madhya Pradesh Pollution Control Board, E-5, Main Rd No. 3, Ekant Park, Arera Colony, Bhopal, Madhya Pradesh 462.016.
8. The District Collector, Singrauli, Government of MP.
9. PARIVESH Portal

Annexure 1

Specific EC Conditions for (Mining Of Minerals)

1. Additional Specific Condition

S. No	EC Conditions
1.1	<i>PP shall not be allowed to use 1397.54 Ha forest land for any type of infrastructural development except coal mine production.</i>
1.2	<i>PP shall obtain CTE/CTO from State Pollution Control Board for 6.5 MTPA (5 MTPA – Opencast Mine & 1.5 MTPA - Underground Mine).</i>
1.3	<i>PP shall take all possible precautions in order to catch natural flow of water along with maintaining natural biodiversity of stream flowing through Mine lease area.</i>
1.4	<i>PP shall not divert north eastern stream (Bardiya/Jharia Stream) and to maintain safe distance of 100 mts on both sides for the safety embankment with dense plantation.</i>

S. No	EC Conditions
1.5	<i>PP shall submit six monthly reports to IRO after monitoring implementation of Report on Hydrology prepared by Srushti Seva Private Limited for diversion of Hurdul Stream. The diverted route of Nallah to be protected with dense plantation.</i>
1.6	PP shall make use of advanced computer simulation techniques for design and execution of blasting operation in the mine. PP shall make use of Electronic Delay Detonators for optimal blasting in coal and OB rock to minimize the environmental impacts of blasting such as ground vibration, fly rocks and excessive dust generation
1.7	<i>PP shall install Water flow meter and Ground water piezometer near to the nallah flowing through Mine lease area at various location for measuring surface as well as ground water level.</i>
1.8	<i>PP shall install dedicated mechanized system for transportation of 90% of coal through close pipe conveyor system and only 10% by road. As proposed PP to construct 5 km pipe conveyor system from mine pit/face to Power Plant (M/s Mahan Energen Ltd) within 3 and half year, which should be designed upto peak capacity of mine production. SPCB to grant the CTO accordingly.</i>
1.9	<i>PP shall reduce the carbon footprint after sequestration of CO₂ and 377,081.4 tons of CO₂ to be sequestered in the 2nd year of mining. IRO shall review the progress of CO₂ sequestration. The process of sequestration of CO₂ will include the planting trees, by “Developing carbon capture and storage (CCS) technologies” and implementation of renewable energy mechanism.</i>
1.10	<i>PP shall address public hearing issues with the allocated Budget of Rs. 1073 Lakhs/- and activities to be monitored by through dedicated online monitoring mechanism. The maintenance of all activities shall be covered through recurring cost of Public Hearing which will be part of CSR budget.</i>
1.11	<i>As proposed, PP shall implement the public hearing budget on the items given above in the Minutes of Meeting of EAC at 45.1.3 (xiii) (c) and EMP budget on the items given above at 45.1.3 (xiii) (d).</i>
1.12	<i>As committed, PP shall construct dedicated modern facility school on the priority basis considering school capacity as per children’s available within the 5 km of the project area. As per the demand, English medium school to be equipped with modern amenities like library, laboratories, sports facilities, virtual learning with free education (or with nominal cost), books, uniform, etc. Total Rs. 420 lakh to be spent on the Educational Facilities only wherein expenditure related to the salary of staff, education fee and other expenditure to be covered as recurring cost under CSR budget so that no burden to be imposed on local public children.</i>
1.13	<i>PP shall create a “Public Grievance Redressal and Monitoring System” for resolving any issues related to the pollution of mines and complaint has to resolve as soon as possible not beyond 30 days. In this regard, adequate awareness to be spread among the public to address their grievance to company with simple and easy manner and for which company needs to devise the mechanism. The same shall be reported to IRO within 3 months. A log book to be maintained by PP on “Public Grievance Redressal and Monitoring System.</i>
1.14	<i>PP shall implement EMP activities with allocated capital budget of Rs. 1723 lakh and recurring cost of Rs. 200 lakhs for compliance with the environmental protection and mitigation.</i>
1.15	<i>PP shall ensure that 20% of the mine energy requirement should be met through clean fuel source along with shifting 80% vehicles to clean fuel [electrical or CNG/LNG based dumpers/trucks for</i>

S. No	EC Conditions
	<i>transportation of coal/OB etc] within mine from commencement of the mining activity.</i>
1.16	<i>No village road shall be used for transportation of coal and no road transport route shall be adopted, which is passing through any sensitive location such as schools, hospitals etc. PP shall take legal undertaking from its consumers accordingly.</i>
1.17	<i>PP to develop 5 ha of nursery particularly for Sal Trees and plantation to be carried out in reclaimed area focusing on the development of Sal Forest.</i>
1.18	<i>PP shall ensure the employment for the Project Affected Families (PAF) on permanent basis as per qualification and provide the free transportation to the work site.</i>
1.19	<i>PP shall ensure distribution of water from the artificial reservoir within and outside Mine lease area in consultation with gram panchayat. The water treatment plant to meet the requirement with the start of production.</i>
1.20	<i>PP shall construct a pucca road to maintain the safety of people residing nearby along the transportation route with plantation on either side of the road.</i>
1.21	<i>PP shall install fixed fog cannon (mist spayer) and fixed sprinkler all along the haul road till CHP, Railway siding and OB Dump area and accordingly sufficient number of fog cannons (not less than 20 nos.) with 40 mts jet length shall be installed within 6 months. It should be ensured that air pollution level confirm to the standards prescribed by the MOEFCC/CPCB.</i>
1.22	<i>PP shall deploy only 35-40 tonnes covered trucks/dumper to reduce fleet size till closed conveyor pipe loading system is put in place and also to implement surface miner and conveyor belt system from pit head to CHP, as feasible.</i>
1.23	<i>PP shall conduct third party audit of compliance of EC condition at an interval six months and its report shall be submitted to IRO, MoEF&CC.</i>
1.24	<i>The status of mine closure activities must be included in every six months' compliance report submitted to the state pollution control board and IRO.</i>
1.25	<i>PP to maintain the topped haul road properly to minimized the dust emission. PP to also develop pucca roads by seeking consent from the panchayat with widening of roads especially roads inter linking the villages within the study area of 10 km radius buffer zone.</i>
1.26	<i>PP to install solar lights along the road used for transportation of minerals to avoid the accidents at night and also seek its maintenance. PP is asked to also identify the rural areas for installation of solar light with its maintenance within the study area of 10 km radius buffer zone within one year.</i>
1.27	<i>PP to provide bio toilets to the villages located within the study areas within 1 year from the grant of this EC.</i>
1.28	<i>Persons of nearby villages shall be given training on livelihood and skill development to make them employable with its proper records.</i>
1.29	<i>PP shall pay to farmers of agricultural land if there is any loss due to pollution found by concerned</i>

S. No	EC Conditions
	<i>District Commissioner as per extent rules or norms.</i>
1.30	<i>PP should establish in house (at project site) environment laboratory for measurement of environment parameter with respect to air quality and water (surface and ground. A dedicated team to oversee environment management shall be setup which should comprise of Environment Engineers, Laboratory chemist and staff for monitoring of air, water quality parameters on routine basis. Any non- compliance or infringement should be reported to the concerned authority.</i>
1.31	<i>PP to implement the recommendation of land subsidence study carried out for underground mine and report shall be submitted to IRO in every six monthly report.</i>
1.32	<i>PP to obtain the star rating as per the guidelines of Ministry of Coal.</i>
1.33	<i>Hon'ble Supreme Court in an Writ Petition(s) Civil No. 114/2014, Common Cause vs Union of India & Ors vide its judgement dated 8th January, 2020 has directed the Union of India to impose a condition in the mining lease and a similar condition in the environmental clearance and the mining plan to the effect that the mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc. Compliance of this condition after the mining activity is over at the cost of the mining lease holders/Project Proponent". The implementation report of the above said condition shall be sent to the Regional Office of the MoEF&CC.</i>

Standard EC Conditions for (Mining of minerals)

1. Statutory Compliance

S. No	EC Conditions
1.1	The Environmental clearance shall be subject to orders of Hon'ble Supreme Court of India, Hon'ble High Courts, NGT and any other Court of Law, from time to time, and as applicable to the project
1.2	The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
1.3	The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
1.4	The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. TThe implementation report shall be furnished along with the six-monthly compliance report (in case of the presence of schedule-I species in the study area).
1.5	The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State pollution Control Board/ Committee.
1.6	The project proponent shall obtain the necessary permission from the Central Ground Water Authority

S. No	EC Conditions
1.7	Solid/hazardous waste generated in the mines needs to be addressed in accordance to the Solid Waste Management Rules, 2016/Hazardous & Other Waste Management Rules, 2016.

2. Air Quality Monitoring And Mitigation Measure

S. No	EC Conditions
2.1	Adequate ambient air quality monitoring stations shall be established in the core zone as well as in the buffer zone for monitoring of pollutants, namely particulates, SO ₂ and NO _x . Location of the stations shall be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive receptors in consultation with the State Pollution Control Board. Online ambient air quality monitoring station/stations may also be installed in addition to the regular air monitoring stations as per the requirement and/or in consultation with the SPCB
2.2	The Ambient Air Quality monitoring in the core zone shall be carried out to ensure the Coal Industry Standards notified vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board. Data on ambient air quality and heavy metals such as Hg, As, Ni, Cd, Cr and other monitoring data shall be regularly reported to the Ministry/Regional Office and to the CPCB/SPCB.
2.3	Transportation of coal, to the extent if permitted by road, shall be carried out by covered trucks/conveyors. Effective control measures such as regular water sprinkling/rain gun/ Fog cannon /mist sprinkling etc., shall be carried out in critical areas prone to air pollution with higher level of particulate matter all through the coal transport roads, loading/unloading and transfer points. Fugitive dust emissions from all sources shall be controlled regularly. It shall be ensured that the ambient air quality parameters conform to the norms prescribed by the Central/State Pollution Control Board.
2.4	Major approach roads shall be black topped and properly maintained.
2.5	The transportation of coal shall be carried out as per the provisions and route proposed in the approved mining plan. Transportation of the coal through the existing road passing through any village shall be avoided. In case, it is proposed to construct a 'bypass' road, it should be so constructed that the impact of sound, dust and accidents could be appropriately mitigated.
2.6	Vehicular emissions shall be kept under control and regularly monitored. All the vehicles engaged in mining and allied activities shall operate only after obtaining 'PUC' certificate from the authorized pollution testing centres.
2.7	Coal stock pile/crusher/feeder and breaker material transfer points shall invariably be provided with dust suppression system. Belt-conveyors shall be fully covered to avoid air borne dust. Side cladding all along the conveyor gantry should be made to avoid air borne dust. Drills shall be wet operated or fitted with dust extractors.
2.8	Coal handling plant shall be operated with effective control measures w.r.t. various environmental parameters. Environmental friendly sustainable technology should be implemented for mitigating such parameters.

3. Water Quality Monitoring And Mitigation Measures

S. No	EC Conditions
3.1	The effluent discharge (mine waste water, workshop effluent) shall be monitored in terms of the parameters notified under the Water Act, 1974 Coal Industry Standards vide GSR 742 (E) dated 25th September, 2000 and as amended from time to time by the Central Pollution Control Board.
3.2	The monitoring data shall be uploaded on the company's website and displayed at the project site at a suitable location. The circular No.J-20012/1/2006-IA.11 (M) dated 27th May, 2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.
3.3	Regular monitoring of ground water level and quality shall be carried out in and around the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operations. The monitoring of ground water levels shall be carried out four times a year i.e. pre-monsoon, monsoon, post-monsoon and winter. The ground water quality shall be monitored once a year, and the data thus collected shall be sent regularly to MOEFCC/RO.
3.4	Monitoring of water quality upstream and downstream of river including ponds, lakes, tanks shall be carried out once in six months and record of monitoring data shall be maintained and submitted to the Ministry of Environment, Forest and Climate Change/Regional Office.
3.5	Ground water, excluding mine water, shall not be used for mining operations. Rainwater harvesting shall be implemented for conservation and augmentation of ground water resources.
3.6	The project proponent shall not alter major water channels around the site. Appropriate embankment shall be provided along the side of the river/nallah flowing near or adjacent to the mine. The embankment constructed along the river/nallah boundary shall be of suitable dimensions and critical patches shall be strengthened by stone pitching on the river front side, stabilized with plantation so as to withstand the peak water pressure preventing any chance of mine inundation.
3.7	Garland drains (of suitable size, gradient and length) around the critical areas i.e. mine shaft and low lying areas, shall be designed keeping at least 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine sites. The sump capacity shall also provide adequate retention period to allow proper settling of silt material of the surface runoff
3.8	The water pumped out from the mine, after siltation, shall be utilized for industrial purpose viz. watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly
3.9	Industrial waste water from coal handling plant and mine water shall be properly collected and treated so as to conform to the standards prescribed under the Environment (Protection) Act, 1986 and the Rules made thereunder, and as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluent. Sewage treatment plant of adequate capacity shall be installed for treatment of domestic waste water.
3.10	Adequate groundwater recharge measures shall be taken up for augmentation of ground water. The project authorities shall meet water requirement of nearby village(s) in case the village wells go dry due to dewatering of mine.

S. No	EC Conditions
3.11	The surface drainage plan including surface water conservation plan for the area of influence affected by the said mining operations shall be prepared, considering the presence of any river/rivulet/pond/lake etc., with impact of mining activities on it, and implemented by the project proponent. The surface drainage plan and/or any diversion of natural water courses shall be as per the provisions of the approved Mining Plan/ EIA-EMP submitted to this Ministry and the same should be done with due approval of the concerned State/GoI Authority. The construction of embankment to prevent any danger against inrush of surface water into the mine should be as per the approved mining plan and as per the permission of DGMS.
3.12	The project proponent shall take all precautionary measures to ensure reverian/ riparian ecosystem in and around the coal mine upto a distance of 5 km. A revarian /riparian ecosystem conservation and management plan should be prepared and implemented in consultation with the irrigation / water resource department in the state government.

4. Noise And Vibration Monitoring And Prevention

S. No	EC Conditions
4.1	Adequate measures shall be taken for control of noise levels as per Noise Pollution Rules, 2016 in the work environment. Workers engaged in blasting and drilling operations, operation of HEMM, etc shall be provided with personal protective equipments (PPE) like ear plugs/muffs in conformity with the prescribed norms and guidelines in this regard. Adequate awareness programme for users to be conducted. Progress in usage of such accessories to be monitored.
4.2	The noise level survey shall be carried out as per the prescribed guidelines to assess noise exposure of the workmen at vulnerable points in the mine premises, and report in this regard shall be submitted to the Ministry/RO on six-monthly basis.

5. Mining Plan

S. No	EC Conditions
5.1	Mining shall be carried out under strict adherence to provisions of the Mines Act 1952 and subordinate legislations made there-under as applicable.
5.2	No change in mining method i.e. UG to OC, calendar programme and scope of work shall be made without obtaining prior approval of the Ministry of Environment, Forests and Climate Change (MoEFCC).
5.3	Mining shall be carried out as per the approved mining plan (including Mine Closure Plan) abiding by mining laws related to coal mining and the relevant circulars issued by Directorate General Mines Safety (DGMS).
5.4	Underground work place environmental conditions shall be rendered ergonomic and air breathable with adequate illumination in conformance with DGMS standards.
5.5	No mining shall be carried out in forest land without obtaining Forestry Clearance as per Forest (Conservation) Act, 1980 and also adhering to The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 read with provisions of Indian Forest Act, 1927.

S. No	EC Conditions
5.6	Efforts should be made to reduce energy and fuel consumption by conservation, efficiency improvements and use of renewable energy.

6. Land Recalvation

S. No	EC Conditions
6.1	Digital Survey of entire lease hold area/core zone using Satellite Remote Sensing survey shall be carried out at least once in three years for monitoring land use pattern and report in 1:50,000 scale or as notified by Ministry of Environment, Forest and Climate Change(MOEFCC) from time to time shall be submitted to MOEFCC/Regional Office (RO).
6.2	Post-mining land be rendered usable for agricultural/forestry purposes and shall be handed over to the respective State Government, as specified in the Guidelines for Preparation of Mine Closure Plan, issued by the Ministry of Coal dated 27th August, 2009 and subsequent amendments.
6.3	Regular monitoring of subsidence movement on the surface over and around the working areas and its impact on natural drainage pattern, water bodies, vegetation, structure, roads and surroundings shall be continued till movement ceases completely. In case of observation of any high rate of subsidence beyond the limit prescribed, appropriate effective mitigation measures shall be taken to avoid loss of life and materials. Cracks should be effectively plugged in with ballast and clay soil/suitable material.
6.4	Fly ash shall be used for external dump of overburden, backfilling or stowing of mine as per provisions contained in clause (i) and (ii) of subparagraph (8) of fly ash notification issued vide SO 2804 (E) dated 3rd November, 2009 as amended from time to time. Efforts shall be made to utilize gypsum generated from Flue Gas Desulfurization (FGD), if any, along with fly ash for external dump of overburden, backfilling of mines. Compliance report shall be submitted to Regional Office of MoEF&CC, CPCB and SPCB.
6.5	A separate team for subsidence monitoring and surface mitigation measures shall be constituted and continuous monitoring & implementation of mitigation measures be carried out.
6.6	Thorough inspection of the mine lease area for any cracks developed at the surface due to mining activities below ground shall be carried out to prevent inrush of water in the mine.
6.7	Native tree species shall be selected and planted over areas affected by subsidence.
6.8	The project proponent shall make necessary alternative arrangements, if grazing land is involved in core zone, in consultation with the State government to provide alternate areas for livestock grazing, if any. In this context, the project proponent shall implement the directions of Hon'ble Supreme Court with regard to acquiring grazing land.
6.9	The final mine void depth should preferably be as per the approved Mine Closure Plan, and in case it exceeds 40 m, adequate engineering interventions shall be provided for sustenance of aquatic life therein. The remaining area shall be backfilled and covered with thick and alive top soil. Post-mining land be rendered usable for agricultural/forestry purposes and shall be diverted. Further action will be treated as specified in the guidelines for Preparation of Mine Closure Plan issued by the Ministry of Coal dated 27th August, 2009 and subsequent amendments.

S. No	EC Conditions
6.10	The entire excavated area, backfilling, external OB dumping (including top soil) and afforestation plan shall be in conformity with the “during mining”/“post mining” landuse pattern, which is an integral part of the approved Mining Plan and the EIA/EMP submitted to this Ministry. Progressive compliance status vis-a-vis the post mining land use pattern shall be submitted to the MOEFCC/RO.
6.11	Further, it may be ensured that as per the time schedule specified in mine closure plan it should remain live till the point of utilization. The topsoil shall temporarily be stored at earmarked site(s) only and shall not be kept unutilized. The top soil shall be used for land reclamation and plantation purposes. Active OB dumps shall be stabilised with native grass species to prevent erosion and surface run off. The other overburden dumps shall be vegetated with native flora species. The excavated area shall be backfilled and afforested in line with the approved Mine Closure Plan. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest and Climate Change/ Regional Office.

7. Public Hearing And Human Health Issues

S. No	EC Conditions
7.1	Adequate illumination shall be ensured in all mine locations (as per DGMS standards) and monitored.
7.2	The project proponent shall undertake occupational health survey for initial and periodical medical examination of the personnel engaged in the project and maintain records accordingly as per the provisions of the Mines Rules, 1955 and DGMS circulars. Besides regular periodic health check-up, 20% of the personnel identified from workforce engaged in active mining operations shall be subjected to health check-up for occupational diseases and hearing impairment, if any, as amended time to time.
7.3	Personnel (including outsourced employees) working in core zone shall wear protective respiratory devices and shall also be provided with adequate training and information on safety and health aspects.
7.4	Skill training as per safety norms specified by DGMS shall be provided to all workmen including the outsourcing employees to ensure high safety standards in mines.
7.5	Effective arrangement shall be made to provide and maintain at suitable points conveniently situated, a sufficient supply of drinking water for all the persons employed.
7.6	Implementation of the time bound action plan on the issues raised during the public hearing shall be ensured. The project proponent shall undertake all the tasks/measures as per the time bound action plan submitted with budgetary provisions during the public hearing. Land oustees shall be compensated as per the norms laid down in the R&R policy of the company/State Government/Central Government, as applicable.
7.7	The project proponent shall follow the mitigation measures provided in this Ministry’s OM No.Z-11013/5712014-IA.II (M) dated 29th October, 2014, titled ‘Impact of mining activities on habitations-issues related to the mining projects wherein habitations and villages are the part of mine lease areas or habitations and villages are surrounded by the mine lease area’.

8. Corporate Environment Responsibility

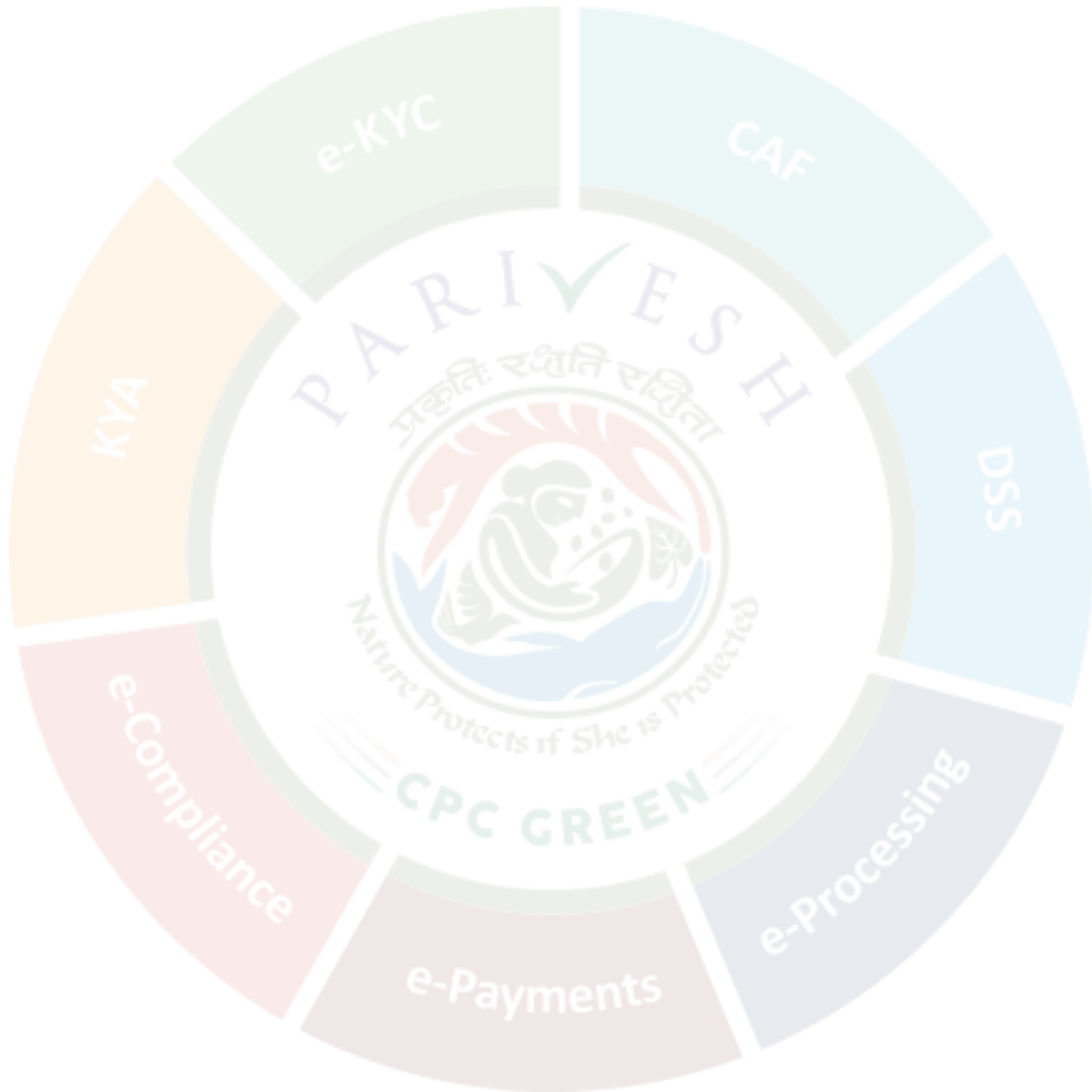
S. No	EC Conditions
8.1	The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental/forest/wildlife norms/conditions. The company shall have defined system of reporting infringements/deviation/violation of the environmental/forest/wildlife norms/conditions and/or shareholders/stake holders.
8.2	A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
8.3	Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
8.4	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.
8.5	The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No.22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.

