

-244-

F. No. 8-66/2010-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.
Dated: 8th November, 2011

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

Sub: Diversion of 66.359 ha. forest land in favour of M/s. Reliance Cementation Pvt. Ltd. for limestone mining in Sadhera Block No. P-536 of Mahar Forest Range in Satna District of Madhya Pradesh.

Sir,

I am directed to refer to Government of Madhya Pradesh's letter No. F-1/ 560/ 2010/ 10-11/ 2963 dated 18.08.2010 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 66.359 ha. forest land in favour of M/s. Reliance Cementation Pvt. Ltd. for limestone mining in Sadhera Block No. P-536 of Mahar Forest Range in Satna District of Madhya Pradesh, was sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, stage-I approval for diversion of the said forest land was accorded by the Ministry vide its letter of even number dated 14.01.2011, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the stage-I approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Madhya Pradesh vide letter No. F-1/560/2010/10-11/1623 dated 31.05.2011, No. F-10/ Budget/ 185/4/2206 dated 21.07.2011, No. F-1/ 560/2010/ 10-11/2526 dated 18.08.2011 and No. F-1/560/2010/10-11/2,995 