9. Miscellaneous

S. No	EC Conditions
9.1	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
9.2	The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
9.3	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
9.4	The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
9.5	The project proponent shall submit the environmental statement for each financial year in Form-V

S. No	EC Conditions
	to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
9.6	The project authorities shall inform to the Regional Office of the MOEFCC regarding commencement of mining operations.
9.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
9.8	The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
9.9	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
9.10	Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
9.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
9.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
9.13	The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
9.14	The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
9.15	Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
9.16	GREEN BELT The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted/reported in the study area. Action plan, in this regard, if any, shall be prepared and implemented in consultation with the State Forest and Wildlife Department.
9.17	Greenbelt, consisting of three-tier plantation, of width not less than 7.5 m, shall be developed all along the mine lease area in a phased manner. The green belt comprising of a mix of native species shall be developed all along the major approach roads/ coal transportation roads.

S. No	EC Conditions
9.18	<i>Project proponent is advised to implement the 'Ek Ped Maa Ke Naam' Campaign which was launched on 5th June 2024 on the occasion of the World Environment Day to increase the forest cover across the Country. This plantation drive is other than Green belt development. The action in this regard shall be submitted concerned RO in six monthly compliance report</i>



ANNEXURE R-3

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: 09-05-2025

To,

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

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasra's of Forest Range Waidhan/ Sarai East for Open Cast Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/142344/2021) - regarding.

Madam/Sir,

I am directed to refer to the APCCF (LM) and Nodal Officer, Government of Madhya Pradesh letter No. F-1/845/2023/10-11/492 dated 22.01.2024 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 said Act, '*in-principle*' approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 was granted vide Ministry's letter of even number dated 24.09.2024 subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report furnished by the APCCF (LM) and Nodal Officer, Government of Madhya Pradesh vide letter No. F-1/845/2022/10-11 dated 05.05.2025, '**Final approval**' of the Central Government is hereby granted under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 1397.54 ha forest land for Open Cast Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation (CA) shall be done on identified non forest land through artificial regeneration of Sal and planting of other native associates of Sal to restore the ecological services of the area. This should be achieved by planting of trees as well as by other measures of eco-restoration, e.g. soil & water conservation and rain water harvesting. Sal and associates of Sal of at

least 18 month old seedlings should be used in CA and the work of Compensatory afforestation shall start within two years from the date of grant of Final approval;

- iii. In certain patches of non-forest land proposed for CA, which have been mutated in the name of the State Forest Department, the ownership column reflects the names of individuals along with the address of the concerned Range/Division. In this regard, the State shall take necessary action and ensure that the ownership/title of the non-forest land proposed for CA is recorded in the name of the Forest Department only;
- iv. The state shall ensure that the non-forest land identified for raising compensatory afforestation shall be **notified as RF/PF under IFA, 1927 or any state /local act before handing over of forest land to the User Agency by the State Government;**
- v. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency in accordance with the Ministry guidelines dated 6.01.2022 read with guidelines dated 19.01.202, the user agency shall pay the additional amount of NPV, if so determined, as per the Final decision of the Hon'ble Supreme Court of India;
- vi. The State Government shall ensure that 51.82 ha forest land earmarked as rationalized area shall not be used for any non-site specific activity or additional infrastructure;
- vii. The User Agency has prepared a detailed mining plan for 40 years, linking the progress of mining and felling of the trees clearly. The State Government shall ensure that felling of trees shall be done, when it is absolutely necessary in phase-wise manner in the areas which become due for mining as per mining plan;
- viii. The State Government shall ensure that the identified forest land for external OB dump shall be used judiciously by taking appropriate measures to check soil erosion in the area. Since this is non-coal bearing area, hence, after the initial use as OB dump, the entire area shall be reverted back to original by flattening and taking suitable measures including planting of native species;
- ix. The State Government shall ensure that the Hardul Nala retraining work should be done as per the hydrological study and in consultation with water Resources Department;
- x. The State Government shall ensure that the diversion of transmission line shall be done using a defined corridor with minimum centre to centre distance between the lines to economise need of additional land;
- xi. The State Government shall ensure that the site-specific wildlife mitigation plan should be implemented for which the funds has been deposited by the user agency;
- xii. The State Government shall ensure that a Comprehensive Rehabilitation and Resettlement (R&R) Plan shall be implemented before commencing mining operations in the area;
- xiii. The State Government shall ensure that Catchment treatment plan should be implemented to compensate the loss of catchment to the small nalas and rivulets in and around the proposed mining lease;
- xiv. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the e-Green

- watch portal of FSI, before handling over forest land to the user agency;
- xv. 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, Van (Sanrakshan Evam Samvardhan) Adhinyam, 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 Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
 - xvi. The State Govt. shall ensure that the user agency shall surrender the mined out and reclaimed forest land as per schedule;
 - xvii. The State Govt. shall ensure that the rehabilitated forest area after closure of mining operations shall be handed over to the State Forest Department for sustainable forest management in the future;
 - xviii. Safety Zone Management: Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
 - a. User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the. State Forest Department;
 - b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department; and
 - d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
 - xviii. Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:
 - a. Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of 'Final' approval in accordance with the approved Plan/Scheme in consultation with the State Forest Department;
 - b. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved Plan/scheme;
 - c. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved Plan/Scheme;

- d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°; and
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xix. The validity of approval granted under the Adhinyam shall be for a period co-terminus with the validity of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended from time to time or Rules framed there under, or for such period as may be specified by the Central Government;
 - xx. The User Agency either himself or through the State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located within the periphery of 100 m from outer perimeter of the mining lease as per approved plan for plantation and SMC activities submitted along with compliance of 'in-principle' approval;
 - xxi. The User Agency shall regularly undertake de-silting of village tanks and other water bodies, located within five km from the mine lease boundary, as per approved plan, to mitigate the impact of project on such tanks/water bodies;
 - xxii. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner;
 - xxiii. Adequate care shall be taken to check any rolling of overburden/dumps beyond the designated area and to check soil erosion caused due to mining activities;
 - xxiv. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department;
 - xxv. 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;
 - xxvi. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled;
 - xxvii. No labour camp shall be established on the forest land and 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;
 - xxviii. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates; The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;

- xxix. 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;
- xxx. No damage to the flora and fauna of the adjoining area shall be caused;
- xxx. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
- xxxii. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxxiii. 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 shall be carried with by the State Government and user agency;
- xxxiv. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 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) Adhinyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
- xxxv. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter of even no. dated 24.09.2024 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, for the time being in force; and
- xxxvi. As per Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and after fulfillment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion of forest land.

Yours sincerely,

Digitally signed by
SUNEET BHARDWAJ
Date: 09-05-2025
09:36:23

Sd/-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer, Department of Forest Government of Madhya Pradesh, Bhopal;

4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.

True Translated Copy

ANNEXURE R-4

PCCF/9/0016/2025-LM-PCCF

Number: 719/2025/10(FOR)

**Madhya Pradesh Government
Forest Department
Ministry, Vallabh Bhawan, Bhopal**

No./PCCF/9/0016/2025-LM-PCCF

Bhopal dated 22-05-2025

To,

**Principal Chief Conservator of Forests and Chief of Forest
Force,
Madhya Pradesh
Van Bhavan, Tulsi Nagar, Bhopal.**

Subject: An online proposal reference number **FP/MP/MIN/142344/2021** from M/s Stratatech Minerals Resources Pvt. Ltd. for the diversion of 1335.35 hectares of forest land in various RF forest compartments of Baidan, Mada, and East Sarai forest ranges of Singrauli forest division, and 62.19 hectares of revenue forest land under various survey numbers, totaling 1397.54 hectares of forest land, for open-cast coal mining and surface use under the Dhiaroli coal block.

Reference: Letter dated 09/05/2025 from the Government of India, Ministry of Environment, Forest and Climate Change, Regional Office, Bhopal.

True Translated Copy

In the matter under consideration, **Final Approval** has been granted by the Government of India, through the referenced letter, for the use of 1397.54 hectares of forest land by M/s Stratatech Minerals Resources Pvt. Ltd. A copy of the referenced letter dated 09/05/2025, issued by the Government of India, Ministry of Environment, Forest and Climate Change, Regional Office, Bhopal, is attached.

The state government gives its consent to the final approval granted by the Government of India. The concerned Divisional Forest Officer shall issue the necessary approval, incorporating the conditions mentioned in the final approval issued by the Government of India, and proceed with the matter in accordance with the rules.

Attached:- As above

Digitally signed by
Kshitij Kumar
Date: 22-05-2025
13:49:14

Special Duty Officer
and Ex-Officio Deputy Secretary,
Government of M.P., Forest Department
Bhopal dated 22-05-2025

Sr.No./PCCF/9/0016/2025-LM-PCCF

Copy:-

Additional Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation and Development) Act, 1980, Van Bhawan, Tulsi Nagar, Bhopal, Madhya Pradesh.

मध्यप्रदेश शासन

वन विभाग

मंत्रालय, वल्लभ भवन, भोपाल

क्रमांक/PCCF/9/0016/2025-LM-PCCF

भोपाल दिनांक 22-05-2025

प्रति,

प्रधान मुख्य वन संरक्षक एवं वन बल प्रमुख,

मध्यप्रदेश

वन भवन, तुलसी नगर, भोपाल।

विषय: वन मंडल सिंगरौली के परिक्षेत्र बैदन,माडा, पूर्व सरई के विभिन्न RF वनकशों के 1335.35 हेक्टेयर वनभूमि एवं विभिन्न खसारों की रकबा 62.19 हेक्टेयर राजस्व वनभूमि कुल 1397.54 हेक्टेयर वनभूमि में धिरौली कोल ब्लॉक अन्तर्गत ओपन कास्ट कोयला उत्खनन तथा ऊपर सतह के उपयोग के प्रत्यावर्तन का-मेसर्स स्ट्राटेक मिनरल्स रिसोर्सेस प्रा.लि का ऑनलाईन ऑनलाईन प्रस्ताव क्रमांक FP/MP/MIN/142344/2021

संदर्भ: भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, भोपाल का पत्र दिनांक 09/05/2025.

विषयांकित प्रकरण में 1397.54 हेक्टेयर वनभूमि मेसर्स स्ट्राटेक मिनरल्स रिसोर्सेस प्रा.लि को उपयोग पर देने के प्रस्ताव पर भारत सरकार के संदर्भित पत्र से अंतिम अनुमोदन(Final Approval) प्रदान किया गया है। भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, भोपाल द्वारा जारी संदर्भित पत्र दिनांक 09/05/2025 की प्रति संलग्न है।

भारत सरकार द्वारा दिये गये अंतिम अनुमोदन (Final Approval) पर राज्य शासन द्वारा सहमति दी जाती है। भारत सरकार द्वारा जारी अंतिम अनुमोदन में उल्लेखित शर्तों में समाहित करते हुये संबंधित वनमण्डलाधिकारी नियमानुसार कार्यवाही करने की स्वीकृति जारी करें।

संलग्न:- उपरोक्तानुसार

Digitally signed by

Kshitij Kumar

Date: 22-05-2025

13:49:14

विशेष कर्तव्यस्थ अधिकारी

एवं पदेन उप सचिव,

मध्यप्रदेश शासन, वन विभाग

पृ०क्रमांक/PCCF/9/0016/2025-LM-PCCF

भोपाल दिनांक 22-05-2025

प्रतिलिपि:-

अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) एवं नोडल अधिकारी वन (संरक्षण एवं सम्वर्धन) अधिनियम, 1980, वन भवन, तुलसी नगर, भोपाल, मध्यप्रदेश।

ANNEXURE R-5

Ref. no - MEL/47/2026

Date: 23/03/2026

To,
 The Regional Officer
 Integrated Regional Office (IRO), Bhopal
 Ministry of Environment, Forest & Climate Change
 Government of India
 Bhopal, Madhya Pradesh.

Subject: Submission of Annual Self-compliance report of Stage 2 forest clearance for Diversion of 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasra's of Forest Range Waidhan / Sarai East for Open Cast cum Underground Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited (now known as Mahan Energen Limited) under Singrauli Forest Division, Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/142344/2021) –

Respected Sir/Mam,

I hereby submitting the annual Self-Compliance Report pertaining to the Forest Clearance (Stage-II) granted for the Dhirauli Coal Mine, located at Singrauli Madhya Pradesh. The compliance report has been prepared in accordance with the conditions stipulated in the Stage-II Forest Clearance and includes point-wise compliance supported with relevant documents, wherever applicable. We kindly request you to take the submitted report on record and acknowledge the same.

Sr no.	Condition	Compliance submitted to MOEF&CC
i.	Legal status of the diverted forest land shall remain unchanged;	Noted for Compliance Legal status of the diverted forest land will remain unchanged undertaking for the same attached as Annexure- 1.
ii.	Compensatory afforestation (CA) shall be done on identified non forest land through artificial regeneration of Sal and planting of other native associates of Sal to restore the ecological services of the area. This should be achieved by planting of trees as well as by other measures of eco-restoration, e.g. soil & water conservation and rain water harvesting. Sal and associates of Sal of at least 18 month old seedlings should be used in CA and the work of Compensatory afforestation shall	Complied, Total CA Scheme amount of Rs. 1,083,306,637 as per approved CA Scheme has been deposited. Out of which Rs. 987,033,677 has been deposited in CAMPA Madhya Pradesh account as per issued demand note and Rs. 96,272,960 (Supervision charges) has been deposited in MP treasury account as per the approved CA Scheme.

Mahan Energen Limited
 (Formerly Known as Stratatech Mineral Resources Private Limited (SMRPL)
 "Adani Corporate House"
 Shantigram, Near Vaishno Devi Circle,
 S. G. Highway, Khodiyar,
 Ahmedabad-382421, Gujarat India
 CIN : U40100GJ2005PLC147690

Tel +91 79 2656 7555
 Fax +91 79 2555 7177
 info@adani.com
 www.adanipower.com

	start within two years from the date of grant of Final approval;	
iii.	In certain patches of non-forest land proposed for CA, which have been mutated in the name of the State Forest Department, the ownership column reflects the names of individuals along with the address of the concerned Range/Division. In this regard, the State shall take necessary action and ensure that the ownership/title of the non-forest land proposed for CA is recorded in the name of the Forest Department only;	Noted, It will be ensured that the ownership/title of the non-forest land proposed for CA is recorded in the name of the Forest Department.
iv.	The state shall ensure that the non-forest land identified for raising compensatory afforestation shall be notified as RF/PF under IFA, 1927 or any state /local act before handing over of forest land to the User Agency by the State Government;	Noted, We will ensure that non-forest land identified for raising compensatory afforestation to be notified as RF/PF under IFA, 1927 or any state /local act.
v.	The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency in accordance with the Ministry guidelines dated 6.01.2022 read with guidelines dated 19.01 .202, the user agency shall pay the additional amount of NPV, if so determined, as per the Final decision of the Hon'ble Supreme Court of India;	Noted, The additional amount of NPV, if so determined, as per the Final decision of the Hon'ble Supreme Court of India shall be paid. Undertaking for additional NPV is attached as Annexure - II
vi.	The State Government shall ensure that 51.82 ha forest land earmarked as rationalized area shall not be used for any non-site specific activity or additional infrastructure;	Agreed, The forest land of 51.82 ha given as rationalized area shall not be used for any site - specific activity or additional infrastructure. Undertaking of the same is attached as Annexure- III
vii..	The User Agency has prepared a detailed mining plan for 40 years, linking the progress of mining and felling of the trees clearly. The State Government shall ensure that felling of trees shall be done, when it is absolutely necessary in phase-wise manner in the areas which become due for mining as per mining plan;	Noted, Felling of trees will be done in phase-wise manner as per approved mine plan. Undertaking attached as Annexure - IV

viii.	The State Government shall ensure that the identified forest land for external OB dump shall be used judiciously by taking appropriate measures to check soil erosion in the area. Since this is non-coal bearing area, hence, after the initial use as OB dump, the entire area shall be reverted back to original by flattening and taking suitable measures including planting of native species;	Noted, The OB dump on the forest land will be reclaimed as per approved mine closure plan, entire external dump is planned as flat top surface and native species plantation is proposed. The slope of OB dump biologically reclaimed with shrubs and herbs. Undertaking for the same is attached as Annexure- V
ix.	The State Government shall ensure that the Hardul Nala retraining work should be done as per the hydrological study and in consultation with water Resources Department;	Noted, WRD NOC has been granted by office of chief Engineer, Ganga Basin, M.P. vide Memo no 2512/G/W/MP/1-48 of 22 dated 19.4.2022 for nala diversion, MoEF&CC also permitted to nala diversion in its 45th EAC meeting dated 31st may 2023. Retaining work on Hardul nala shall be done as per the hydrological study and in consultation with water Resource department. undertaking for the same attached as Annexure- VI
x.	The State Government shall ensure that the diversion of transmission line shall be done using a defined corridor with minimum centre to centre distance between the lines to economise need of additional land;	Noted, Diversion of transmission line will be done using a defined corridor with minimum centre to centre distance between the lines to economise need of additional land. Undertaking for the same is attached as Annexure- VII.
xi.	The State Government shall ensure that the site-specific wildlife mitigation plan should be implemented for which the funds has been deposited by the user agency;	Noted, The amount of Rs. 106,500,000 has been deposited in CAMPA Madhya Pradesh account no. 150767282 IFSC Code - UBIN0996335 dated 02.12.2024 (UTR no. YESBR12024120300021384

xii.	The State Government shall ensure that a Comprehensive Rehabilitation and Resettlement (R&R) Plan shall be implemented before commencing mining operations in the area;	Noted, A Comprehensive Rehabilitation and Resettlement (R&R) Plan has been prepared and approved vide letter no. 2147 /BHU-Arjan /22 dated 18.11.2022 Comprehensive Rehabilitation and Resettlement (R&R) Plan will be implemented before commencing mining operations in the same area. Undertaking for the same attached as Annexure - VIII
xiii.	The State Government shall ensure that Catchment treatment plan should be implemented to compensate the loss of catchment to the small nalas and rivulets in and around the proposed mining lease;	Being Complied, The SMC/CAT plan is approved vide by Nodal officer on 05.11.2024 vide order no F-1/845/2023/10-11/88. Payment towards the catchment treatment plan and its mitigation measures has been done on CAMPA Madhya Pradesh on 21/11/2024 with UTR no. YESBR12024112100021845 of amount Rs.11,973,600/-
xiv.	The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the e-Green watch portal of FSI, before handing over forest land to the user agency;	Noted, The same has been uploaded by the State Government.

xv.	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, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 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 Chief Conservator of Forests {Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;	Noted. The mining shall be done 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 will be executed from the very first year, and an annual report on implementation will be submitted to the Nodal Officer, Madhya Pradesh as per Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980. An undertaking for is attached as Annexure - IX
xvi.	The State Govt. shall ensure that the user agency shall surrender the mined out and reclaimed forest land as per schedule;	Noted, Surrender of the mined out and reclaimed forest land Will be done as per the schedule. Undertaking for the same Attached as Annexure - X
xvii.	The State Govt. shall ensure that the rehabilitated forest area after closure of mining operations shall be handed over to the State Forest Department for sustainable forest management in the future;	Noted. The rehabilitated forest area after closure of mining operations will be handed over to the State Forest Department as per the approved mine plan and mine closure plan. The undertaking regarding the same is attached as Annexure - XI
xviii.	Safety Zone Management: Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:	Being Complied Safety zone management work is under progress as per relevant guidelines issued by ministry's

a.	User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the. State Forest Department;	
b.	Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;	Being Complied Demarcation of safety zone (7.5-meter strip along the inner boundary of mine lease) work is under progress.
c.	Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department; and	Being Complied Plantation work along safety zone is under progress at project cost. The photographs are attached as plate - 1
d.	The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;	Noted. The safety zone will be maintained as per the prescribed norm. The undertaking for the same is attached as Annexure XII .
xviii.	Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:	Noted, Following activities, as per approved plan / schemes, will be undertaken in the lease area under the supervision of the State Forest Department:
a.	Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of 'Final' approval in accordance with the approved Plan/Scheme in consultation with the State Forest Department;	Noted. Mitigative measures to minimize soil erosion and choking of stream will be implemented within a period of three year with effect from the issue of 'Final' approval in accordance with the approved Plan/Scheme in consultation with the State Forest Department The undertaking for the same is attached as Annexure XIII .

Mahan Energen Limited
 (Formerly Known as Stratatech Mineral Resources Private Limited (SMRPL)
 "Adani Corporate House"
 Shantigram, Near Vaishno Devi Circle,
 S. G. Highway, Khodiyar,
 Ahmedabad-382421, Gujarat India
 CIN : U40100GJ2005PLC147690

Tel +91 79 2656 7555
 Fax +91 79 2555 7177
 info@adani.com
 www.adanipower.com

b.	Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved Plan/scheme;	Noted. We will ensure planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved Plan/scheme; The undertaking for the same is attached as Annexure XIII.
c.	Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved Plan/Scheme;	Noted. We will ensure construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved Plan/Scheme; The undertaking for the same is attached as Annexure XIII.
d.	Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°; and	Noted. We will ensure Stabilization of the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°. The undertaking for the same is attached as Annexure XIII.
e.	No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.	Noted. No damage will be caused to the top-soil, the undertaking for the same is attached as Annexure XIII.
xix.	The validity of approval granted under the Adhiniyam shall be for a period co-terminus with the validity of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended from time to time or Rules framed there under, or for such period as may be specified by the Central Government;	Noted.

xx.	The User Agency either himself or through the State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located within the periphery of 100 m from outer perimeter of the mining lease as per approved plan for plantation and SMC activities submitted along with compliance of 'in-principle' approval;	Noted. The SMC/CAT plan is approved vide by Nodal officer on 05.11.2024 vide order no F-1/845/2023/10-11/88. Payment towards the catchment treatment plan and its mitigation measures has been done on CAMPA Madhya Pradesh on 21/11/2024 with UTR no. YESBR12024112100021845 of amount Rs.11,973,600/-. The Conservation activities as per the plan will be implemented to rejuvenate and restock the forest through state forest department.
xxi.	The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per approved plan, to mitigate the impact of project on such tanks/water bodies;	Noted. We shall ensure to regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per approved plan, to mitigate the impact of project on such tanks/water bodies. Undertaking for regular desiltation in five km of area is attached as Annexure XIV
xxii.	The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner;	Noted, We shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner; Undertaking for the same attached as Annexure - XV
xxiii.	Adequate care shall be taken to check any rolling of overburden/dumps beyond the designated area and to check soil erosion caused due to mining activities;	Noted, Adequate care shall be taken to check any rolling of overburden/dumps beyond the designated area and to check soil erosion caused due to mining activities; Undertaking for the same attached as Annexure - XVI

xxiv.	The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department;	Noted, We shall undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
xxv.	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;	Noted, A Comprehensive Rehabilitation and Resettlement (R&R) Plan has been prepared and approved vide letter no. 2147 /BHU-Arjan /22 dated 18.11.2022. 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.
xxvi.	The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled;	Being Complied, We have produced a tree transplanter for the relocation of maximum number of trees identified to be felled. The photographs are attached as plate 2.
xxvii.	No labour camp shall be established on the forest land and 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;	Noted. The undertaking for no labour camp shall be established on the forest land and provide alternate fuel to the labourers and the staff working at the site is attached Annexure - XVII.
xxviii.	The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates;\The layout plan of the mining plan/proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;	Noted. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates Undertaking for the same attached as Annexure - XVIII. The undertaking for no change in layout plan without prior approval from the Central Government is attached as Annexure - XIX

xxix.	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;	Noted, 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. Undertaking for the same attached as Annexure - XX
xxx.	No damage to the flora and fauna of the adjoining area shall be caused;	Noted. Undertaking regarding the same is attached as Annexure - XXI.
xxxi.	The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;	Noted, We shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
xxxii.	The User Agency shall submit the annual self - compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;	Complied, We herby submitting the annual self-compliance report.
xxxiii.	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 shall be carried with by the State Government and user agency;	Noted 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 shall be carried with by the State Government
xxxiv.	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;	Noted, We understand that 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;

Mahan Energen Limited
(Formerly Known as Stratatech Mineral Resources Private Limited (SMRPL)
"Adani Corporate House"
Shantigram, Near Vaishno Devi Circle,
S. G. Highway, Khodiyar,
Ahmedabad-382421, Gujarat India
CIN : U40100GJ2005PLC147690

Tel +91 79 2656 7555
Fax +91 79 2555 7177
info@adani.com
www.adanipower.com

xxxv.	The State Government and user agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter of even no. dated 24.09.2024 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, for the time being in force; and	Noted. We shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter of even no. dated 24.09.2024 and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, for the time being in force;
xxxvi.	As per Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and after fullment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion of forest land.	Noted. We agree that only after Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 (1) (ii) of the Van (Sanrakshan Evawildm Samvardhan) Adhiniyam, 1980 and after fullment and compliance of the provisions of all other Acts and rules. As per the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), project obtained FRA NOC vide letter No. 4836/FRA/TRIBAL/ 49/2022 dated 31/03/2022 FRA NOC attached as Annexure - XXII

Copy to: -

Divisional Forest officer,
Singrauli district, Madhya Pradesh



**Authorized Signatory,
Mahan Energen Limited
(Dhirauli Coal Mine)**

Mahan Energen Limited
(Formerly Known as Stratatech Mineral Resources Private Limited (SMRPL))
"Adani Corporate House"
Shantigram, Near Vaishno Devi Circle,
S. G. Highway, Khodiyar,
Ahmedabad-382421, Gujarat India
CIN : U40100GJ2005PLC147690

Tel +91 79 2656 7555
Fax +91 79 2555 7177
info@adani.com
www.adanipower.com

Item No. 03

ANNEXURE R-6

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Original Application No. 116/2026
(IA No 103/2026 & IA No 104/2026)

Ajay Dubey

Applicant

Versus

MoEF & CC & Ors.

Respondent(s)

Date of hearing: 17.02.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**Applicant: Mr. Siddharth R. Gupta, Mr. Mrigank Prabhakar, Mr. Shantanu Sharma,
Mr. Aman Agarwal, Mr. Uddairh Palya & Ms. Surbhi Saxena, Advs.**ORDER**

1. This original application (OA) is listed along with office objections. One of the office objections is that applicant has the remedy of filing a statutory appeal under the National Green Tribunal Act, 2010 (in short NGT Act, 2010) against the order impugned in this O.A.

2. Submission of Learned Counsel for the applicant is that, in addition to challenging the Forest Clearance (FC) permission granted in the Forest (Conservation) Act, 1980, the applicant has also prayed for declaring the subject area as Eco Sensitive Zone (ESZ) under the provisions of Environment (Protection) Act, 1986 being an Elephant Corridor, therefore, OA is maintainable.

3. It is not in dispute that against the order impugned granting approval under the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of forest land, statutory appeal is provided under Section 16(e) of the NGT Act, 2010. There is a separate procedure and format for filing the appeal. That apart, scope of consideration of the

appeal is also different than the scope of consideration of an issue raised in the O.A. Rule 14 of National Green Tribunal (Practice and Procedure) Rules, 2011 provides for an application or appeal based upon single cause of action.

4. Thus, applicant is required to avail the statutory remedy of appeal in terms of Clause 16(e) of the NGT Act, 2010 against the impugned approval for diversion of the forest land. For other issues, he has a remedy of filing the O.A. separately. If the need so arises both appeal and O.A. can be heard together.

5. Thus, it is open to the applicant to convert this O.A. in appeal by confining it to prayer A alone, wherein challenge to the approval for diversion of forest land has been raised and file a separate O.A. for other reliefs OR confine this O.A. to other reliefs and file a separate appeal for prayer clause A in the OA.

6. Hence, applicant is granted a weeks' time to do the needful in terms of this order.

7. List on 26.02.2026.

Prakash Shrivastava, CP

Dr. Afroz Ahmad, EM

February 17, 2026
Original Application No. 116/2026
(IA No 103/2026 & IA No 104/2026)
JG.

Item No. 26

ANNEXURE R-7

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Appeal No.14/2026
(I.A. No. 146/2026, IA No. 270/2026)

Ajay Dubey

Appellant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 22.04.2026

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Appellant: Mr. Siddharth R. Gupta, Mr. Mrigank Prabhakar, Mr. Shantanu Sharma, Mr. Aman Agarwal, Mr. Uddairh Palya, Ms. Aastha Singh & Ms. Surbhi Saxena, Advs. for Appellant

Respondents: Mr. A.S. Nadkarni, Senior Advocate with Mr. Mahesh Agarwal, Mr. Arshit Anand, Ms. Geetika Sharma & Ms. Parmita Mishra, Advs. for R - 7

ORDER

1. By this Appeal filed under Section 16(e) of the National Green Tribunal Act, 2010 (NGT Act), the Appellant has challenged the order dated 09.05.2025 issued by the Ministry of Environment, Forest and Climate Change (MoEF&CC) (Forest Conservation Division) granting final approval/permission for diversion of the forest in favour of the Respondent No. 7-M/s Stratatech Mineral Resources Pvt. Ltd. The Appellant has also challenged the order of the Government of Madhya Pradesh, Forest Department dated 22.05.2025 giving consent to the final approval granted by the Government of India. There is a delay in filing the Appeal, therefore, IA No. 146/2026 has been filed by the Appellant seeking condonation of delay. The Respondent No. 7 has filed reply to this IA and opposed the prayer for condoning the delay.

2. We have heard the learned counsel for the parties on the issue of condonation of delay.

3. Learned counsel appearing for the Appellant submits that the limitation is required to be calculated from December, 2025 when the deforestation activity on the field started and the Appellant came to know about the impugned permissions. He has submitted that the protest and agitations were highlighted in the local newspaper, therefore, the impugned orders came to public domain in December, 2025. Thereafter, the Appellant collected the relevant papers from different sources and could prepare the Appeal for filing by 15th /16th January, 2026. The plea of the Appellant is that the impugned orders were never publicized till December, 2025, therefore, limitations is required to be calculated from the month of December, 2025 and delay is required to be condoned. It is the further stand of the Appellant that the Appellant had earlier filed OA No. 116/2026 and this Appeal has been filed in furtherance of the order dated 17.02.2026 passed in the OA No. 116/2026.

4. Learned counsel for the Respondent No. 7 has submitted that the Appeal has been filed beyond the condonable period of 90 days and there is an unexplained delay of 259 days in filing the Appeal and the limitation will start from the date the impugned orders were uploaded on the website of the MoEF&CC and came to the public domain. The plea of the Respondent No. 7 is that on 09.05.2025 itself the order passed by the MoEF&CC was uploaded. Therefore, no case is made out for condoning the delay.

5. We have heard the learned counsel for the parties and perused the record.

6. The main impugned order is dated 09.05.2025 whereby the MoEF&CC, Government of India had approved the diversion of the forest

land. The State of MP has only passed the consequential order on 22.05.2025.

7. This Appeal has filed on 23.02.2026. Earlier the Appellant had filed OA No. 116/2026 challenging the impugned order in the OA wherein the order dated 17.02.2026 was passed permitting the Appellant to challenge the impugned order in separate appeal.

8. Calculating the limitation from order dated 09.05.2025 there is delay of 259 days in filing the Appeal. Even if the period which is spent by the Appellant in prosecuting the OA No. 116/2026 is excluded, the appeal has been filed much beyond 90 days from the date of impugned order.

9. In terms of the Section 16 of the NGT Act the limitation for filing the Appeal is 30 days and in terms of the proviso thereof the delay of upto 60 days can be condoned. Relevant extract of Section 16 is as under:-

“16. Tribunal to have appellate jurisdiction. - Any person aggrieved by, -

(a) to (j).....xxx

xxx

xxx

may, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal:

Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed under this section within a further period not exceeding sixty days.”

10. A bare reading of the above provision shows that after expiry of 90 days from the date of communication of order, the Tribunal loses jurisdiction to condone the delay. The law in this regard is well settled by the six-Member Bench of the Tribunal in MA No. 247/2012 in the matter of *Nikunj Developers vs. State of Maharashtra & Ors.* by order dated

14.03.2013 wherein the Tribunal after taking note of the provision Section 16 of the NGT Act has held as under:-

“xxx

xxx

xxx

16. *Once the above principles are analytically analysed, it becomes evident that the Courts have not stated any hard and fast rule which shall be universally applicable for determining such controversy. It will always depend upon the facts of given case. If the Tribunal has jurisdiction to condone the delay and there is ‘sufficient cause’ shown and the same is backed by bonafide and proper conduct of the parties, the Tribunal would be inclined to condone the delay rather than dismissing the same for such reasons.*

xxx

xxx

xxx

19. *From language of the above provision it is clear that the Tribunal loses jurisdiction to condone the delay if the delay is of more than 90 days. Every appeal has to be filed within 30 days from the date of communication of the order. That is, what an applicant is required to ensure before the appeal is heard on merits. However, the Tribunal has been vested with the jurisdiction to entertain the appeal which is filed after 30 days from the date of communication of an order. This power to condone the delay has a clear inbuilt limitation as it ceases to exist if the appeal is filed in excess of 60 days, beyond the prescribed period of limitation of 30 days from the date of communication of such order. To put it simply, once the period of 90 days lapses from the date of communication of the order, the Tribunal has no jurisdiction to condone the delay. The language of the provision is clear and explicit. It admits of no ambiguity and the legislative intent that Tribunal should not and cannot condone the delay in excess of 90 days in all, is clear from the plain language of the provision.*

20. *As stated in the cases Hiralal Ratan Lal and India Houses (supra) the period of limitation statutorily prescribed, has to be strictly adhered to and cannot be relaxed and or departed from, on equitable consideration. Further, in construing a statutory provision, the first and the foremost rule of construction is that of literary construction. We do not see any reason to expand the scope of the provision and interpret the proviso to Section 16 in the manner that Tribunal can be vested with the power of condoning the delay beyond 90 days. Such interpretation would be contrary to the specific language of the Section and would defeat the very legislative intent and object behind this provision.*

21. *This controversy need not detain us any further as it is no more res integra and stands answered by the judgment of the Supreme Court in the case of Chhattisgarh State Electricity Board Vs. Central Electricity Regulatory Commission and others (2010) 5 SCC 23 where the court held as under:*

“29. Section 34(3) of the Arbitration and Conciliation Act, 1996, which is substantially similar to Section 125 of the Electricity Act came to be interpreted in Union of India v. Popular Construction Company : (2001) 8 SCC 470. The precise question considered in that case was whether the provisions of Section 5 of the Limitation Act are applicable to an application challenging an award under Section 34 of the Arbitration and Conciliation Act, 1996. The two Judge Bench referred to earlier decisions in Mangu Ram v. Municipal Corporation of Delhi: (1976) 1 SCC 392, Vidyacharan Shukla v. Khubchand Baghel AIR

1964 SC 1099, *Hukumdev Narain Yadav v. L.N. Mishra (supra)*, *Patel Naranbhai Marghabhai v. Dhulabhai Galbabbhai* : (1992) 4 SCC 264 and held:

12. As far as the language of Section 34 of the 1996 Act is concerned, the crucial words are "but not thereafter" used in the proviso to Sub section (3). In our opinion, this phrase would amount to an express exclusion within the meaning of Section 29(2) of the Limitation Act, and would therefore bar the application of Section 5 of that Act. Parliament did not need to go further. To hold that the court could entertain an application to set aside the award beyond the extended period under the proviso, would render the phrase "but not thereafter" wholly otiose. No principle of interpretation would justify such a result.

16. Furthermore, Section 34(1) itself provides that recourse to a court against an arbitral award may be made only by an application for setting aside such award "in accordance with" Sub-section (2) and Sub-section (3). Sub-section (2) relates to grounds for setting aside an award and is not relevant for our purposes. But an application filed beyond the period mentioned in Section 34, Sub-section (3) would not be an application "in accordance with" that Sub section. Consequently by virtue of Section 34(1), recourse to the court against an arbitral award cannot be made beyond the period prescribed. The importance of the period fixed under Section 34 is emphasised by the provisions of Section 36 which provide that

"where the time for making an application to set aside the arbitral award under Section 34 has expired ... the award shall be enforced under the Code of Civil Procedure, 1908 in the same manner as if it were a decree of the court".

This is a significant departure from the provisions of the Arbitration Act, 1940. Under the 1940 Act, after the time to set aside the award expired, the court was required to "proceed to pronounce judgment according to the award, and upon the judgment so pronounced a decree shall follow" (Section 17). Now the consequence of the time expiring under Section 34 of the 1996 Act is that the award becomes immediately enforceable without any further act of the court. If there were any residual doubt on the interpretation of the language used in Section 34, the scheme of the 1996 Act would resolve the issue in favour of curtailment of the court's powers by the exclusion of the operation of Section 5 of the Limitation Act.

(emphasis supplied)

30. In *Singh Enterprises v. C.C.E., Jamshedpur and Ors. (supra)*, the Court interpreted Section 35 of Central Excise Act, 1944, which is *pari materia* to Section 125 of the Electricity Act and observed:

8. The Commissioner of Central Excise (Appeals) as also the Tribunal being creatures of statute are vested with jurisdiction to condone the delay beyond the permissible period provided under the statute. The period up to which the prayer for condonation can be accepted is statutorily provided. It was submitted that the logic of Section 5 of the Limitation Act, 1963 (in short "the Limitation Act") can be availed for condonation of delay. The first proviso to Section 35 makes the position clear that the appeal has to be preferred within three months from the date of communication to him of the decision or order. However, if the Commissioner is satisfied that the appellant

was prevented by sufficient cause from presenting the appeal within the aforesaid period of 60 days, he can allow it to be presented within a further period of 30 days. In other words, this clearly shows that the appeal has to be filed within 60 days but in terms of the proviso further 30 days' time can be granted by the appellate authority to entertain the appeal. The proviso to Sub-section (1) of Section 35 makes the position crystal clear that the appellate authority has no power to allow the appeal to be presented beyond the period of 30 days. The language used makes the position clear that the legislature intended the appellate authority to entertain the appeal by condoning delay only up to 30 days after the expiry of 60 days which is the normal period for preferring appeal. Therefore, there is complete exclusion of Section 5 of the Limitation Act. The Commissioner and the High Court were therefore justified in holding that there was no power to condone the delay after the expiry of 30 days' period.

(emphasis supplied)

22. *The same view was reiterated in Commissioner of Customs, Central Excise v. Punjab Fibres Ltd. : (2008) 3 SCC 73.*

“31. In Commissioner of Customs and Central Excise v. Hongo India Private Limited and Anr. (2009) 5 SCC 791, a three-Judge Bench considered the scheme of the Central Excise Act, 1944 and held that High Court has no power to condone delay beyond the period specified in Section 35H thereof. The argument that Section 5 of the Limitation Act can be invoked for condonation of delay was rejected by the Court and observed:

“30. In the earlier part of our order, we have adverted to Chapter VI-A of the Act which provides for appeals and revisions to various authorities. Though Parliament has specifically provided an additional period of 30 days in the case of appeal to the Commissioner, it is silent about the number of days if there is sufficient cause in the case of an appeal to the Appellate Tribunal. Also an additional period of 90 days in the case of revision by the Central Government has been provided. However, in the case of an appeal to the High Court under Section 35G and reference application to the High Court under Section 35H, Parliament has provided only 180 days and no further period for filing an appeal and making reference to the High Court is mentioned in the Act.

32. *As pointed out earlier, the language used in Sections 35, 35B, 35EE, 35G and 35H makes the position clear that an appeal and reference to the High Court should be made within 180 days only from the date of communication of the decision or order. In other words, the language used in other provisions makes the position clear that the legislature intended the appellate authority to entertain the appeal by condoning the delay only up to 30 days after expiry of 60 days which is the preliminary limitation period for preferring an appeal. In the absence of any clause condoning the delay by showing sufficient cause after the prescribed period, there is complete exclusion of Section 5 of the Limitation Act. The High Court was, therefore, justified in holding that there was no power to condone the delay after expiry of the prescribed period of 180 days.*

XXXXX

XXXXX

XXXXX

XXXXX

XXXXX

35. *It was contended before us that the words "expressly excluded" would mean that there must be an express reference made*

in the special or local law to the specific provisions of the Limitation Act of which the operation is to be excluded. In this regard, we have to see the scheme of the special law which here in this case is the Central Excise Act. The nature of the remedy provided therein is such that the legislature intended it to be a complete code by itself which alone should govern the several matters provided by it. If, on an examination of the relevant provisions, it is clear that the provisions of the Limitation Act are necessarily excluded, then the benefits conferred therein cannot be called in aid to supplement the provisions of the Act. In our considered view, that even in a case where the special law does not exclude the provisions of Sections 4 to 24 of the Limitation Act by an express reference, it would nonetheless be open to the court to examine whether and to what extent, the nature of those provisions or the nature of the subject-matter and scheme of the special law exclude their operation. In other words, the applicability of the provisions of the Limitation Act, therefore, is to be judged not from the terms of the Limitation Act but by the provisions of the Central Excise Act relating to filing of reference application to the High Court.

(emphasis supplied)

32. In view of the above discussion, we hold that Section 5 of the Limitation Act cannot be invoked by this Court for entertaining an appeal filed against the decision or order of the Tribunal beyond the period of 120 days specified in Section 125 of the Electricity Act and its proviso. Any interpretation of Section 125 of the Electricity Act which may attract applicability of Section 5 of the Limitation Act read with Section 29(2) thereof will defeat the object of the legislation, namely, to provide special limitation for filing an appeal against the decision or order of the Tribunal and proviso to Section 125 will become nugatory.”

23. Section 34 of the Arbitration and Conciliation Act, 1996 uses the expression ‘not thereafter’ while the provision under our consideration uses the terms ‘not exceeding’. Both these expressions use negative language. The intention is to divest the Courts/Tribunals from power to condone the delay beyond the prescribed period of limitation. Once such negative language is used, the application of provisions of Section 5 of the Limitation Act or such analogous provisions would not be applicable.

24. The use of negative words has an inbuilt element of ‘mandatory’. The intent of legislation would be to necessarily implement those provisions as stated.

25. Introduction or alteration of words which would convert the mandatory into directory may not be permissible. Affirmative words stand at a weaker footing than negative words for reading the provisions as ‘mandatory’. It is possible that in some provision, the use of affirmative words may also be so limiting as to imply a negative. Once negative expression is evident upon specific or necessary implication, such provisions must be construed as mandatory. The legislative command must take precedence over equitable principle. The language of Section 16 of the NGT Act does not admit of any ambiguity, rather it is explicitly clear that the framers of law did not desire to vest the Tribunal with powers, specific or discretionary, of condoning the delay in excess of total period of 90 days. At this stage, we may also refer to Principle of it is stated as under:

“(c) Use of negative words

Another mode of showing a clear intention that the provision enacted is mandatory, is by clothing the command in a negative form. As stated by CRAWFORD: “Prohibitive or negative words can rarely, if ever, be directory. And this is so even though the statute provides no penalty for disobedience.” As observed by SUBBARAO, J.: “Negative words are clearly prohibitory and are ordinarily used as a legislative

device to make a statute imperative". Section 80 and Section 87-B of the Code of Civil Procedure, 1908; section 77 of the Railways Act, 1890; Section 15 of the Bombay Rent Act, 1947; section 213 of the Succession Act, 1925; section 5-A of the Prevention of Corruption Act, 1947; section 7 of the Stamp Act, 1899; section 108 of the Companies Act, 1965; section 20(1) of the Prevention of Food Adulteration Act, 1954; section 55 of the Wild Life Protection Act, 1972 (as amended in 1956); section 10A of Medical Council Act, 1965 (as amended in 1993) and similar other provisions have therefore, been construed as mandatory. A provision requiring 'not less than three months' notice' is also for the same reason mandatory.

But the principle is not without exception. Section 256 of the Government of India, 1953, was construed by the Federal Court as directory though worded in the negative form. Directions related to solemnization of marriages though using negative words have been construed as directory in cases where the enactments in question did not provide for the consequence that the marriage in breach of those directions shall be invalid. Considerations of general inconvenience, which would have resulted in holding these enactments mandatory, appear to have outweighed the effect of the negative words in reaching the conclusion that they were in their true meaning merely director. An interesting example, where negative words have been held to be directory, is furnished in the construction of section 25-F of the Industrial Dispute Act, 1947, where compliance of clause (c) has been held to be directory; although compliance of clauses (a) and (b) which are connected by the same negative words is understood as mandatory. These cases illustrate that the rule, that negative words are usually mandatory, is like any other rule subordinate to the context, and the object intended to be achieved by the particular requirement."

26. *The provision of Section 16 of the NGT Act are somewhat similar to Section 34 of Arbitration and Conciliation Act, 1996. Thus, adopting an analogous reasoning, as was adopted in Chhattisgarh State Electricity Board (supra), we would have no hesitation in coming to the conclusion that we have no jurisdiction to condone the delay when the same is in excess of 90 days from the date of communication of the order to any person aggrieved."*

11. Thus, it is settled that after the expiry of the 90 days from the date of communication of the order impugned the Tribunal has no jurisdiction to condone the delay in filing the Appeal.

12. In the present case, it is required to determine as to on what date the impugned order was communicated to the Appellant. In terms of the Section 16 of the NGT Act, the limitation commences from the date of communication of the order. A five-Member Bench of the Tribunal in MA No. 104/2012 in the case of *Save Mon Region Federation & Anr. Vs. UOI & Ors.* by the order dated 14.03.2013 has settled this issue by holding that date of communication of the order to the general public is the date of

uploading the order on the website of the concerned Ministry/Department.

The Tribunal in the case of *Save Mon Region Federation* (supra) in this regard has held as follows:-

“xxx

xxx

xxx

17. The expression ‘is communicated to him’, thus, would invite strict construction. It is expected that the order which a person intends to challenge is communicated to him, if not in personam than in rem by placing it in the public domain. ‘Communication’ would, thus, contemplate complete knowledge of the ingredients and grounds required under law for enabling that person to challenge the order. ‘Intimation’ must not be understood to be communication. ‘Communication’ is an expression of definite connotation and meaning and it requires the authority passing the order to put the same in the public domain by using proper means of communication. Such Communication will be complete when the order is received by him in one form or the other to enable him to appropriately challenge the correctness of the order passed.

18. Law gives a right to ‘any person’ who is ‘aggrieved’ by an order to prefer an appeal. The term ‘any person’ has to be widely construed. It is to include all legal entities so as to enable them to prefer an appeal, even if such an entity does not have any direct or indirect interest in a given project. The expression ‘aggrieved’, again, has to be construed liberally. The framers of law intended to give the right to any person aggrieved, to prefer an appeal without any limitation as regards his locus or interest. The grievance of a person against the Environmental Clearance may be general and not necessarily person specific. This provision of Section 16 requires communication of the order to such person(s). The expression ‘him’ takes within its ambit ‘any person’ who is aggrieved by an order. Therefore, the expression ‘communication’ accordingly has to receive a more generic and at the same time, definite meaning. The nature of the communication has to be such that it reaches the public at large, as that appears to be the legislative intent. A person is expected to, and can, only act when the order is put in public domain. He is expected to download the same from the website of the concerned Ministry/Department, and if he so requires thereafter, make an application for receiving specific information. However, the content of the order is required to be communicated by the MoEF as well as by the Project Proponent.

19. The limitation as prescribed under Section 16 of the NGT Act, shall commence from the date the order is communicated. As already noticed, communication of the order has to be by putting it in the public domain for the benefit of the public at large. The day the MoEF shall put the complete order of Environmental Clearance on its website and when the same can be downloaded without any hindrance or impediments and also put the order on its public notice board, the limitation be reckoned from that date. The limitation may also trigger from the date when the Project Proponent uploads the Environmental Clearance order with its environmental conditions and safeguards upon its website as well as publishes the same in the newspapers as prescribed under Regulation 10 of the Environmental Clearance Regulations, 2006. It is made clear that such obligation of uploading the order on the website by the Project Proponent shall be complete only when it can simultaneously be downloaded without delay and impediments. The limitation could also commence when the Environmental Clearance order is displayed by the local bodies, Panchayats and Municipal Bodies along with the concerned departments of the State Government displaying the same in the manner afore indicated. Out of the three points, from which the limitation could commence and be computed, the earliest in point of time shall be the relevant date and it will have to be determined with

reference to the facts of each case. The applicant must be able to download or know from the public notice the factum of the order as well as its content in regard to environmental conditions and safeguards imposed in the order of Environmental Clearance. Mere knowledge or deemed knowledge of order cannot form the basis for reckoning the period of limitation.”

13. The Hon’ble Supreme Court also in the matter of *Talli Gram Panchayat vs. Union of India & Ors.* reported in 2025 SCC OnLine SC 2497 has considered this issue and in reference to communication of the order concerning the grant of Environmental Clearance which is required to be uploaded on the website and advertised by the Project Proponent in two local newspapers, has held that the communication is complete when the person aggrieved receives information from the earliest of the communication. The Hon’ble Supreme Court has noted and approved the order of the Tribunal in the matter of *Save Mon Region Federation vs. UOI & Ors.* and accordingly held that:-

“xxx

xxx

xxx

17. *NGT returned a definitive factual finding that the EC dated 05.01.2017 was uploaded on the MoEF&CC website on 05.01.2017 and found that there is “enough proof thereof on record”. This finding implies that the EC was placed in public domain and was accessible and downloadable. The NGT specifically rejected the appellant's contention that they came to know about the EC only through an RTI application on 14.02.2017, terming it a “pretext to bring the said appeal within the period of limitation”.*

18. *Given the NGT's finding that the EC was uploaded and made publicly accessible on 05.01.2017, 30 days limitation period will commence from that date. If so, the maximum period of 90 days expired by the time the appellant filed its appeal on 19.04.2017. There is no error in the conclusion drawn by the Tribunal, it has rightly dismissed the appeal on the ground of limitation.*

19. *It is also argued by the appellant that the project proponent has failed to publish the entirety of the EC in the two newspapers as mandated by Clause 10 of the EIA Notification. This argument is based on the premise that if there is a failure to publish the entirety of the EC in the newspapers, the project proponent would have failed in its duty 'to communicate'. In our opinion, interpreting Clause 10 of the EIA Notification in this manner would be pedantic, rather than subserving the purpose and object of the statutory requirement of communicating and publishing the grant of EC.”*

14. In the present case, the Respondent No. 7 has placed on record the relevant documents on page 291 showing that order dated 09.05.2025 was

uploaded on the same day in the Ministry's website. Learned counsel has also pointed out that the last page of the impugned order wherein it was digitally signed on the same day and sent for uploading to the Parivesh portal. These documents have not been disputed. Hence, the limitation had commenced from 09.05.2025 and the present Appeal has been filed beyond the period of 90 days.

15. Therefore, in view of the settle legal position, the Tribunal has no jurisdiction to condone the delay beyond the 90 days period whereas the present appeal has been filed with a delay of 259 days. Hence, no case is made out to allow the prayer made in the IA No. 146/2026. IA No. 146/2026 is accordingly rejected and consequentially, the Appeal is dismissed.

16. Pending IA, if any, also stands disposed of.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

April 22, 2026
Appeal No.14/2026
(I.A. No. 146/2026, IA No. 270/2026)
A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).610/2026

AJAY DUBEY

Petitioner(s)

VERSUS

UNION OF INDIA, MOEF & ORS.

Respondent(s)

IA No. 145391/2026 - EXEMPTION FROM FILING O.T.

IA No. 145390/2026 - GRANT OF INTERIM RELIEF

Date : 11-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHIFor Petitioner(s) :Mr. Siddharth R. Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Aman Agarwal, Adv.
Mr. Shantanu Sharma, Adv.
Ms. Surbhi Saxena, Adv.
Mr. Uddaish Palya, Adv.
Ms. Astha Singh, Adv.

For Respondent(s) :

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

1. After arguing the case for some time, learned counsel for the petitioner seeks and is permitted to withdraw this petition.
2. The Writ Petition is, accordingly, dismissed as withdrawn.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS(PREETHI DILEEP KUMAR)
ASSISTANT REGISTRAR

ANNEXURE R-9

Section - X

IN THE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)

I.A. NO. _____ OF 2026

IN

CIVIL APPEAL NO. 7060 OF 2026

IN THE MATTER OF:

AJAY DUBEY

...APPELLANT

VERSUS


UNION OF INDIA, MOEF & ORS.

....RESPONDENTS

INDEX OF DOCUMENTS

S. NO	PARTICULARS	Copies	Court Fees
1.	I.A. NO. _____ OF 2026 AN APPLICATION FOR APPROPRIATE DIRECTIONS UNDER ARTICLE 142 OF THE CONSTITUTION OF INDIA IN THE PECULIAR FACTS AND CIRCUMSTANCES OF THE PRESENT PETITION ALONG WITH AFFIDAVIT	1	

Filed on: 19.05.2026



MRIGANK PRABHAKAR

Advocate, Supreme Court of India

CC No. 2507

1117, Block A, I-Thum Building, Sector 62,

Noida, 201309, U.P.

mpprabhakar@officeofmp.com

9953068680

**IN THE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)**

I.A. NO. OF 2026

IN

CIVIL APPEAL NO. 7060 OF 2026

(UNDER SECTION 22 OF THE NGT ACT, 2010)

IN THE MATTER OF:

AJAY DUBEY

...APPELLANT

VERSUS

UNION OF INDIA, MOEF & ORS.

... RESPONDENTS

AN APPLICATION FOR APPROPRIATE DIRECTIONS UNDER ARTICLE
142 OF THE CONSTITUTION OF INDIA IN THE PECULIAR FACTS AND
CIRCUMSTANCES OF THE PRESENT PETITION

PAPER BOOK

(FOR INDEX, PLEASE SEE INSIDE)

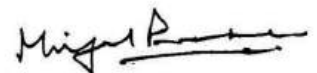
**MRIGANK PRABHAKAR
ADVOCATE FOR APPELLANT**

INDEX

S. NO.	PARTICULARS	PAGE NO.
1.	<p><u>I.A. NO. _____ OF 2026</u></p> <p>AN APPLICATION FOR APPROPRIATE DIRECTIONS UNDER ARTICLE 142 OF THE CONSTITUTION OF INDIA IN THE PECULIAR FACTS AND CIRCUMSTANCES OF THE PRESENT PETITION ALONG WITH AFFIDAVIT</p>	01-12
2.	<p><u>ANNEXURE IA-1</u></p> <p>True copy of the order dated 11.05.2026 passed by this Hon'ble Court in W.P. (C) No. 610/ 2026 (<i>Ajay Dubey v. Union of India, MoEF & Ors.</i>)</p>	13
3.	<p><u>ANNEXURE IA-2</u></p> <p>True copy of the judgement dated 02.03.2022 passed by this Hon'ble Court in the matter of <i>Binay Kumar Dalei v. State of Odisha</i>, (2022) 5 SCC 33</p>	14-22

DRAWN BY :

FILED BY :



SIDDHARTH R. GUPTA

MRIGANK PRABHAKAR

AMAN AGARWAL
COUNSELS

ADVOCATE FOR THE APPELLANT

IN THE SUPREME COURT OF INDIA
(CIVIL APPELLATE JURISDICTION)

I.A. NO. _____ OF 2026

IN
CIVIL APPEAL NO. 7060 OF 2026

IN THE MATTER OF:

AJAY DUBEY

...APPELLANT

VERSUS

UNION OF INDIA, MOEF & ORS.

... RESPONDENTS

**AN APPLICATION FOR APPROPRIATE DIRECTIONS UNDER ARTICLE
142 OF THE CONSTITUTION OF INDIA IN THE PECULIAR FACTS AND
CIRCUMSTANCES OF THE PRESENT PETITION**

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

THE HUMBLE APPEAL ON
BEHALF OF THE ABOVE
NAMED APPELLANT

MOST RESPECTFULLY SHOWETH :

1. The above captioned Civil Appeal is filed against the impugned order dated 22.04.2026 passed in the Appeal No. 14/ 2026 by the NGT, Principal Bench, New Delhi.

2. That the facts in detail have been set out in the accompanying Civil Appeal and have not been reproduced herein for the sake of brevity and in order to avoid repetition. For the purpose of the present application, the appellant is relying upon the facts and circumstances as pleaded in the above captioned Appeal.

3. That as stated in the principal appeal, the NGT has non-suited the appellant on the grounds of delay, the application being time barred u/s. 16 of the NGT Act. The NGT has not examined the merits of the matter, and for this reason the petitioner had also filed and instituted **W.P. (C) No. 610/ 2026** under Article 32 of the Constitution of India before this Hon'ble Court seeking quashment of the forest clearances granted by the respondent MoEF, GOI. The said writ petition was also listed on the last date of hearing, viz. 11.05.2026 along with the present appeal, wherein the maintainability of the same was vehemently opposed by the private respondents, R-7 herein on the ground that two proceedings, one being civil appeal against the NGT order, the present proceeding and the writ petition cannot go on simultaneously. Accordingly, the petitioner withdrew the aforesaid writ petition which was dismissed as withdrawn.

True copy of the order dated 11.05.2026 passed by this Hon'ble Court in W.P. (C) No. 610/ 2026 (*Ajay Dubey v. Union of India, MoEF & Ors.*) is annexed herewith as **ANNEXURE IA/1 (p. 13 ___)**.

4. That as on date in the glaring illegalities committed by the respondent authorities in the grant of forest clearance, ***there has to be a judicial review and scrutiny on the validity of the various permissions/ forest clearances granted to the R-7.*** Grave violation and loss to the environment is a continuing cause of action leading to Art. 21 of the Constitution of India (*for short*, 'COI'). Therefore, writ petition under Art. 226/ 32 can always be entertained for the violation of fundamental rights as also exercise of inherent powers under Art. 142 of the COI. The detailed reasons have already been set out in the accompanying appeal, however it is submitted that some or the other Court/ Tribunal is required to examine the validity of the FCs granted to R-7 ignoring all the vital, necessary and relevant facts which would have otherwise disentitled the R-7 from getting the forest clearances. These glaring facts as also evinced in the site inspection report (*for short*, 'SIR') of April 2024, are as follows (**SIR report dated 28.04.2024, Ref. Ann. P/7 at pg. 157 of the Civil Appeal**):

- a. That forest compartments allotted to the R-7 are admittedly a part of the '*elephant corridor*' as per the Wildlife Management Plan quoted in the SIR report. All the forest compartments are possessing diverse wildlife species like sloth bear, jackals, leopards, and other such species growing and living in the wild. Without the approval of the respondent National Board of Wildlife, therefore, the FCs could never have been issued at all. Admittedly, there is no approval of National Board of Wildlife in the present case as is the requirement already postulated by this Hon'ble Court in the judgments of ***Binay Kumar Dalei v. State of Odisha, (2022) 5 SCC 33 & T.N. Godavaraman Thirumulpad v. Union of India & Ors., (IA No. 3949 of 2016 in Writ Petition (Civil) No. 202/ 1995)*** dated 28.04.2023. True copy of the judgement dated 02.03.2022 passed by this Hon'ble Court in the matter of *Binay Kumar Dalei v. State of Odisha, (supra)*, is annexed herewith as **ANNEXURE IA/2 (p. 14 to 22)**.

- b. That once an area has been found to be passing through the '*elephant corridor*', it is bound to be notified as an 'Economic

Sensitive Zone' under the provisions of Sec. 3 & 5 of the Environment Protection Act, 1986 and thus in view of the judgment of this Hon'ble Court in *T.N. Godavarman case*, (*supra*), no mining can be permitted over the said area (*elephant corridor*) nor can the said be allowed to happen within 1 km periphery from the boundaries of the same. The failure of the respondent MoEF in notifying the said compartments constituting a part of the '*elephant corridor*' cannot enure to the advantage of R-7 and in the said respect, NGT in O.A. No. 116/2026 has already called for a status report from the MoEF over their failure to notify it as an '*elephant corridor*'.

- c. Admittedly, as per SIR of April 2025 dated 28.04.2024, the forest area possessing the forest canopy of '0.5- 0.6' falls in a '*no-go area*' as per the policy decision of the respondent MoEF and Ministry of Coal in the year 2011- 12. The SIR report clearly stated that deforestation and wiping out such a dense forest cover existing with a rich and diverse tree plantations standing over the land is not at all advisable. These recommendations have clearly been overlooked and sidelined conveniently in

serious flagration of **Rules 6 and 7 of the FC Rules 2003**, already referred to in the accompanying appeal *vide* **Paras 22 to 25**. Therefore, in the absence of necessity (without any alternative) of erasing the rich and dense forest cover over the region, the FC clearance could not have been granted, and that too, to a private company/ private player for purposes of 'coal mining';

- d. The underground coal mining is not feasible over the allotted area and the only viable option is to have open cast coal mining over the allotted area, which would result in the generation of large-scale unquantifiable overburden, as will also strip the existing forest cover irreparably. The SIR therefore, stated that depleting a naturally grown forest is not advisable;
- e. That the perusal of the material file on record clearly demonstrates that coal mining and excavation have been permitted contrary to the directions of this Hon'ble Court passed from time to time, when there is no pressing necessity to proceed with coal extraction and mining over the allotted area;

5. That the aforesaid glaring facts have to be examined, and the forest clearances granted superficially & cosmetically to the R-7 by the respondent authorities needs to be judicially reviewed. It is a settled law that limitation applicable to the Tribunals provided under the statute will not apply to the constitutional Courts exercising inherent powers of judicial review in cases of violation of fundamental especially in environmental matters, especially the powers available under Articles 32, 226 or 142 of the COI. This Hon'ble Court has, on umpteen occasions, held that an application/ cause of action barred by limitation under any statute before a tribunal can still be agitated before the constitutional Courts, which can exercise their inherent constitutional powers to prevent injustice from happening owing to fundamental rights being breached. Here in the present case, ***the victim and the sufferer is none else but the environment, wildlife and the pristinely rich diverse forest***, which are on the verge of being wiped out by the coal mining and extraction at the behest of the R-7. The cause cannot be left remediless when it urgently needs judicial scrutiny.

6. As stated in the appeal made before the NGT, it is being reiterated that there is abundant coal available outside for meeting the nation's needs at present and there is absolutely no need for depleting rich green diverse forests, which have existed for centuries, for a commercial venture that too in the hands of a private entity a corporate group. At the time of submissions, the appellant has the liberty to refer to a number of judgments on the proposition that limitation shall not hold the long arm of constitutional Courts from curing injustice, especially when it happens to the environment.

7. That in view of the above, especially in view of the two judgements squarely applicable to the fact situation of the present matter *viz.* *Binay Kumar Dalei v. State of Odisha, (supra)* & *T.N. Godavaraman Thirumulpad v. Union of India & Ors., (supra)*, and the peculiar circumstances of the present matter *viz.* a rich forest replete with wildlife and dense and diverse trees, and the plantation being completely wiped out, the present is a fit case where this Hon'ble Court must exercise powers under Article 142 of the COI to issue appropriate directions by either initiating *suo motto* proceedings in relation to the subject matter of the present litigation for judicially

reviewing and examining the validity of forest clearances granted to the private respondent or may require either the Delhi High Court or the Madhya Pradesh High Court to examine the validity, sustainability and tenability of the forest clearances granted to R-7. An affidavit in support of the present petition is attached herewith.

8. That the present application is made *bona fide* and is in the interest of justice and due to continued large scale deforestation in the forests of Singrauli, MP, the ecosystem of the region will suffer irreparable loss and injury if the prayer made herein below is not allowed.

PRAYER

In the circumstances, the appellant most respectfully prays that Hon'ble Court may graciously be pleased to:

- a. Take *suo motto* cognizance of the peculiar facts and circumstances of the case and examine exercising powers under Article 142 of the Constitution of India; judicially review the validity, tenability, and sustainability of the forest clearances granted by the respondent authorities to the private respondent for coal extraction and mining over the subject area;

- b. Quash and set aside the forest clearances dated 09.05.2025 & 22.05.2025 issued in favour of R-7 by the respondent authorities over the allotted subject area, if in the said *suo motto* proceedings it is found that the same having being issued contrary to the applicable law, rules, judgments and precedents of this Hon'ble Court, as also in light of the various documents/ records constituting the part of record of the present appeal.
- c. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

AND FOR THIS ACT OF KINDNESS THE APPELLANT AS IN DUTY BOUND SHALL EVER PRAY.

DRAWN BY :

FILED BY :



SIDDHARTH R. GUPTA
AMAN AGARWAL
COUNSELS

MRIGANK PRABHAKAR
ADVOCATE FOR THE APPELLANT

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO(S). 7060 OF 2026

AJAY DUBEY

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

1. Mr. Siddharth R. Gupta, learned counsel appearing for the appellant seeks permission to withdraw the Civil Appeal to avail alternative remedies, if any.
2. Permission, as sought for, is granted.
3. The Civil Appeal is, accordingly, dismissed as withdrawn.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

**NEW DELHI;
MAY 21, 2026**

ITEM NO.1

COURT NO.6

SECTION XVII

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

Civil Appeal No(s). 7060/2026

AJAY DUBEY

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

FOR ADMISSION

IA No. 140924/2026 - EXEMPTION FROM FILING O.T.

IA No. 140922/2026 - GRANT OF INTERIM RELIEF

Date : 21-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHEFor Appellant(s) : Mr. Siddharth R. Gupta, Adv.
Mr. Mrigank Prabhakar, AOR
Mr. Aman Agarwal, Adv.
Mr. Shantanu Sharma, Adv.
Ms. Surbhi Saxena, Adv.
Mr. Uddaish Palya, Adv.
Ms. Astha Singh, Adv.For Respondent(s) : Mr. A.N.S. Nadkarni, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Pramita Mishra, Adv.
Ms. Geetika Sharma, Adv.
Mr. E. C. Agrawala, AORUPON hearing the counsel the Court made the following
O R D E RThe Civil Appeal is dismissed as withdrawn in terms of Signed
Order.(KAPIL TANDON)
COURT MASTER (SH)(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed Order is placed on the file)

Ministry of Coal



ANNEXURE R-11

Coal Production commences from Urtan and Dhirauli Mines in Madhya Pradesh

Posted On: 19 MAY 2026 5:31PM by PIB Delhi

The Ministry of Coal has taken another major step towards strengthening India's energy security with the commencement of coal production from the Urtan and Dhirauli coal mines in Madhya Pradesh. The operationalization of these mines is expected to enhance domestic coal availability and further accelerate the country's journey towards self-reliance in the energy sector.

The Urtan Coal Mine, located in the Anuppur district of Madhya Pradesh, has been allocated to M/s JMS Mining Private Limited. Coal production from the mine began on 15 May 2026. Urtan has emerged as the first underground coal mine to commence production under the commercial coal auction regime, making it a landmark achievement in the reform-driven transformation of the coal sector.

In another significant development, coal production has also commenced at the Dhirauli Coal Mine in the Singrauli district of Madhya Pradesh. The mine allocated to M/s Mahan Energen Limited, started production on 17 May 2026 and is expected to further strengthen coal supply from the resource-rich Singrauli region.

The commencement of production from these two mines reflects the impact of the Ministry of Coal's progressive reforms and streamlined procedures aimed at enhancing operational efficiency and facilitating ease of doing business **leading to Atmanirbharta in energy sector**. The increased production from these mines will play an important role in meeting the rising domestic coal demand, reducing reliance on imports and supporting sustained economic growth.

Shuhaib T

(Release ID: 2262872) Visitor Counter : 220

Read this release in: Urdu , हिन्दी



क्र०/तक०/2703
प्रति,

सिंगरौली, दिनांक 25.04.2024

अपर प्रधान मुख्य वन संरक्षक
(भू-प्रबंध) मध्यप्रदेश, भोपाल

ANNEXURE R-12

विषय:-

वन मण्डल सिंगरौली के परिक्षेत्र बैदून, माड़ा एवं पूर्व सरई के विभिन्न आर.एफ. वन कक्षों के रकवा 1335.35 हे० वनभूमि तथा विभिन्न खसरो की रकवा 62.19 हे० राजस्व वनभूमि कुल 1397.54 हे० वनभूमि में धिरौली कोल ब्लॉक अन्तर्गत ओपन कास्ट कोयला उत्खनन तथा उपरी सतह उपयोग के व्यपवर्तन का मेसर्स स्ट्राटाटेक मिनेरल रिसोर्सेज प्रा.लि. का ऑनलाईन प्रस्ताव क. FP/MP/MIN/142344/2021

संदर्भ:-

आपका दूरभाष दिनांक 19.04.2024

-000-

विषयांतर्गत संदर्भित पत्र (1) से सिंगरौली जिले में मेसर्स स्ट्राटाटेक मिनेरल रिसोर्सेज प्रा.लि. को सरई तहसील में आवंटित धिरौली कोल ब्लॉक के वनभूमि व्यपवर्तन प्रस्ताव हेतु, परियोजना क्षेत्र वन मण्डल सिंगरौली के अन्तर्गत पहले के पत्र दिनांक 13.04.2022 के अनुसार हाथी कॉरिडोर प्रस्तावित धिरौली कोल ब्लॉक में है, का जिक्र किया गया है जिसमें सिंगरौली वनमंडल के नए कार्य आयोजना 2019-20 से 2028-29 के अनुसार संशोधन करने हेतु लेख किया गया है।

उक्त के संबंध में पूर्व में जारी कार्यालयीन पत्र क्रमांक/मा०चि०/2072 दिनांक 13.04.2022 से पूर्व में प्रचलित कार्य आयोजना श्री अमिताभ अग्निहोत्री भा.व.से. सत्र 2009-10 से 2018-2019 के अनुसार आवंटित धिरौली कोल ब्लॉक में प्रभावित वन भूमि हाथी कॉरिडोर में सम्मिलित थी। जबकि वर्तमान में प्रचलित कार्य आयोजना श्री राजीव मिश्रा भा.व.से. सत्र 2019-20 से 2028-29 के आलेख भाग-2 के पृष्ठ क्रमांक 442 के अनुसार हाथी कॉरिडोर में सम्मिलित नहीं है। तत्संबंध में मेसर्स स्ट्राटाटेक मिनेरल रिसोर्सेज प्रा.लि. को आवंटित धिरौली कोल ब्लॉक से हाथी कॉरिडोर की न्यूनतम दूरी 05 किमी है, जिसकी गूगल मैप में दर्शित दूरी की प्रति संलग्न है।

संलग्न:-

उपरोक्तानुसार।

वन मण्डल अधिकारी

वन मण्डल सिंगरौली

सिंगरौली, दिनांक 25.04.2024

पृ० क्रमांक/तक०/2704

प्रतिलिपि -

1. वन संरक्षक रीवा वृत्त रीवा म०प्र० की ओर सूचनार्थ सम्प्रेषित।
2. मेसर्स स्ट्राटाटेक मिनेरल रिसोर्सेज प्राइवेट लिमिटेड धिरौली कोल ब्लॉक सिंगरौली की ओर सूचनार्थ।

वन मण्डल अधिकारी

वन मण्डल सिंगरौली

Right to Information

**OFFICE OF THE DIVISIONAL FOREST OFFICER,
FOREST DIVISION SINGRAULI (MADHYA
PRADESH)**

No. T/2703

Singrauli, dated: 25.04.2024

To,

Additional Principal Chief Conservator of Forests,
(Land Management) Madhya Pradesh
Bhopal

Subject: Online proposal No.

FP/MP/MIN/142344/2021 of M/s Stratatech Mineral Resources Pvt. Ltd. for diversion of 1397.54 hectares of forest land, comprising 1335.35 hectares of forest land in various R.F. compartments of Baidhan, Mada, and Purva Sarai Ranges of Singrauli Forest Division, and 62.19 hectares of revenue forest land in various Khasra numbers, for open-cast coal mining and

utilization of surface area under the Dhirouli Coal Block.

Ref.: Your telephonic conversation held on 19.04.2024

As per the earlier letter dated 13.04.2022 pertaining to the project area under Singrauli Forest Division for the forest land diversion proposal of Dhirouli Coal Block allotted to M/s Stratatech Mineral Resources Pvt. Ltd. in Sarai Tehsil of Singrauli District vide the references letter No. (1), in which it has been stated that the elephant corridor falls within the proposed Dhirouli Coal Block wherein the necessary amendments are to be made in accordance with the new Working Plan of Singrauli Forest Division for the period 2019–20 to 2028–29.

In this regard, as per the earlier Working Plan prepared by Shri Amitabh Agnihotri, I.F.S., for the period 2009–10 to 2018–19 before the Office Letter

No. /Ma.Chi./2072 dated 13.04.2022, the affected forest land within the allotted Dhirouli Coal Block was included in the elephant corridor. Whereas, as per the presently operative Working Plan prepared by Shri Rajeev Mishra, I.F.S., for the period 2019–20 to 2028–29, at page No. 442 of Volume-II, the said area is not included within the elephant corridor. In this connection, the minimum distance of the elephant corridor from the Dhirouli Coal Block allotted to M/s Stratatech Mineral Resources Pvt. Ltd. is 05 kilometers, a copy of the distance as depicted in Google Maps being enclosed herewith.

Encl. As above

Sd/-
Divisional Forest Officer
Forest Division, Singrauli

Ref No T/ 2704

Singrauli, dated: 25.04.2024

Copy to: -

1. Conservator of Forests, Rewa Circle, Rewa (M.P.)

– forwarded for information

2. M/s Stratatech Mineral Resources Pvt. Ltd.,
Dhirouli Coal Block, Singrauli – sent for
information

Sd/-
Divisional Forest Officer
Forest Division, Singrauli

ANNEXURE R-13**REPORT OF THE JOINT COMMITTEE**

**IN COMPLIANCE WITH THE HON'BLE
NATIONAL GREEN TRIBUNAL ORDER
DATED 09-05-2022**

**IN O.A. 315 / 2022 (SAURABH DEV
PANDEY VS. STATE OF MP & ORS.)**

**REPORT OF THE JOINT COMMITTEE CONSTITUTED BY HON.
NGT VIDE ORDER DATED 09-05-2022 IN OA 315/2022
(SAURABH DEV PANDEY VS. STATE OF MP AND ORS.)**

INDEX

S. No.	Details of Enclosures	Page No.
1.	Report of Joint Committee	1-8
2.	Enclosure 1: Google Earth Screenshot of Suliyari Mine & CEPI Area of Singrauli	9
3.	Enclosure 2 : Copy of the EC dated 12-4-21 to APMDC Suliyari Mine	10-24
4.	Enclosure 3: Copy of the consent dated 19-12-21 granted by MPPCB	25-31
5.	Enclosure 4 : Copy of the Final Approval/ Stage II Clearance dated 15-06-21 for diversion of 259.239 hectare of forest land	32-35
6.	Enclosure 5 : Details of tress in revenue land & rehabilitation area	36
7.	Enclosure 6: Copy of the approval dated 16-09-19 of Wildlife Conservation Plan	37-47
8.	Site Photographs	48-53

**REPORT OF THE JOINT COMMITTEE CONSTITUTED BY HON.
NGT VIDE ORDER DATED 09-05-2022 IN OA 315/2022
(SAURABH DEV PANDEY VS. STATE OF MP AND ORS.)**

1.0 Background :

1.1 Shri Sourabh Dev Pandey, resident of 180/40, Thana Road, Baidhan, district Singrauli (MP) had sent an e- mail dated 10/03/2022 to the Registrar General of the NGT, addressing to the Hon. Chairperson of the NGT that, the Singrauli district of MP is endowed with mineral wealth, but the air quality of the area is toxic to the citizens, and the area has been declared as Critically Polluted Area; in such a situation Singrauli is being further cursed by allotting the Suliyari Coal Block to Andhra Pradesh Mineral Development Corporation (APMDC); this coal block will not only deprive many farmers of their agriculture land but will also be a cause of cutting of around 20 lacs trees of the natural forest; it has also been alleged that the coal adjoins the State of UP and Chhattisgarh and hundreds of elephants that reside and move in these jungles; that an elephant corridor was earlier proposed in this area but that project has also been shelved; that APMDC has produced falsified documents to mislead the Central Government so that the permission for felling of the tress can be obtained easily. He has also alleged that the Suliyari Coal Block allotment shall be cancelled forthwith for the conservation of environment and public good. The complainant has attached with his complaint two news paper cuttings in which the allegations as mentioned above have been published.

- 1.2 Hon. NGT admitted the complaint of Shri Pandey as OA 315 of 2022 and vide its order dated 9-5-2022 was pleased to order that :

“In view of the serious allegations made in the present letter petition, we consider it appropriate to have a factual and action taken report from a Joint Committee comprising of representative of Regional office of MoEF&CC, Bhopal, Ministry of Coal, Government of India, PCCF (HOF), State of Madhya Pradesh, SEIAA, State of Madhya Pradesh, state PCB and Collector, Singrauli and, direct the same to verify the factual position, look into the grievances of the applicants and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. State PCB will be the nodal agency for co-ordination and compliance. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.”

- 1.3 In compliance of the order of Hon. NGT, a committee comprising of the following officers visited the site of the Suliyari Coal Block on 05-07-2022:

S.No.	Name of the Officer	Designation	Department
1.	Shri Sunil Agarwal	PCCF (CAMPA)	Forest Department GoMP
2.	Shri Anandji Prasad	Advisor (Project)	Ministry of Coal, GoI
3.	Shri Anil Kumar Sharma	Member	MP-SEIAA,
4.	Shri V.B. Meena	Scientist, C	MoEF&CC, I.R.O. Bhopal
5.	Shri Akash Singh	SDM, Sarai	Representing Collector, Singrauli
6.	Shri H.K. Sharma	Zonal Officer	MPPCB, Jabalpur

1.4 Collector, Singrauli could not join the committee because of his engagements in the local municipal and panchayat elections. Other officials Shri Madhu V. Raj, DFO Singrauli & Shri Mukesh Shrivastav, Regional officer, MPPCB, Singrauli were also present during the inspection. On behalf of the APMDC mine management, Shri A. Lakashmana Rao, GM Coal, Shri Bachcha Prasad Cluster Head Singrauli from the side of mine development organisation M/s Adani Enterprises Ltd, and others were present. The petitioner Mr. Pandey was informed well in advance through e-mail about the proposed visit. He was also contacted on his available mobile number, on 4th July and 5th too, which was found switched off and no telephonic contact could be made. He himself had not tried to revert to the e-mail intimation, thereby indicating his unwillingness to participate in the inspection.

2.0 About Suliyari Mine :

2.1 The Suliyari Mine is situated in the Sarai Tehsil of the Singrauli district. The mine is situated on the Suliyari-Dongri Road, which passes through the mine lease area, and is proposed to be shifted in due course of time. Mine co-ordinates are –

Latitude: 23⁰55' 30.23" N to 23⁰58'17.12" N and

Longitude: 82⁰18' 46.09" E to 82⁰20' 51.08" E.

The mine is not situated in the designated Critically Polluted Area of Singrauli, the road distance is approximately 65-70 km while the aerial distance is approximately 30 km. An indicative google earth screenshot is placed as **ENCLOSURE 1**.

- 2.2 The forest area diverted for this mine neither comes under any National Park nor in any Wildlife Sanctuary. Mine area is away from Eco Sensitive Zone of Sanjay Tiger Reserve.
- 2.3 The mine lease area is 1298 hectares and it falls in 9 villages, namely Amadand, Amraikhoh, Bajaudi, Dhirauli, Jhalari, Majhaulipath and Seerswah.
- 2.4 The mine of the Andhra Pradesh Mineral Development Corporation (APMDC) has been granted Environmental Clearance (EC) as per the provisions of the EIA Notification, 2006 by MoEF&CC on 12-04-21, for a capacity of 5 MTPA. A copy of the EC is placed as **ENCLOSURE 2**. The mine has been granted CTO by the MPPCB, presently for the mining in 95 hectares of the land which is valid till 31-07-2022, a copy of which is placed as **ENCLOSURE 3**.
- 2.5 As per the EC, the land use details of the mine are as under:

S.No.	Land Use	Within ML Area	Outside ML Area	Total
1.	Agriculture Land	251.860	-	251.860
2.	Forest Land	259.239	-	259.239
3.	Waste Land	396.720	-	396.720
4.	Grazing land	0.00	-	0.00
5.	Surface Water Bodies	46.060	-	46.060
6.	Settlements	51.990	-	51.990
7.	Others (Barren Tenancy Land)	292.131	-	292.131
	Old Excavation Area(East Quarry)	-	-	-
	Old Excavation Area(West Quarry)	-	-	-
	Old OB Dumps	-	-	-
	Road & Mine Infrastructure	-	-	-
	R & R Colony (Proposed)	-	118.5	118.5
	Staff Colony (Proposed)	-	5.0	5.0
	Green Belt	-	-	-
	Balance Area	-	-	-
	Total Project Area	1298.000	123.5	1421.5

3.0 Forest Area & Trees :

- 3.1 The forest cover which falls in the mining lease area of the APMDC Suliyari mine is 259.239 hectares, which includes 226.349 hectares of forest area and 32.89 hectares of revenue forest. Out of this, 156.68 hectares is protected forest area while 69.669 hectares is reserve forest.
- 3.2 The final approval / stage II clearance for the diversion of 259.239 hectares of the forest land for Suliyari Open Cast Coal mining in favour of APMDC has been granted by MoEF&CC on 15-06-2021, a copy of which has been placed as **ENCLOSURE 4**.
- 3.3 Unlike mentioned in the letter complaint, the no. of tress that have been recorded in the records of the forest department as well as the revenue department are as under:

Land Details	Area (Hectares)	No. of Trees
Forest Land	226.349	15710
Revenue Forest	32.89	458
Revenue Area	Privately Owned land	19191
	Government Land	13101
	TOTAL:	48460

Apart from the above count, few pollarded trees are also available in the forest area, which is approximately 2000-2500 in numbers. The details of the tress in revenue land and rehabilitation area are placed as **ENCLOSURE 5**.

- 3.4 Felling of the trees after Stage II diversion of the forest land, has been started and around 7900 tress have been fallen. Approximately an area of 89 hectares of forest land and 32.89 hectares of revenue forest land has already been

handed over to the project proponent. During the forest inspection, the reserve forest density has been found to be better than the protected forest density. A few patches of diverted forest land is having moderate dense forest while most of the forest area is found to be open forest.

- 3.5 Project Proponent has made available equivalent non forest land for the compensatory afforestation. In addition to this, a sum of Rs. 9,93,51,319 has also been deposited in CAMPA account for undertaking plantation work. The area preparation work like fencing of area, pit digging etc for plantation has been started and plantation will be done in July, 2022.
- 3.6 Thus, the notion of the complainant that trees, numbering 20 lacs will be fallen and cut, was not found to be correct during the inspection by the team and has been found to be highly exaggerated.

4 Elephant Movement and Corridor :

- 4.1 It is respectfully submitted that the working plan for this area was prepared way back in 2008. At that point in time, there would have been elephant movement in the area and provision had been made in the plan for conserving the elephant corridor.
- 4.2 However no movement of the elephant in the area has been noticed for the last 12-15 years by the forest department. During inspection, the senior and aged villagers have reported that they have also not seen or heard of the elephant movement in the nearby areas for last many years.
- 4.3 A new working plan for this region is under preparation and the contention of the complainant that the project of the

elephant has been shelved (ठन्डे बस्ते में डाल दिया) is misconceived and unfounded.

- 4.5 To mitigate the adverse effects of this mine on elephants, a Wildlife Management Plan has been prepared and this wildlife management plan is duly approved by Chief Wildlife Warden of Madhya Pradesh. A copy of approval dated 16-9-19 is enclosed as **ENCLOSURE 6**. User agency has deposited an amount of Rs. 31.05 Cr. in CAMPA fund for implementation of this management plan.

5. Conclusion:

- 5.1 Based on the inspection by the joint committee, following conclusions are drawn, which are as under:

- *The Suliari Open Cast coal mine of the APMDC has been granted EC by MoEF&CC, Forest Clearance Stage II by MoEF&CC, CTO by MPPCB.*
- *The mine is situated far away from the designated CEPI area of the Singrauli Critically Polluted Area (now severely polluted area).*
- *The number of tree felling and destruction of thick and dense forest were found to be unfounded and misconceived. As complained that 20 lac numbers of tress will be destroyed, the tree feeling number is only around 50,000, against which compensatory plantation @ 1000 numbers per hectares will be undertaken in an area of approximately 259 hectares. Also mine management will plant trees within reclaimed mining lease area of 704 hectares approximately.*

- *Elephant movement in the area has not been noticed for the last 12-15 years. Hence there seems to be no perceivable threat to the “Elephant Corridor”. Also a Wildlife Management Plan amounting to Rs 31.05 Cr has been approved by Chief Wildlife Warden, which is being implemented.*

Report is being submitted for the kind perusal of Hon. NGT in compliance of its order dated 09-05-2022. Photographs as taken during the visit are also enclosed.

(Anandji Prasad)
Advisor (Project)
Ministry of Coal, GoI

(Anil Kumar Sharma)
Member
MP-SEIAA

(Sunil Agarwal)
PCCF (CAMPA)
Forest Department
GoMP

(H.K. Sharma)
Zonal Officer
MPPCB, Jabalpur

(V.B. Meena)
Scientist, C, Regional
Office, MoEF&CC,
Bhopal

(Akash Singh)
SDM, Tehsil Sarai
Representing Collector,
Singrauli

ANNEXURE R-14

Item No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No.97/2023 (CZ)
(O.A. No. 315/2022-PB)

Saurabh Dev Pandey

Applicant(s)

Versus

State of Madhya Pradesh & Ors

Respondent(s)

Date of completion of hearing and reserving of order: **09.10.2023**Date of uploading of order on website: **11.10.2023**

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

For Applicant(s): None

For Respondent(s): Mr. Atmaram NS Nandkarni, Sr. Adv.
Mr. Prashant H. Harne, Adv.
Mr. Mehul Bhardwaj, Adv.**ORDER**

1. This Original Application was initiated on the basis of the letter petition sent by Dr. Saurabh Dev Pandey resident of 180/40, Thana Road, Bedhan, District Singrauli is for cancellation of allotment of Suliayari Coal Block to Andhra Pradesh Mineral Development Corporation (APMDC) at Singrauli.
2. The applicant has averred that Suliayari Coal Block has been allotted to Andhra Pradesh Mineral Development Corporation (APMDC) at Singrauli which has been reported to be 22nd most polluted area in the World. Establishment of Suliayari Coal Block will damage the agricultural lands of the applicant and many other farmers apart from damaging big land area of natural dense forest. About 20 lakh trees will be cut on the border of Suliayari Coal Block. These areas are adjoining to dense forest of Chhattisgarh which is rich habitat of hundreds of wild elephants and also

an elephant corridor is proposed since many decades. The allotment may be cancelled in view of preventing damage to property and environment.

3. Vide order dated 09.05.2022, this Tribunal constituted a Joint Committee comprising of Regional Office of MoEF&CC, Bhopal, Ministry of Coal, Government of India, PCCF (HOF), State of Madhya Pradesh, SEIAA, State of Madhya Pradesh, State PCB and Collector, Singrauli and directed the same to submit factual and action taken report within two months. The relevant part of the order is reproduced hereunder:-

“In view of the serious allegations made in the present letter petition, we consider it appropriate to have a factual and action taken report from a Joint Committee comprising of representative of Regional Office of MoEF&CC, Bhopal, Ministry of Coal, Government of India, PCCF (HOF), State of Madhya Pradesh, SEIAA, State of Madhya Pradesh, State PCB and Collector, Singrauli and direct the same to verify the factual position, look into the grievances of the applicants and take remedial action in accordance with law by following due process within one month from the date of receipt of a copy of this order. State PCB will be the nodal agency for coordination and compliance. Factual and action taken report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF....”

4. In compliance thereof, the Joint Committee inspected the area on 05.07.2022 and has submitted report vide email dated 19.07.2022. The relevant part of the report is reproduced as under:-

“2.0 About Suliari Mine:

2.1 The Suliari Mine is situated in the Sarai Tehsil of the Singrauli district. The mine is situated on the Suliari Dongri Road, which passes through the mine lease area, and is proposed to be shifted in due course of time. Mine coordinates are –

Latitude: 23055’30.23” N to 23058’17.12” N and

Longitude: 82018’ 46.09” E to 82020’ 51.08” E.

2.2 The mine is not situated in the designated Critically Polluted Area of Singrauli, the road distance is approximately 65-70 km while the aerial distance is approximately 30 km

2.3 The forest area diverted for this mine neither comes under any National Park nor in any Wildlife Sanctuary. Mine area is away from Eco Sensitive Zone of Sanjay Tiger Reserve.

2.4 The mine lease area is 1298 hectares and it falls in 9 villages, namely Amadand, Amraikhoh, Bajaudi, Dhirauli, Jhalari, Majhaulipath and Seerswah. 2.4 The mine of the Andhra Pradesh Mineral Development Corporation (APMDC) has been granted Environmental Clearance (EC) as per the provisions of the EIA Notification, 2006 by MoEF&CC on 12-04-21, for a capacity of 5 MTPA. The mine has been granted CTO by the MPPCB, presently for the mining in 95 hectares of the land which is valid till 31-07-2022.

2.5 As per the EC, the land use details of the mine are as under:

S.No.	Land Use	Within ML Area	Outside ML Area	Total
1.	Agriculture Land	251.860	-	251.860
2.	Forest Land	259.239	-	259.239
3.	Waste Land	396.720	-	396.720
4.	Grazing land	0.00	-	0.00
5.	Surface Water Bodies	46.060	-	46.060
6.	Settlements	51.990	-	51.990
7.	Others (Barren Tenancy Land)	292.131	-	292.131
	Old Excavation Area(East Quarry)	-	-	-
	Old Excavation Area(West Quarry)	-	-	-
	Old OB Dumps	-	-	-
	Road & Mine Infrastructure	-	-	-
	R & R Colony (Proposed)	-	118.5	118.5
	Staff Colony (Proposed)	-	5.0	5.0
	Green Belt	-	-	-
	Balance Area	-	-	-
	Total Project Area	1298.000	123.5	1421.5

3.0 Forest Area & Trees:

3.1 The forest cover which falls in the mining lease area of the APMDC Suliari mine is 259.239 hectares, which includes 226.349 hectares of forest area and 32.89 hectares of revenue forest. Out of this, 156.68 hectares is protected forest area while 69.669 hectares is reserve forest.

3.2 The final approval / stage II clearance for the diversion of 259.239 hectares of the forest land for Suliari Open Cast Coal mining in favour of APMDC has been granted by MoEF&CC on 15-06-2021.

3.3 Unlike mentioned in the letter complaint, the no. of tress that have been recorded in the records of the forest department as well as the revenue department are as under:

Land Details	Area (Hectares)	No. of Trees
Forest Land	226.349	15710
Revenue Forest	32.89	458
Revenue Area	Privately Owned land	19191
	Government Land	13101
	TOTAL:	48460

Apart from the above count, few pollarded trees are also available in the forest area, which is approximately 2000-2500 in numbers.

3.4 Felling of the trees after Stage II diversion of the forest land, has been started and around 7900 tress have been fallen. Approximately an area of 89 hectares of forest land and 32.89 hectares of revenue forest land has already been handed over to the project proponent. During the forest inspection, the reserve forest density has been found to be better than the protected forest density. A few patches of diverted forest land is having moderate dense forest while most of the forest area is found to be open forest.

3.5 Project Proponent has made available equivalent non forest land for the compensatory afforestation. In addition to this, a sum of Rs. 9,93,51,319 has also been deposited in CAMPA account for undertaking plantation work. The area preparation work like fencing of area, pit digging etc for plantation has been started and plantation will be done in July, 2022.

3.6 Thus, the notion of the complainant that trees, numbering 20 lacs will be fallen and cut, was not found to be correct during the inspection by the team and has been found to be highly exaggerated.

4 Elephant Movement and Corridor:

- 4.1 *It is respectfully submitted that the working plan for this area was prepared way back in 2008. At that point in time, there would have been elephant movement in the area and provision had been made in the plan for conserving the elephant corridor.*
- 4.2 *However no movement of the elephant in the area has been noticed for the last 12-15 years by the forest department. During inspection, the senior and aged villagers have reported that they have also not seen or heard of the elephant movement in the nearby areas for last many years.*
- 4.3 *A new working plan for this region is under preparation and the contention of the complainant that the project of the elephant has been shelved (ठंडेबस्तेमेडालदिया) is misconceived and unfounded.*
- 4.5 *To mitigate the adverse effects of this mine on elephants, a Wildlife Management Plan has been prepared and this wildlife management plan is duly approved by Chief Wildlife Warden of Madhya Pradesh. A copy of approval dated 16-9-19 is enclosed as **ENCLOSURE 6**. User agency has deposited an amount of Rs. 31.05 Cr. in CAMPA fund for implementation of this management plan.*

5. Conclusion:

- 5.1 Based on the inspection by the joint committee, following conclusions are drawn, which are as under:

- *The Suliyari Open Cast coal mine of the APMDC has been granted EC by MoEF&CC, Forest Clearance Stage II by MoEF&CC, CTO by MPPCB.*
- *The mine is situated far away from the designated CEPI area of the Singrauli Critically Polluted Area (now severely polluted area).*
- *The number of tree felling and destruction of thick and dense forest were found to be unfounded and misconceived. As complained that 20 lac numbers of tress will be destroyed, the tree feeling number is only around 50,000, against which compensatory plantation @ 1000 numbers per hectares will be undertaken in an area of approximately 259 hectares. Also mine management will plant trees within reclaimed mining lease area of 704 hectares approximately.*
- *Elephant movement in the area has not been noticed for the last 12-15 years. Hence there seems to be no perceivable threat to the "Elephant Corridor". Also a Wildlife Management Plan amounting to Rs 31.05 Cr has been approved by Chief Wildlife Warden, which is being implemented."*

5. We have gone through the report. In the report, it has been mentioned that the mining site is away from Sanjay Tiger Reserve without giving the distance. Condition no. (xviii) in environmental clearance letter dated

12.04.2021 issued by Government of India, Ministry of Environment, Forest and Climate Change, Impact Forest Division reads as under:-

“(xviii) No National Parks, Wildlife Sanctuaries and Eco-Sensitive Zones have been reported with 10km boundary of the project except Sanjay Gandhi Tiger Reserve ESZ boundary wherein the project is at about 7.8 kms from ESZ boundary.”

It is evident from the above said environmental clearance itself that the mining site is within 10 kms from Sanjay Gandhi Tiger Reserve ESZ boundary.

6. The Project was considered by the sectoral Environmental Appraisal Committee (EAC) in its 56th EAC meeting held on 30.06.2020 and 9th meeting held on 26.02.2021 which recommended for grant of environmental clearance. Copies of the EIA and EMP reports, on the basis of which clearance had been granted, be filed before this Tribunal.
7. The matter was again taken up by this Tribunal on 04.08.2022 and in Para-7, the Tribunal observed as follows:

“As mentioned in para (xxi) of the above referred environmental clearance letter public hearing for the project of 5 MTPA capacity in an area of 1298 ha was conducted on 30.08.2019 at Playground of Government High School, Majhaulipath (core zone). Major issues raised in the public hearing included (1) Land Acquisition and R & R (2) Employment to locals (3) Plantation, Green belt development, (4) Compensatory Afforestation (5) Conservation of biodiversity (6) Wildlife Conservation (7) Air Pollution. Appropriate action to address the issues raised in the Public hearing was proposed to be taken up. Since more than 45 percent population that is going to face displacement comprises of tribals, the clearance from the Ministry of Tribal Affairs, Government of India is also required. Amount of Rs. 9.9 crores has already been deposited with CAMPA for compensatory afforestation in lieu of the forest diverted i.e. 259 ha, but there is no mention of area/location where afforestation is to take place and the species to be planted. Copy of the detailed Action Plan

prepared in this regard be furnished to this Tribunal. The project involves 1386 affected families and the Project Proponent has plan for Rehabilitation and Resettlement as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Copy of the detailed Action Plan about the Rehabilitation and Resettlement of the population which are likely to be displaced be filed before this Tribunal. The Action Plan should clearly spelt out the area where displaced persons will be resettled with details of civic amenities in the new villages, Rehabilitation and Resettlement package to be provided etc.”

8. The Tribunal further constituted another Committee with the Forest Department to submit the report with regard to the plantation. The Principal Chief Conservator of Forest vide letter and report dated 21.09.2022 had submitted that compensatory afforestation is to be done on 259 hectares of revenue land, the details have been given with the report.

9. Notices were also issued to the respondents and the project proponent Respondent No. 8 M/s The Andhra Pradesh Mineral Development Corporation Limited has filed the reply with the facts that respondent is a government of Andhra Pradesh undertaking and Ministry of Coal, Government of India has allotted the said blocks situated in District Singrauli, Madhya Pradesh in the year 2007. It is further submitted that the requisite necessary consent and clearance including consent to establish and consent to operate mine opening permissions and environment as well as forest clearances for starting of mining in the Singrauli block has been taken by the competent authority. Further contention and reply of the respondents / project proponent are as follows:

13. It has been noted by this Hon'ble Tribunal in its order dated 04.08.2022 at para 5 that "it is evident from the above said environmental clearance itself that the mining site is within 10 kms from Sanjay Gandhi Tiger Reserve ESZ boundary". In this regard it

is submitted that as per the Gazette Notification dated 29th August 2017 issued by the Ministry of Environment, Forest and Climate Change (MOEF&CC), whereby the Ministry has notified the following under clause (1): -

"(1) Extent and boundaries of Eco-sensitive Zone — (1) The extent of Eco-Sensitive Zone is up to 2 kilometers from the boundary of Sanjay National Park and Sanjay Dubri Wildlife Sanctuary, which together constitute the Core Area of the Sanjay Dubri Tiger Reserve.

14. Further, the MOEF&CC vide its Office Memorandum F.No.22-43/2018-IA.III dated 08.08.2019 has provided the procedure for consideration of developmental projects located within 10 km of National Park / Wildlife Sanctuary seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 and clause 4 (ii) of the said Office Memorandum clearly provides as under: -

"ii. Proposals involving developmental activity I project located outside the stipulated boundary limit of notified ESZ and located within 10 km of National Park / Wildlife Sanctuary, prior clearance from Standing Committee of the National Board for Wildlife (SCNB WL) may not be applicable. However, such proposals from environmental angle including impact of developmental activity I project on the wildlife habitat, if any, would be examined by the Sector Specific Expert Appraisal Committee and appropriate Conservation measures in the form of recommendations shall be made. These recommendations shall be explicitly mentioned in the environmental clearance letter and shall be ensured by the member secretary concerned."

15. As per requirement of State Forest Department, a Site-Specific Conservation Plan / Wildlife Management Plan was prepared for the block project and same was approved by the Chief Wildlife Warden. It is pertinent to note here that Chief Wildlife Warden vide its letter no.6538 dated 16.09.2019 has approved the Site-Specific Wildlife Conservation Plan and also directed the answering respondent to deposit Rs.35.45 crores which includes Rs. 25 crores towards Sanjay Gandhi Tiger Reserve.

16. In addition to the above and as directed in the approval letter of Wildlife Management Plan, an amount of Rs. 66.20 Crore was deposited in CAMPA vide RTGS payment dated 12th January 2021

including cost of Wildlife Management Plan of Rs. 35.45 Crores. Further, it is imperative to mention herein that implementation of Wildlife Management Plan is the responsibility of State Forest/Wildlife Department with the funds deposited by User Agency i.e. APMDC.

17. On the issue of the displacement of the local population due to coal mining, it is submitted that there is no requirement for obtaining the approval from the Ministry of Tribal Affairs, Government of India. It is pertinent to note here that all the benefits related to the habilitation and Resettlement, Land Acquisition Compensation etc. have been provided by the answering respondent to the concerned local population.

18. It is submitted that the total forest land to be diverted for the Coal Block is 259.239 Hectares, for which the Ministry of Environment, Forest and Climate Change has already granted Stage-I Forest Clearance vide letter dated 15th December 2020. That condition-wise compliance of Stage-I Forest Clearance was submitted to Divisional Forest Officer (DFO), Singrauli, vide letter dated 18th March 2021

19. That Final Stage-2 Forest Clearance was granted on 15.06.2021 followed by the Forest Diversion order dt. 02.07.2021 of the Forest Department, State of Madhya Pradesh. The Environmental Clearance for the Coal Block was granted vide letter dated 12.04.202.

20. It is further submitted that the answering respondent has provided the non-forest land for compliance of compensatory afforestation at 267.46 hectare of land in lieu of the forest diversion of 259.239 hectares of land. It has deposited Rs. 9,93,51,319/- towards compensatory afforestation in the CAM PA Fund for carrying out the afforestation activity. Further, it is highlighted that implementation of compensatory afforestation is the responsibility of State Forest Department with the funds already deposited by Answering Respondent in the CAMPA.

24. That the coal block project involves 1599 affected families who are landowners involving 09 villages namely Khanua Naya Tola, Dongri, Jhalari, Aamdand, Majhauri Path, Belwar, Sirswah, Bajaudi and Amarikhoh and the Project Proponent has prepared a

detailed plan for Rehabilitation and Resettlement as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

25. The answering respondent submits that it has acquired 742.2 hectares of land in 9 villages, namely Aamdand, Amraikhoh, Bajaudi, Belwar, Sirswah, Dongari, Jhalari, Majhaulipath and Khanuwa Naya situated in Singrauli district, State of Madhya. It is submitted that answering respondent has deposited the entire compensation amounting to Rs. 752,74,04,687/- (which include Admin Charges of Rs.35,84,47,842/- as well) with the District Collector, Singrauli, as calculated under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 for disbursal of the compensation to the affected families and till dated the District Collector has disbursed the compensation to the tune of Rs.684,01,31,593/-. It is submitted that the displaced families will be abilitated in village Khanua Naya Tola.

26.The Rehabilitation and Resettlement of Project Displaced Families (PDFs) is part of project implementation and a comprehensive socioeconomic survey to assess the actual R&R requirement which has already been carried out in the year 2012 based on the Model Rehabilitation Policy 2002 of Madhya Pradesh. As per survey, the project demands for approximately 1599 families to be rehabilitated and resettled. Further, since the coal block was cancelled in the year 2014 due to the judgment of Hon'ble Supreme Court in M.L Sharma case and the block again allotted to answering respondent on 29.09.2016 by the Ministry of Coal, Government of India under the Coal Mines (Special Provisions) Act, 2015. Therefore, due to this socio-economic profile of the project area has been changed from the earlier reported socio-economic survey findings done in 2012. Subsequently answering respondent has revised the Rehabilitation & Resettlement policy in 2018 which was duly approved by the Commissioner, Rewa Division, Rewa District, Madhya Pradesh and the District Collector, Singrauli, Madhya Pradesh.

27. The Rehabilitation & Resettlement Policy has been approved under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement

Act, 2013. Under the approved R&R Scheme following benefits are provided: -

a. Allotment of house/plot 90x60 sq. ft. plot will be given to the family displaced by the project in the selected village Khanua Naya Tola for rehabilitation. In which the house will be constructed by the company, if the house built by the company is not taken by the displaced family, then Rs.5.00 lakh will be payable by the company for the construction of the house. If a family does not want to take a plot in the resettlement colony, then an amount of 2.00 lakh will be paid in lieu of the plot.

b. If a displaced family does not want to take both the plot and the house, then Rs.2.00 lakh will be payable instead of the plot and Rs.5.00 lakh instead of the house. Altogether Rs 7.00 lakh will be payable.

c. Employment Allowance- If at least one member of each family displaced by the project is not given employment by the company within 03 years from the date of award, then that person will be given monthly living at the rate of Minimum Government Agricultural Wage Rate (MAW). Allowance Rs.7000/- Will be given If the head of the family is a female member, then she will also be eligible to get subsistence allowance, but this unemployment allowance will be payable for a period of 03 years from the date of displacement, provided that Rs.5.00 lakh by the company for self-employment to an adult member of that family. If lump sum amount is not paid.

d. Grant for Cattle Shed 50,000/- (fifty thousand) will be payable by the company to each displaced family in one lump sum for making cattle shed for the cattle of the displaced.

e. Free transportation arrangements and transportation expenses - The displaced family's household items, building materials, movable property, pets, agricultural implements, agricultural produce and transportation of his family will be arranged by the company free of cost. Apart from this, a lump sum financial assistance of Rs 50,000/- (fifty thousand) will be given to the head of the displaced family by the company as transportation expenses.

f. Old Age Pension - Women and male members of every displaced family, whose age has become 55 years on the date of award, will get Rs.2000/- (two thousand) per month

g. Education and Scholarship Higher Secondary with all facilities with playground for the study of children of each family displaced

from the project area. Age has become 55 years on the date of passing of the award. Rs 2000/ thousand per month).

h. The title of the plot will be issued to the displaced in the resettlement colony on the basis of the allotment letter of the company on the prescribed format by the concerned Tehsildar. On which the displaced person will get all the rights of the land owner. And the transfer can be done on the basis of the lease issued by the Tehsildar. The lessee Bhumiswami will have the right to transfer the land as per the law.

i. **Education and Scholarship Program-** The construction of a higher secondary level school building with all facilities for the study of the children of each family displaced from the project area will be done by the company in Rehabilitation Village Khanua Naya Iota. In this school, children studying from class 01 to class 12 will be provided free education and every child studying in the displaced / affected family will be provided free books, stationery, school uniform by the company. To encourage the students studying in the school, the following scholarship will also be provided by the company every month for Class 01 to 12 Boy- 500 & girl child- 600 and 50,000 will be given to the 10th and 12th first class passed students/girls.

Medical Facility- A fully equipped hospital will be constructed by the company in Rehabilitation Village, Khanua Naya Tola, in which there will be provision of maternity home, pathology lab, emergency medical room, outpatient medical room, dispensary, archives office and waiting house, drinking water etc. Free medical facilities will be provided to the family members displaced t affected by the project in this hospital.

Mahua and Tendupatta Collection Allowance- The head of any such family displaced from the project area who used to earn his family living by collecting Mahua or Tendu leaves. So, on the basis of the application of that person, after getting confirmation from the Forest Department, in the event of being found correct, the minimum agricultural wage rate fixed by the government for a minimum of 500 working days, which will not be less than Rs. 50000 / - (fifty thousand), Will be payable in one lump sum.

j. **Job Training and Scholarship to Displaced Families -** At least one member of each family displaced by the project.

k. Priority will be given in providing employment as unskilled labor in the construction works being carried out in the project area. Persons displaced for employment in the project will register their names with the project representatives. The cooperation of the Sarpanch of the concerned Gram Panchayat will be required in this work.

l. **Training to the displaced-** The company will organize free industrial and computer training for the displaced from recognized institutions. And employment will be ensured by the company to the trained youth and girls. During the scholarship training, a member of the displaced family, who is receiving training, will be provided a scholarship of 1000 / - per month according to the merit.

m. **Self-employment-** Skill development training will be organized by the company to develop the ability of the displaced to establish their own employment.

n. **Explanation of Employment-** Employment means that by issuing direct appointment orders to a displaced in their project by the company, regular monthly salary is given and regular deduction is made like regular employees. This employment will be as per the rules of the company. In which Provident Fund, Gratuity and other allowances will be provided. Any person will be engaged in employment work through cooperative societies or through individual contracts. If at least one member of the displaced family is not employed by the company or he does not want to do the job himself, then a lump sum grant of Rs.5.00 lakh (Rs. five lakh) for self-employment to one member of that family.

Allotment of shops built in Rehabilitation Village Khanua Naya Tola will be made free of cost to the displaced families, 90 percent reservation of shops will be made for them. The above reservation will be done mainly for shops of grocery, general stores, medicine, milk, bread, laundry, vegetables, fruits etc. One of these shops will be kept safe for fair price shop.

The priority order of shop allotment will be as follows:

- i. Self-help groups (for all sections) run by women. Physically Handicapped Persons (for all categories)
- ii. Scheduled Tribe Persons
- iii. Persons belonging to Scheduled Castes.

- iv. *Other Backward Classes Persons*
- v. *Members of the family run by female head (for all classes).*
- vi. *Person from multi-displaced family (for all classes).*
- vii. *General category people.*

However, if the applications of several persons eligible for allotment of the specified categories from the above number are brought to get the shop, then in such a situation, according to the availability of the shop, that category will be removed from the lottery system. In such a situation, according to the availability of the shop, the person of that class will be eligible to get the shop through the lottery system.

*o. **Formation of Shramkari Contract Committees-** Labor contract committees will be formed only by the members of the displaced family from the project. Priority will be given to the members of these committees in completing the construction or other works that will be done by the project, all the action related to the formation of such self-employment committees and groups will be done by the company. The registration of these societies will be done by the Deputy Registrar Co-operative Societies.*

10. In its reply by the State of Madhya Pradesh the submission of the Joint Committee report has been accepted and it has been submitted that every necessary clearances have been taken from the competent authority and mining management, plantation of trees, planning of rehabilitation, allowances, compensatory allowances, there are certain provisions in the Act and the permission was issued by the competent authority.
11. In its additional affidavit the project proponent has submitted the details of the amount disbursed to the plots / houses and for other facts and village wise and total amount which has been disbursed to different villages have been attached to the list which is available in the office of the Collector, District Singrauli.
12. The District Magistrate vide letter dated 23.02.2023 has submitted the details with regard to providing the demand letter for making the

payment of Rs. 9,41,44,800/- (Rupees: Nine Crore Forty One Lacs Forty Four Thousand Eight Hundred only) for the rehabilitation and resettlement of the 122 interest holders of 06 villages effected from the APMDC Suliyari Coal Mine, as follows:

Ref.: Letter No. APMDC/COL/SUL./LA/2021-022/ 50, 51, 53, 52, 54 dated 25.01.2023 of APMDC Suliyari Coal Mine Project.

Vide the captioned referenced letter, it has been written by the General Manager, APMDC Suliyari Coal Mine Project that the Collector for the APMDC Suliyari Coal Mine Project has requested for the payment of the amount of the rehabilitation grant to the village Amdad, 73, Amaraikhoyi 13, Siraswah - 26, Dhirauli - 09, Bajoudi - 01, thus a total of 122 displaced families out of the approved 1599 displaced families. Its details are as under: -

Village Amdad- 43				
Sr. No	Detail	Interest holder	Amount	Total amount
1.	Amount to be given in lieu of the plot		2000 00	-
2.	Amount to be given in lieu of the house	73	5000 00	36500000
3.	Amount to be given in lieu of the job	4	5000 00	20000000
4.	Tendu leaf collection	73	5000 0	36500000
5.	Rehabilitati on amount	73	6840 0	4993200
6.	Amount to be given for	73	5000 0	36500000

	the animal shed			
7.	Transportation expenses	73	50000	3650000
Total	Five Crore Forty Four Lacs Forty Three Thousand Two Hundred only			5,44,43,200

Village Amrai Khoi - 13				
Sr. No.	Detail	Intere st Holder	Amou nt	Total amount
1.	Amount to be given in lieu of the plot	2	200000	400000
2.	Amount to be given in	13	500000	6500000

	lieu of the house			
3.	Amount to be given in lieu of the job	2	500000	1000000
4.	Tendu leaf collection	13	50000	650000
5.	Rehabilitation amount	13	68400	889200
6.	Amount to be given for the animal shed	13	50000	650000
7.	Transportation expenses	13	50000	650000

Tot al	One Crore Seven Lacs Thirty Nine Thousand Two Hundred only	1,07,39,2 00
-----------	--	-----------------

Village Siraswah - 26				
Sr. No.	Detail	Intere st Holder	Amou nt	Total amount
1.	Amount to be given in lieu of the plot	0	2000 00	-
2.	Amount to be given in lieu of the house	26	5000 00	13000000
3.	Amount to be given in	2	5000 00	1000000

	lieu of the job			
4.	Tendu leaf collection	26	5000 0	1300000
5.	Rehabilitati on amount	26	6840 0	1778400
6.	Amount to be given for the animal shed	26	5000 0	1300000
7.	Transportat ion expenses	26	5000 0	1300000
Tot al	One Crore Ninety Six Lacs Seventy Eight Thousand Four Hundred only			1,96,78,4 00

Village Dhirauli - 9

Sr. No.	Detail	Intere st Holder	Amou nt	Total amount
1.	Amount to be given in lieu of the plot	2	200000	400000
2.	Amount to be given in lieu of the house	9	500000	4500000
3.	Amount to be given in lieu of the job	3	500000	1500000
4.	Tendu leaf collection	9	50000	450000
5.	Rehabilitati on amount	9	68400	615600

6.	Amount to be given for the animal shed	9	50000	450000
7.	Transportation expenses	9	50000	450000
Total	Eighty Three Lacs Sixty Five Thousand Six Hundred only			83,65,600

Village Dhirauli - 9				
Sr. No.	Detail	Interest Holder	Amount	Total amount
1.	Amount to be given in lieu of the plot	2	200000	400000
2.	Amount to be given in	9	500000	4500000

	lieu of the house			
3.	Amount to be given in lieu of the job	3	50000 0	150000 0
4.	Tendu leaf collection	9	50000	450000
5.	Rehabilitation amount	9	68400	615600
6.	Amount to be given for the animal shed	9	50000	450000
7.	Transportation expenses	9	50000	450000
Tot al	Eighty Three Lacs Sixty Five Thousand Six Hundred only			83,65,6 00

Village Bajaudi - 1				
Sr. No.	Detail	Intere st Holder	Amou nt	Total amount
1.	Amount to be given in lieu of the plot	1	20000 0	200000
2.	Amount to be given in lieu of the house	1	50000 0	500000
3.	Amount to be given in lieu of the job	0	50000 0	-
4.	Tendu leaf collection	1	50000	50000

5.	Rehabilitatio n amount	1	68400	68400
6.	Amount to be given for the animal shed	1	50000	50000
7.	Transportati on expenses	1	50000	50000
Tot al	Nine Lacs Forty Three Thousand Two Hundred only			9,18,40 0

The demand has been sent by the APMDC Project as per the above, whose details are as under: -

Sr. No.	Name of the village	Total No. of displacement	Total amount
1.	Amdad	73	54443200
3.	Amarikhoi	13	10739200
4.	Siraswah	26	19678400

5.	Dhirauli	9	8365600
6.	Bajaudi	1	918400
Total		122	94144800

As per the above, a sum of Rs. 9,41,44,800/- (Rupees: Nine Crore Forty One Lacs Forty Four Thousand Eight Hundred only) be deposited with the PD Account No. 18 for the rehabilitation and resettlement of a total of 122 interest holders in the 6 villages acquired by the APMDC Project so that the action of the land acquisition could be completed within the prescribed time period.

13. The details of the families whose compensation have been awarded and other unemployment grant have also been provided by the project proponent. The respondent no. 1, 2, 3, 4, 5 and 7 has submitted the reply with the following facts:

4. It is submitted that a total of 9 villages in district Singrauli were displaced due to the setting up of the Sulyari Coal Block and a plan for their rehabilitation and re-settlement was prepared by Collector Singrauli and the same was approved vide letter dated 20.03.2018 by Commissioner, Rewa. That according to the plan for rehabilitation and re-settlement of approximately 1341 families from 9 villages in District Singrauli who were displaced due to the setting up of Sulyari Coal Block were rehabilitated over an area of 123.50 hectares at Village Khanua Naya Tola, District Singrauli, M.P.

5. That under the Rehabilitation and Re-settlement plan the following benefits are provided to the displaced individuals and families :-

a. Allotment of house/plot 90x60 sq. ft. plot will be given to the family displaced by the project in the selected village Khanua Naya Tola for rehabilitation. In which the house will be constructed by the company, if the house built by the company is not taken by the displaced family, then Rs.5.00 lakh will be payable by the company for the construction of the house. If a family does not want to take a plot in the resettlement colony, then an amount of 2.00 lakh will be paid in lieu of the plot

b. If a displaced family does not want to take both the plot and the house, then Rs.2.00 lakh will be payable instead of the plot and Rs.5.00 lakh instead of the house. Altogether Rs 7.00 lakh will be payable each family displaced by the project.

c. Employment Allowance- If at least one member of employment by the company within 03 years from the date of award, then that person will be given monthly living at the rate of Minimum Government Agricultural Wage Rate (MAW). Allowance Rs.7000/- Will be given If the head of the family is a female member, then she will also be eligible to get subsistence allowance, but this unemployment allowance will be payable for a period of 03 years from the date of displacement, provided that Rs.5.00 lakh by the company for self-employment to an adult member of that family. If lump sum amount is not paid.

d. Grant for Cattle Shed 50,000/- (fifty thousand) will be payable by the company to each displaced family in one lump sum for making cattle crowd for the cattle of the displaced.

e. Free transportation and arrangements :- The displaced family's transportation expenses household items, building materials, movable property, pets, agricultural implements, agricultural produce and transportation of his family will be arranged by the company free of cost. Apart from this a lump sum financial assistance of Rs 50,000/- (fifty thousand) will be given to the head of the

displaced family by the company as transportation expenses.

f. Old Age Pension - Women and male members of every displaced family, whose age has become 55 years on the date of award, will get Rs.2000/- (two thousand) per month.

g. Education and Scholarship Higher Secondary with all facilities with playground for the study of children of each family displaced from the project area.

h. Free transportation and arrangements :- The displaced family's transportation expenses household items, building materials, movable property, pets, agricultural implements, agricultural produce and transportation of his family will be arranged by the company free of cost. Apart from this a lump sum financial assistance of Rs 50,000/- (fifty thousand) will be given to the head of the displaced family by the company as transportation expenses. f. Old Age Pension - Women and male members of every displaced family, whose age has become 55 years on the date of award, will get Rs.2000/- (two thousand) per month. g. Education and Scholarship Higher Secondary with all facilities with playground for the study of children of each family displaced from the project area.

h. The title of the plot will be issued to the displaced in the resettlement colony on the basis of the allotment letter of the company on the prescribed format by the concerned Tehsildar. On which the displaced person will get all the rights of the land owner. And the transfer can be done on the basis of the lease issued by the Tehsildar. The lessee Bhumiswami will have the right to transfer the land as per the law.

i. Education and Scholarship Program- The construction of a higher secondary level school building with all facilities for the study of the children of each family displaced from the project area will be done by the company in Rehabilitation Village Khanua Naya Tola. In this school, children studying from class 01 to class 12 will be provided free education and every child studying in the displaced affected family will be provided free books, stationery, school uniform by the company. To,

encourage the students studying in the school, the following scholarship will also be provided by the company every month for Class 01 to 12 Boy-500 & girl child-600 and 50,000 will be given to the 10th and 12th first class passed students/girls.

j. Medical Facility- A fully equipped hospital will be constructed by the company in Rehabilitation Village, Khanua Naya Tola, in which there will be provision of maternity home, pathology lab, emergency medical room, outpatient medical room, dispensary, archives office and waiting house, drinking water etc. Free medical facilities will be provided to the family members displaced / affected by the project in this hospital.

k. Mahua and Tendupatta Collection Allowance- The head of any such family displaced from the project area who used to earn his family living by collecting Mahua or Tendu leaves. So, on the basis of the application of that person, after getting confirmation from the Forest Department, in the event of being found correct, the minimum agricultural wage rate fixed by the government for a minimum of 500 working days, which will not be less than Rs. 50000/- (fifty thousand), Will be payable in one lump sum.

l. Job Training and Scholarship to Displaced Families :- At least one member of each family displaced by the project.

m. Priority will be given in providing employment as unskilled labour in the construction works being carried out in the project area. Persons displaced for employment in the project will register their names with the project representatives. The cooperation of the Sarpanch of the concerned Gram Panchayat will be required in this work.

n. Training to the displaced- The company will organize free industrial and computer training for the displaced from recognized institutions. And employment will be ensured by the company to the trained youth and girls. During the scholarship training, a member of the displaced family, who is receiving training, will be provided a scholarship of 1000/- per month according to the merit.

o. Self-employment - Skill development training will be organized by the company to develop the ability of the displaced to establish their own employment.

p. Explanation of Employment - Employment means that by issuing direct appointment orders to a displaced in their project by the company, regular monthly salary is given and regular deduction is made like regular employees. This employment will be as per the rules of the company. In which Provident Fund, Gratuity and other allowances will be provided. Any person will be engaged in employment work through cooperative societies or through individual contracts, If at least one member of the displaced family is not employed by the company or he does not want to do the job himself, then a lump sum grant of Rs.5.00 lakh (Rs. five lakh) for selfemployment to one member of that family.

q. Allotment of shops built in Rehabilitation Village Khanua Naya Tola will be made free of cost to the displaced families, 90 percent reservation of shops will be made for them. The above reservation will be done mainly for shops of grocery, general stores, medicine, milk, bread, laundry, vegetables, Truits etc. One of these shops will be kept safe for fair price shopThe priority order of shop allotment will be as follows:

- i. Self-help groups (for all sections) run by women.*
- ii. Physically Handicapped Persons (for all categories).*
- iii. Scheduled Tribe Persons*
- iv. Persons belonging to Scheduled Castes.*
- v. Other Backward Classes Persons*
- vi. Members of the family run by female head (for all classes).*
- vii. Person from multi-displaced family (for all classes).*
- viii. General category people.*

However, if the applications of several persons eligible for allotment of the specified categories from the above number are brought to get the shop, then in such a situation, according to the availability of the shop, that category will be removed from the lottery system. In a situation, according to the availability of the shop, the such person of that class will be eligible to get the shop through the lottery system.

r. Formation of Shramkari Contract Committees- Labor contract committees will be formed only by the members of the displaced family from the project. Priority will be given to the members of these committees in completing the construction or other works that will be done by the project, all the action related to the formation of such self-employment committees and groups will be done by the company. The registration of these societies will be done by the Deputy Registrar Co-operative Societies.

That a copy of the Rehabilitation and Re-settlement Plan prepared by Collector Singrauli and the same was approved vide letter dated 20.03.2018 by Commissioner, Rewa is marked and annexed herewith as Annexure R1-1 and the photographs along with GPS co-ordinates of the development in Village Khanua Naya Tola, District Singrauli, M.P. is marked.

6. It is further submitted that the Project Proponent, i.e., Respondent No. 8 in the present Original Application deposited a sum total of Rs. 752,74,04,687/- (including Admin Charges of Rs. 35,84,47,842/-) with District Collector, Singrauli, as calculated as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, for disbursement to affected families. It is further stated that the District Collector, Singrauli has already disbursed a total amount of Rs. 726,25,40,636/- to the displaced families.

7. It is further submitted that in compliance of Order dated 04.08.2022, the Principal Chief Conservator of Forest has submitted a Report pertaining the year-wise plan to carry out Afforestation by the Forest Department and the same was filed on 22.09.2022 and the same was taken on record vide order dated 24.03.2023 by the National Green Tribunal, 1554 10 Principal Bench, New Delhi in Original Application No. 315 of 2022

7. In view of the above facts, arguments advanced and the documents, we are of the view that the MoEF & CC has properly examined the issue and

necessary directions have already been issued and accordingly the Collector is executing the orders.

8. In view of the above facts, we direct the Collector to enforce all the provisions which has been made and narrated above and to ensure that there should not be any violation of rules, and guidelines issued by the MoEF & CC.

9. With these observations, letter petition stands **disposed of** accordingly.

SHEO KUMAR SINGH, JM

DR. AFROZ AHMAD, EM

11th October, 2023
O.A No. 97/2023 (CZ)
PU

572 ANNEXURE R-15

159

and Nodal Officer, Government of Madhya Pradesh, the Committee observed that the State Govt. has not submitted the complete information in view of recommendations of Advisory Committee (AC) in its meeting held on 28.02.2024 which was communicated to the State Government vide Ministry letter dated 08.03.2024. Accordingly, it is again re-iterated that the State Govt. shall submit the required information as per Ministry letter dated 08.03.2024.

Agenda No. 13

File No. 8-01/2024-FC

Subject: Diversion of 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasra's of Forest Range Waidhan/ Sarai East for Open Cast Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/142344/2021) - regarding.

1. The agenda item was considered by the AC in its meeting held on 27.08.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Madhya Pradesh vide their letter No. F-1/845/2023/10 11/492 dated 22.01.2024 forwarded a fresh proposal on the above subject to obtain prior approval of the Central Government, in terms of the under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - ii. The proposed diversion area involves 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasra's of Forest Range Waidhan/ Sarai East under Singrauli Forest Division.
 - iii. The proposed diversion area is having Forest classification of Eco-class 3 and having canopy density of 0.6 wherein 5,70,666 number of trees are marked for felling.
 - iv. The tree enumeration was carried out by sampling method. The total no. of samples laid was 140 of 0.1 ha each and total no. of trees proposed for felling, arrived at is 5,70,666. As per the extant guideline Chapter-1, 1.4(vi), for areas more than 10 hectares the abstract of tree can be computed either from the working plan or by standard sampling method.
 - v. The Component wise breakup of the proposed forest land as well as non-forest land are as under:

Sr.	Component Name	Area inside (in Ha)	Total Area (Ha)
-----	----------------	---------------------	-----------------

No.		Forest	Non-Forest	
1	Excavation Area	1068.51	1028.08	2096.59
2	Safety Zone	10.46	9.27	19.73
3	Green Belt Area	30.97	15.83	46.80
4	Rationalization Area	51.82	20.29	72.11
5	Infrastructure Area	0	30.05	30.05
6	OB Dump Area	225.4	162.15	387.55
7	Other uses (Garland Drains)	2.75	2.59	5.34
8	Other uses (Road Diversion)	2.56	1.57	4.13
9	Other uses (Embankment)	5.07	2.43	7.50
10	Other use (Setting Pond)	0	2.20	2.20
	Total area	1397.54	1274.46	2672

- vi. As per the component wise breakup, the total rationalized area is mentioned as 72.11 ha out of which 51.82 ha is forest land and the balance area of 20.29 ha is in non-forest area.
- vii. The DFO, Singrauli and CF, Rewa in their site inspection reports mention that as per the existing working plan the proposed area (RF-373) is falling in Elephant Corridor. The RO, Bhopal in its site inspection report mentioned that Compartment no. RF-373 is under Elephant corridor according to working plan of Singrauli Division. The prescriptions in the working plan is as follows:- 16.6 (9): Any permanent disturbance creating activities like construction of building, establishment of timber depot & labour camp and other permanent & temporary establishments are restricted in this area. 16.6 (10): The compartment falling under Elephant corridor should not be allotted for non-forestry activity if in case it is unavoidable to take these compartments for non-forestry activity then in that case alternative corridor route has to be established.
- viii. As per the 3-D subsidence prediction, study report Maximum tensile strain reported in the proposed area is 17.47. The State Govt. was asked to examine the same and submit its comments in case the proposal is for underground mining only. In this regard, the State Govt has submitted that DFO office is not competent to comment on Subsidence report of tensile strain. However, UA has submitted subsidence report in Parivesh portal and this proposed Coal block is not for underground mining only.
- ix. The present proposal is for Coal Mining Project. It has been informed that the Dhirauli block is allocated to M/s Stratatech Mineral Resources Private Limited (SMRPL) vide letter no. NA 104/7/2020-NA dated 03.03.2021 by Ministry of Coal (MoC), Government of India. The mine is envisaged to be worked in combination with Open Cast and Underground mining method. Total mine lease area is 2672 ha. It is planned to extract Coal with capacity of 5.0 MTPA from Open Cast mine and 1.5 MTPA from underground mines. Open cast mining is proposed by surface miners (SM)-FEL-truck combination for Coal and drill blast for Overburden. Underground mining is proposed by continuous miner (CM). The project will produce G7/G8 grade Coal.

The extracted Coal is proposed to be supplied to Mahan Energen Limited (Power Plant) and for Open Commercial Sale.

- x. Coal that will be mined out from this block will be transported using the existing road of "Suliyari-Khanuakhas-Rajmilan" to Gajra behra railway siding & also to Adani Power Plant (MEL) in Bandhaura. It is also proposed by Railway/Truck/Conveyor based on consumer location and the Coal deposits in the instant mine lease is available in total 9 seams, out of which 5 Coal seams has been proposed to be mined out through open cast method and balance 4 coal seams have been proposed to be mined out through under-ground mining technology. Hence, primarily the 1397.54 ha proposed forest land has been proposed to be utilized for open cast mining of Coal and thereafter the 1397.54 ha proposed forest land shall be used for underground Coal Mining. As per the 3-D subsidence prediction study report Maximum tensile strain reported in the proposed area is 17.47.
- xi. The State Govt. has submitted a detailed justification for the felling of trees in phase manner. It was stated by the Nodal Officer that the felling of trees in the mine lease shall be carried out in the phases over a period of 40 years. Further, it was highlighted by the Regional Officer that 36,38,165 number of plants have been proposed to be planted in different phases within the lease area against total 5,70,666 number of trees earmarked for felling. The plantation of 36,38,165 trees by the user agency is over and above the required CA compliance in the instant proposal. The details of phased felling and planation proposed for reclamation are as under;

Phasing of Land	Years from Start of Mining Operation	Land Requirement (Ha)		Plantation on Reclaimed Land (Ha)			Number of Tree Planted		
		Forest Land (Ha)	Tentative no of tree to be felled	Plantation area in Forest Land (Ha)	Plantation area in Non Forest Land (Ha)	Total Plantation area (Ha)	Plantation in forest land (Nos)	Plantation in non- forest land (Nos)	Total Plantation (Nos)
Phase I	1 to 3	345.33	141011	4	16	20	10000	40000	50000
Phase II	4 to 5	300.17	122570	32	8	40	48000	12000	60000
Phase III	6 to 10	237.06	96800	224	259.57	483.57	336000	389355	725355
Phase IV	11 to 15	136.17	55603	150	76.94	226.94	225000	115410	340410
Phase V	16 to 20	220.41	90001	150	74.77	224.77	225000	112155	337155
Phase VI	21 to 30	108.66	44370	200	123.62	323.62	300000	185430	485430
Phase VII	31 to 40	49.74	20311	200	210.45	410.45	300000	315675	615675
Final Closure		0	0	437.54	245.22	682.76	656310	367830	1024140
Total		1397.54	570666	1397.54	1014.57	2412.11	2100310	1537855	3638165

- xii. The OB dump area is in combination of Private, Govt and Forest Land available in the Dhirauli block. The Proposed OB dump can accommodate 259 MBCM (13%) OB, dump height has been planned 90-100 meter height from ground level, which is maximum possible elevation on grounds of DGMS safety stipulations. 225.4 ha of land is an absolute requirement for external dumping because the in-crop seam that need to be touched to develop a working face is at 60 meters depth from surface. To touch it and cut a trench (longitudinally) because of hilly terrain has a compelling initial stripping ratio of 9:1 (Cum/t). Internal dump can accommodate 1704.54 MBCM OB (87%) which is planned by keeping 100 m lag distance from working bench of quarry with approx 90 m height from the ground level, which has been best optimized on reasons of its safety and stability. Forest land under proposed OB dump is coming between quarry and dump area (private

Land) in linear extension surrounded by quarry and OB dump. During the mine operation, OB removed from area is hilly forest, in order to make access road for initial mining operation and consequent dumping thereof, most of the land will be affected by cut and fill activities, as an operational compulsion. Hence, due to location of forest land in proposed OB dump area it is inevitable to avert involvement of forest land that shall be taken in phases.

- xiii. Further, it was noted that the over burden dump area requirement in this proposal (225.4 ha) is ~16 % of the forest area sought for diversion. The Advisory Committee was apprised that the UA has revised the area (6.3 ha) earlier required for infrastructure on the forest land and now there will no infrastructure proposed on forest land.
- xiv. It was observed that the Compartment no. RF-373 is under Elephant corridor according to working plan of Singrauli Division. The prescriptions in the working plan is as follows:-
 - a. 16.6 (9): Any permanent disturbance creating activities like construction of building, establishment of timber depot & labour camp and other permanent & temporary establishments are restricted in this area.
 - b. 16.6 (10): The compartment falling under Elephant corridor should not be allotted for non-forestry activity if in case it is unavoidable to take these compartment for non-forestry activity then in that case alternative corridor route has to be established. However, as per the document (unsigned map) the Elephant Corridor is away from the proposed diversion area and the same has been confirmed by the CWLW, Govt. of Madhya Pradesh vide letter dated 21.05.2024.
- xv. In this regard, Govt. of Madhya Pradesh informed that the Chief Wildlife Warden (CWLW), Govt. of Madhya Pradesh approved a Wildlife management plan of INR 10.65 crores with a view to protect & conserve the flora and fauna in the region. Furthermore, minimum distance between the Dhirauli Coal block and an Elephant corridor is 5 Km and the instant coal block is located outside at a distance of 10.386 km from the Eco-sensitive zone boundary of Sanjay Tiger Reserve.
- xvi. It was noted that the area proposed for diversion fall in high conservation zone as per DSS analysis. In this regard, it was highlighted that the Regional Office Bhopal has submitted a site inspection report and recommended the proposal with certain observation. The AC sought comments from DDGF (C), RO, Bhopal in this regard.
- xvii. The DDGF (C), RO, Bhopal in its site inspection report has reported that the compartment nos. RF-360, 364, 370 and 371 are on higher altitude and are endowed with natural Sal forest with canopy density ranging from 0.5 to 0.6. The stripping ratio in the area is very high for Open cast Mining. This implies that the area involves huge amount of overburden removal and removal of forest. It was suggested that extraction of Coal in the above-mentioned area should be taken up only by underground method of mining wherein huge overburden and excellent forest in the area would not be required to be removed. In

rest of the compartments, extraction of coal may be taken up by Open cast mining method as proposed.

- xviii. The Dy. DGF, RO Bhopal in his report clarified that the area in these 4 compartments to be avoided which is around 510 ha which comprises of around 36% of the total forest area to be diverted and 19.08% of the total mining lease area. The AC further sought comments from the Nodal officer regarding justification for mining in these four patches.
- xix. In this regard the State Govt. has sought a technical opinion from the mineral resource department of the State Govt. regarding possibilities of carrying out underground mining in 4 patches as mentioned by the RO in his report and based on the technical report of the mineral resource department a detailed reply dated 30.05.2024 was submitted, which need consideration of AC.
- xx. The State Govt. has clarified that as per the Mining plan, 186.06 million tons of Coal is likely to be produced from 5 Coal seams which have been proposed to be worked upon based on Open cast technology and remaining 112.07 million tons of coal shall be extracted from the other 4 coal seams located very deep from the surface and wherein underground mining technology will be adopted. Thus, 62.4% of entire coal reserves of an instant mine are available in the 5 coal seams and proposed to be excavated through open cast method of mining. Moreover, the maximum floor depth of an open-cast seams from surface is around 280 m in the block and considering the geo-mining characteristics of the block and for conservation of resource, it is proposed to extract the coal reserves within the block using combination of open cast mining (upto seam VII) and underground mining (below Seam VII to Seam II) method. Therefore, underground method of mining cannot be acceded in the whole 1397.54 ha proposed forest land to save the large number of trees because this will hinder the complete mineral extraction from the proposed mine and also devoid the extraction of 62.4% coal reserve available in the 5 coal seams which have been proposed to be mined out through open cast method.
- xxi. The total proposed diversion area is 1397.54 ha for open cast Coal mining by M/s Stratatech Mineral resources Pvt. Ltd. Accordingly, as per the rules, the area proposed for Compensatory Afforestation is 1397.54 ha in non-forest land, spread over 45 patches, 29 villages and in 04 districts. The details are as under:

S. No.	District/ Division	Tehsil	Village	Total Area (Ha)
1	Sagar North	Rahatgarh	Laxmanpura	33.56
2	Raisen	Begamganj	Chainpura Muzafata	9.89
3	Shivpuri	Bairad, Shivpuri, Pohri, Kolaras	Basai, Budha, Imlipura & Others	757.88
4	Agar Malwa	Agar, Badod, Baraud	Sanawad, Shivgarh, Chipya & Others	596.21
			Total area	1397.54

- xxii. The project involves rehabilitation of 49 families from the proposed diversion area. However, the user agency has prepared and submitted an approved rehabilitation plan.
- xxiii. The satellite imagery and land use plan submitted by the user agency reveals that there are five (5) transmission lines which are passing through the proposed forest land for diversion. However, the copy of approvals granted under Van (Sanrakshan Evam Samvardhan), Adhinyam, 1980 along with NoC from concerned agencies to shift the power lines from the proposed area have not been submitted by the State Government.
- xxiv. As per DSS analysis, the Compensatory Afforestation has been proposed in total 45 patches comprising an area of 1397.523 ha wherein two CA patches namely Village Imlipura, Khasra No 2 and 19, Shivpuri District are falling in the Forest compartment boundary. In this regard the State Government informed that वनमण्डलाधिकारी, शिवपुरी द्वारा पत्र क्रमांक 2097 दिनांक 24.05.2024 से अवगत कराया गया है कि ग्राम ईमलीपुरा के खसरे क्रमांक 2 एवं 19 के मानचित्र को वनखण्ड के मानचित्र पर ओवरलेप करने पर यह पाया गया कि यह खसरे वनक्षेत्र से बाहर पाये गये हैं।
- xxv. The proposal was considered by the AC in its meeting held on 04.07.2024 wherein the Advisory Committee recommended that:
- I. To examine the proposal holistically keeping in view the facts of the case and other ecological considerations important for considering such proposals, a Sub-Committee shall visit the project area and submit a detailed report with clear recommendations for further needful. The Sub-Committee shall comprise of the following members:
 - a. Shri Sushil Kumar Awasthi, Additional Director General of Forest (Wildlife), MoEF&CC, New Delhi.
 - b. Shri Arta Trana Mishra, Dy. Director General of Forest, Regional Office, MoEF&CC, Bhubaneswar.
 - c. Shri Shrawan Kumar Verma, Dy. Inspector General of Forest, In-Charge Regional Office, MoEF&CC, Gandhinagar.
 - II. Further, Advisory Committee sought the following clarifications from the State Govt.
 - a. The Nodal Officer shall clarify whether the CA area proposed in Village Imlipura, Khasra No 2 and 19, Shivpuri District are not falling in the Forest compartment boundary.
 - b. The Nodal Officer shall provide the details of proposed CA site namely Village: Raghunathapura (Survey No. 3), Shivpuri District.
- xxvi. Based on the said recommendation of the Advisory Committee, the Ministry has issued letter dated 24.07.2024 to the Sub Committee. Also the Ministry vide letter dated 24.07.2024 has requested the State Govt. to submit the information/clarification as per recommendation of Advisory Committee.

- xxvii. In this regard, the said Sub-Committee has submitted its report vide their letter no. ADG(WL)/Misc./2024/07 dated 23.08.2024. The report of the sub-committee inter-alia mentions the following:

Dhirauli Coal Block in Singrauli Coalfield, in the State of Madhya Pradesh has been allocated to M/s Stratatech Mineral Resource Private Limited (SMRPL) vide Letter No. NA-104/7/2020-NA dated 03.03.2021 by MoC, Gol. (Forest Land 1397.54 Ha} Capacity 6.5 MTPA (5 MTPA OC, 1.5 UG). Coal Reserves are present in this area as per the surveys done by Mineral Exploration Corp. Ltd (MECL) and the coal seams are specifically passing through proposed forest blocks. Mining of coal is a site specific activity. There are coal mines (total 16 as per report) in nearby area which are mainly operating in forest land as open cast mine.

Though the proposal is inviolate by Decision Rule of DSS, as per the site inspection, the forest area is of miscellaneous species having moderately dense forest. It was also observed that the soil is stony with poor site quality. This has been also reflected in the Working Plan of Singrauli Division, which say the site quality as IVB.

The proposed area bears forest type 'Tropical dry deciduous Forest' having predominance of Sal and its associates, e.g. Tendu (*Diospyros melanoxylon*) and other such species. As per discussion with the DFO and local forest officials, during sampling, 140 samples of 0.1 ha each were laid in the area with sampling intensity of 1%. The sampling data shows 148,526 saplings of girth less than 30 centimetres, while total no. of trees (including saplings below 30 cm gbh} proposed for felling are estimated as 5,70,666. Accordingly, the estimated number of trees for felling calculated by the Forest Department on basis of sampling above 30 cm gbh are 4,22,140. Before felling of trees physical counting of trees to be felled to be done. Efforts should be done to transplant any rare, endemic species marked to be felled.

The User Agency has proposed OB dump over an area of 387.55 ha, which includes 225.4 ha forest land and 162.15 ha non-forest land. It was informed during inspection that Compartment No. 360 Sarai East (Area — 217 Ha.) is proposed as external OB dump. This compartment is non-coal bearing. As per the Topo-sheet of this compartment, a larger part of the area of this compartment has steep gradient. The User Agency need to be advised to use minimum area for dumping.

As per the representative of user agency, this area will be for keeping the OB dump temporarily and subsequently these dumps will be used for filling of pits. After the OB dump are reused the forest land, may be reverted back to original by taking suitable measures including planting of native species and given back to the department.

The drainage of this block is mainly controlled by westerly flowing Hardul Nala, which traverses the block and passes almost through central part of the block. Many small seasonal nalas originating from elevated topography of north eastern and south-central part of the block drain its water into Hardul Nala. There is no major river near by the block. Hence, in order to maintain the hydrology of the area, it is felt that the Hardul Nala needs to be retrained/diverted. Hydrological study of the area may be conducted by some reputed organisation to get the possible diversion way. The approval from the water resource department may be obtained before the diversion of nala. Embankment to be made to ensure that no mine waste enters the nala and safety zone of 50 m width with plantation may be done all along the lease on either side of the nala.

Since the area has presence of wildlife, a comprehensive Wildlife Mitigation Plan needs to be prepared by the State Govt. for the entire landscape. Site-specific plans should be prepared and implemented for each mining areas including Dhirauli, at the cost of user agency. Even though the project area is not part of any Elephant Corridor as per PCCF(WL) MP, the site-specific mitigation plan should address the safe movement of elephant and mitigation of man animal conflict.

As per the break-up of area proposed for diversion, 72.11 ha has been kept as Rationalization Area. It includes 51.82 ha forest land and the balance 20.29 ha. is non-forest area. As per the user agency, this area is in scattered small patches inside the proposed area for diversion and these scattered patches in multiple locations shall be used several identified land uses between two mine infrastructures, e.g. setting pond, connecting roads etc. The kml files of this area may be prepared and after the usage, it shall be developed as green belt.

The area statement of proposed diversion proposal includes part or full area of the 16 compartments in two Ranges {Waidhan & Sarai east}, totalling 1397.54 ha. According to revised Forest Types (Champion and Seth classification-1968), the area has been classified as Dry Peninsular Sal Forest (5B/C1c), Northern Dry Mixed Deciduous Forest (5B/C2) and Dry Bamboo Brakes (5/E9). The area has highly undulating and rugged topography. The sub-committee inspected the overall area extending from south-western corner (Comp - RF 360 & 362) to central and eastern parts comprised by compartments {RF 364, 370 & 371}. The representative area is covered by plateaus on undulating plains comprising of sedimentary, crystalline and metamorphic rocks. The structural plateaus in the area are covered with patchy red sandy soil with rocky outgrowth, thus limiting the site quality to IV-B. Some of the compartments are also under anthropogenic pressure and resultantly partly understocked. The stock maps and compartment history sheets prepared by Working Plan Officer (Plan Period — 2018-19 to 2027-28 of Shri Rajiv Mishra) were also examined,

which describe the site quality as IV-B in all these compartments, i.e. RF 360, 364, 370 & 371. The entire area bears a similar canopy density (0.4-0.5) overall with representative Site quality IV-B. Hence, reliance can be made on the technical feasibility report to decide the method of mining.

- xxviii. The Advisory Committee observed that as per report of the sub-Committee the sub- Committee recommends the proposal for diversion of 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasras of Forest Range Waidhan/ Sarai East for Open Cast Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State with following conditions -
- a. The User Agency shall prepare a detailed mining plan for 40 years, linking the progress of mining and felling of the trees clearly. Felling of trees shall be done, when it is absolutely necessary in phase-wise manner in the areas which become due for mining as per mining plan.
 - b. Compensatory afforestation (CA) shall be done on identified land through artificial regeneration of Sal and planting of other native associates of Sal to restore the ecological services of the area. This should be achieved by planting of trees as well as by other measures of eco-restoration, e.g. soil & water conservation and rain water harvesting. Sal and associates of Sal of at least 18 month old seedlings should be used in CA.
 - c. The identified forest land for external OB dump shall be used judiciously by taking appropriate measures to check soil erosion in the area. Since this is non-coal bearing area, hence, after the initial use as OB dump, the entire area shall be reverted back to original by flattening and taking suitable measures including planting of native species.
 - d. A hydrological study for the entire area shall be prepared by reputed organisations like any IIT or NIT at the cost of User Agency. The Hardul Nala retraining work should be done as per the hydrological study and in consultation with Water Resources Department.
 - e. Diversion of transmission line shall be done using a defined corridor with minimum centre to centre distance between the lines to economise need of additional land.
 - f. A comprehensive wildlife mitigation plan shall be prepared by the State Govt. for the entire landscape. Although the project area is not part of any Elephant Corridor, but in view of its proximity to an elephant corridor and ESZ of a tiger reserve, the site-specific mitigation plan should be prepared for funding by user agency to avoid future conflicts.
 - g. A Comprehensive Rehabilitation and Resettlement (R&R) Plan shall be prepared and implemented before commencing mining operations in the area.

Relevant translation of para - xxix of page 188 mentioned in Annexure P - 9 in relation to minutes of meeting of the Advisory Committee held on 27.08.2024.

xxix. During the meeting the Nodal Officer, Government of Madhya Pradesh has submitted its letter no. F-1/845/2023/10-11/4506 dated 26.08.2024 wherein in reference to Advisory Committee recommendation dated 04.07.2024 conveyed vide Ministry letter no. 8-01/2024-FC dated 24.07.2024 it is mentioned that on 25.08.2024, I matched Khasra No. 2 measuring 18.18 hectares and Khasra No. 19 measuring 23.72 hectares of village Imlipura of Shivpuri district with the GPS reading N. 25°51'44.00"N. E 77°39'14.00"E of nearest tower Serial No. 70 shown in the forest stock map, in which it was found that combined Khasra No. 2 and 19 are outside the forest area. The combined area is surrounded by forest on all sides.

During the inspection, the area of 6.00 hectares of non-forest land of survey number 3 of village Raghunathpura was matched by overlaying KML files as per the work planning map of PF Block Behrada and it was found that it is adjacent to the forest boundary and is government revenue land.

- h. Catchment treatment plan should be prepared to compensate the loss of catchment to the small nalas and rivulets in and around the proposed mining lease.
- xxix. During the meeting the Nodal Officer, Government of Madhya Pradesh has submitted its letter no. F-1/845/2023/10-11/4506 dated 26.08.2024 wherein in reference to Advisory Committee recommendation dated 04.07.2024 conveyed vide Ministry letter no. 8-01/2024-FC dated 24.07.2024 it is mentioned that दिनांक 25.08.2024 को मेरे द्वारा शिवपुरी जिले के ग्राम इमलीपुरा के खसरा नम्बर 2 के रकबा 18.18 हेक्टेयर तथा खसरा नम्बर 19 के रकबा 23.72 हेक्टेयर को फॉरेस्ट स्टॉक मैप में दर्शित निकटतम मुनारा क्रमांक 70 का जीपीएस रीडिंग N. 25°51'44.00"N. E 77°39'14.00"E लेकर मिलान किया गया जिसमें पाया गया है कि उक्त खसरा नं 2 एवं एव 19 वनक्षेत्र के बाहर है। उक्त क्षेत्र चारों तरफ से वन से घिरा हुआ है। निरीक्षण में ग्राम रघुनाथपुरा के सर्वे नम्बर 3 के रकबा 6.00 हेक्टेयर गैरवनभूमि को पी एफ ब्लॉक बेहरदा के कार्य आयोजना के मानचित्र अनुसार KML files का ओवर लेप कर मिलान किया एव पाया कि ये वन सीमा से लगा हुआ है शासकीय राजस्व भूमि है।

4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Dy. DGF (Central), RO, Bhopal, the Committee recommended the proposal for grant of **'in-principle'** approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Diversion of 1397.54 ha forest land out of which 1335.35 ha Reserved forest land (RF) in various forest compartments and 62.19 ha Revenue forest in various Khasra's of Forest Range Waidhan/ Sarai East for Open Cast Dhirauli Coal Mine Project in favour of M/s Stratatech Mineral Resources Private Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State subject to the general, standard and following specific conditions:

- i. As per the component wise breakup, the total rationalized area is mentioned as 72.11 ha out of which 51.82 ha is forest land. In this regard the user agency shall submit an undertaking that the said forest land shall not be used for any non-site specific activity or additional infrastructure.
- ii. The User Agency shall prepare a detailed mining plan for 40 years, linking the progress of mining and felling of the trees clearly. Felling of trees shall be done, when it is absolutely necessary in phase-wise manner in the areas which become due for mining as per mining plan.
- iii. Compensatory afforestation (CA) shall be done on identified land through artificial regeneration of Sal and planting of other native associates of Sal to restore the ecological services of the area. This should be achieved by planting of trees as well as by other measures of eco-restoration, e.g. soil & water conservation and rain water

- harvesting. Sal and associates of Sal of at least 18 month old seedlings should be used in CA.
- iv. The identified forest land for external OB dump shall be used judiciously by taking appropriate measures to check soil erosion in the area. Since this is non-coal bearing area, hence, after the initial use as OB dump, the entire area shall be reverted back to original by flattening and taking suitable measures including planting of native species.
 - v. A hydrological study for the entire area shall be prepared by reputed organisations like any IIT or NIT at the cost of User Agency. The Hardul Nala retraining work should be done as per the hydrological study and in consultation with water Resources Department.
 - vi. Diversion of transmission line shall be done using a defined corridor with minimum centre to centre distance between the lines to economise need of additional land.
 - vii. A comprehensive wildlife mitigation plan shall be prepared by the State Govt. for the entire landscape. Although the project area is not part of any Elephant Corridor, but in view of its proximity to an elephant corridor and ESZ of a tiger reserve, the site-specific mitigation plan should be prepared for funding by user agency to avoid future conflicts.
 - viii. A Comprehensive Rehabilitation and Resettlement (R&R) Plan shall be prepared and implemented before commencing mining operations in the area.
 - ix. Catchment treatment plan should be prepared to compensate the loss of catchment to the small nalas and rivulets in and around the proposed mining lease.

Agenda No. 14

F. No. 8-22/2023-FC

Subject: Diversion of 146.996 ha forest land under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Integrated Coal Mining including post mine reclamation in Marki-Mangli II coal block in Yavatmal District of Maharashtra State in favour of M/s Yazdani International Private Limited (Online No. FP/MH/MIN/145510/2021) - regarding.

1. The agenda item was considered by the AC in its meeting held on 27.08.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF, RO, Nagpur and the Nodal Office, Government of Maharashtra were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Maharashtra vide their letter No. FLD-3223/CR-179/F-10 dated 02.08.2023 submitted a fresh proposal for diversion of 146.996 ha forest land under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for Integrated Coal Mining

584
ANNEXURE R-16

171

F. No. 11-269/2012-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
Dated: 30th August, 2012

To,

The Principal Secretary (Forests),
State Governments of Madhya Pradesh, Chhattisgarh, Jharkhand,
Odisha and Maharashtra

Sub: Proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for coal mining projects.

Sir,

I am directed to say that a Group of Ministers (GoM) constituted by the Cabinet Secretariat vide their O.M. No. 121/4/3/2010-Cab. dated 3rd February 2011 to consider the environmental and developmental issues relating to coal mining and other development projects *inter-alia* decided that concept of Go-No-Go for coal mining should be done away with and each of the proposals seeking diversion of forest land for coal mining be processed and considered by this Ministry on its merits.

Accordingly, I am directed to say that the State Governments may kindly process the proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for coal mining projects in accordance with said decision of the GoM and send them to this Ministry for its further necessary action to consider these proposals on case to case basis and on merit.

Yours faithfully,


(H. C. Chaudhary)

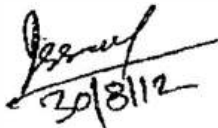
Assistant Inspector General of Forests

Copy to:

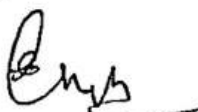
1. The Principal Chief Conservator of Forests, State Governments of Madhya Pradesh, Chhattisgarh, Jharkhand, Odisha and Maharashtra
2. The Nodal Officer, Forest (Conservation) Act, 1980, State Governments of Madhya Pradesh, Chhattisgarh, Jharkhand, Odisha and Maharashtra.
3. The CCF (Central), Regional Office, Bhubaneswar and Bhopal.
4. Guard File.


(H. C. Chaudhary)

Assistant Inspector General of Forests


30/8/12

TC



F. No. 11-269/2012-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
Dated: 24th September, 2012

Office-Memorandum

Sub.: Issue relating to coal projects.

The undersigned is directed to refer to the PMO I.D. No. 200/31/C/19/2012-ES.1 dated 31.05.2012 on the above-mentioned subject where-under a copy of Secretary, Ministry of Coal's letter No. 43012/23/2011-CPAM dated 21.05.2012 addressed to the Secretary, Ministry of Environment and Forests was sent to this Ministry with a request that comments of this Ministry on issues raised in Coal Secretary's letter may be sent to the PMO, and to say that comments of this Ministry are as below:

- (i) This Ministry vide its letter of even number dated 30.08.2012 communicated the decision of the GoM to do away with the concept of Go-No-Go and that each of the proposals seeking diversion of forest land for coal mining will be processed and considered by this Ministry on its merits, to the State Governments concerned and requested them to process the proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for coal mining projects in accordance with said decision of the GoM and send them to this Ministry for its further necessary action, on merits on a case by case basis.
- (ii) The issue of permitting exploration with enhanced borehole density without the need for seeking FC was considered by the GoM in its seventh meeting held on 30th May 2012, and the GoM took note of the fact that the preliminary reports suggest that increasing the bore hole density will lead to more tree felling which in turn will affect the forest cover contrary to the perception that it will not have any impact. The GoM therefore agreed to wait for the final reports. The matter was further discussed in the meeting of the Forest Advisory Committee held on 16th August, 2012 when CMPDI and representatives of the Ministry of Coal and Coal India Limited (CIL) made presentation in the meeting. An extract copy of the minutes, which is being further followed up is enclosed.

This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.


(H. C. Chaudhary)

Assistant Inspector General of Forests

Shri Sanjay Lohiya
Director,
Prime Minister's Office,
South Block, New Delhi 110 001

TC



o/c
signed
26/9/12

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 116 OF 2026

IN THE MATTER OF:

Ajay Dubey

...Appellant

VERSUS

Union Of India,
Ministry of Environment,
Forest and Climate Change & Ors

...Respondents

VAKALATNAMA

KNOW ALL to whom these presents shall come that I, Col. Kehar Singh (Retd), S/o Maj. Jameet Singh (Retd) aged about 52 years, Authorized Signatory – MEL, having my office at M/S STRATATECH MINERAL RESOURCES PVT. LTD. (SMRPL) currently known as MAHAN ENERGEN LTD. Adani Corporate House, Shantigram, S G Highway, Ahmedabad, Gujarat - 382 421, authorized Signatory of the Respondent No. 7 i.e. M/s Stratatech Mineral Resources Pvt. Ltd, (SMRPL) currently known as Mahan Energen Ltd. in the above matter, do hereby appoint MR. **MAHESH AGARWAL, MR. RISHI AGRAWALA, MR. ANKUR SAIGAL, MR. SHIVAM SHUKLA, MR. KAUSTUBH SINGH, MRS. GEETIKA SHARMA, ADVOCATES, M/S. AGARWAL LAW ASSOCIATES, MERCANTILE HOUSE, GROUND FLOOR, 15 K.G. MARG, NEW DELHI-110001**, hereinafter called the Advocate to be My/our Advocate's in the above noted case and authorise them:

To act, appear and plead in the above noted case in this court in any other court in which the same may be tried or heard and also in the appellate courts.

To sign, file, verify and present pleading, applications, appeals, cross-objections or petitions for execution, review, revision, or other petition, replies, objections affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents.

To do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

And I/we the undersigned do hereby agree to ratify and confirm acts done by the Advocate or his substitute in the matter my/our own acts as if done by me/us to all intents and purposes.

(IN WITNESS WHERE OF I/we do hereunto set my/our hand to these presents of which have been understood by me/us this 25th day of May, 2026.

Accepted:

MAHESH AGARWAL (RISHI AGRAWALA)
ADVOCATES

MERCANTILE HOUSE, GROUND FLOOR,
15, K.G. MARG, NEW DELHI-110001
Ph: 011 42200000 / 9910483627

Email: mail@aglaw.in



(Signature)
CLIENT



CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF MAHAN ENERGEN LIMITED AT ITS MEETING HELD ON TUESDAY, 1ST APRIL, 2025 AT 09:00 A.M. AT ADANI CORPORATE HOUSE, SHANTIGRAM, NEAR VAISHNO DEVI CIRCLE, S. G. HIGHWAY, KHODIYAR, AHMEDABAD.

"RESOLVED THAT in pursuant to the provisions of Companies Act, 2013 read with rules made thereunder, Memorandum and Articles of Association of the Company, consent of the Board be and are hereby accorded to severally authorized Mr. Kehar Singh- CoC- Singrauli, Mr. Raj Kishore Singh- SH Singrauli and Mr. Pramod Kumar- Head Environment, Authorised Signatories of the Company (hereinafter collectively referred to as **"Authorized Signatories"**) to interact and/or to make any correspondence(s) with the Nominated Authority, Ministry of Coal, Govt. of India, New Delhi (**"Nominated Authority"**), Ministry of Environment Forest & Climate Change (MoEF&CC) and/or any other Government and Non-Government authority/agency and to sign and submit any agreement(s) including any amendments, modification thereto, application(s), affidavit(s), document(s), writing(s), paper(s), memorandum of understanding (**"MoU"**) etc. with the Nominated Authority, Ministry of Coal (MoC), Ministry of Environment Forest & Climate Change (MoEF&CC) and/or any other Government and Non- Government authority/agency for development and operation of Dhirauli Coal Mine and to do all such acts, deeds and things with the Nominated Authority and/or any other Government and Non Government Authority/agency as may be required for development and operation of the aforesaid Coal Mines.

RESOLVED FURTHER THAT the Directors of the Company be and are hereby severally authorized to execute necessary Power of Attorney, if required in favour of the above mentioned Authorised Signatories to enable them to take necessary steps, as may be required for the aforesaid purpose and to all such act(s), deed(s) and thing(s) as may be necessary to give effect of the aforesaid resolution.

RESOLVED FURTHER THAT the Common Seal of the Company if required be affixed on such power of attorney, documents etc. in this regard in the presence of any one of the Directors of the Company or Authorized Signatories who shall sign the same in token thereof.

//CERTIFIED TRUE COPY//

For, MAHAN ENERGEN LIMITED

PURVEE Digitally signed by
DINESHCHA PURVEE
NDRA ROY DINESHCHANDRA.ROY
Date: 2025.04.22
10:40:23 +05'30'

Purvee Roy
Company Secretary
Mem No. F8978

Mahan Energen Limited
(Formerly Known as Essar Power M P Limited)
"Adani Corporate House"
Shantigram, Near Vaishno Devi Circle,
S. G. Highway, Khodiyar,
Gandhinagar -382421, Gujarat India
CIN : U40100GJ2005PLC147690

Tel +91 79 2656 7555
Fax +91 79 2555 7177
info@adani.com
www.adanipower.com

TRUE COPY
Attested by me

Registered Office: "Adani Corporate House", Shantigram, Near Vaishno Devi Circle, S. G. Highway, Khodiyar, Gandhinagar-382421

SHASHI BHUSHAN KUMAR
Advocate & Notary
Govt. of India



O.A. 116 of 2026 || Service of Reply

From Pramita Mishra <pramita.mishra@aglaw.in>

Date Mon 5/25/2026 7:29 PM

To srg@svsattorneys.com <srg@svsattorneys.com>; chambers@svsattorneys.com <chambers@svsattorneys.com>; mprabhakar@officeofmp.com <mprabhakar@officeofmp.com>; shantanusharmaoffice@gmail.com <shantanusharmaoffice@gmail.com>; amanagarwal0609@gmail.com <amanagarwal0609@gmail.com>; upalyajhs@gmail.com <upalyajhs@gmail.com>

Cc Geetika Sharma <geetika.sharma@aglaw.in>; Arshit Anand <arshit@aglaw.in>; Rajesh Chauhan <raju@aglaw.in>

1 attachment (26 MB)

Reply - Ajay Dubey Vs MOEF.pdf;

Dear Sir/Madam,

We appear for the Respondent No. 7 in O.A. No. 116 of 2026 before the Hon'ble NGT. Please find attached herewith a copy of the Reply on behalf of Respondent No. 7 as filed in the captioned matter, as and by way of service upon you.

Kindly acknowledge the same.

Regards,
Pramita Mishra
Pramita Mishra
Advocate

Email: pramita.mishra@aglaw.in

Mobile: +91 9910440839 | **Phone:** +91 11 422 000 00 | **Website:**
www.aglaw.in



OFFICE ADDRESS:
Ground Floor, Mercantile House, 15, Kasturba Gandhi Marg,
New Delhi – 110001
Tel.: 42200000
Email: mail@aglaw.in

CHAMBER ADDRESS:
48, Lawyers Chambers, Supreme Court of India, New Delhi – 110001
Ph.: +91 11 23382318 / 23389629
Email: chamber@aglaw.in

The content of this email is confidential and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party without written consent from the sender. If you received this message by mistake, please reply to this message and delete it so that we can prevent such mistakes in the future.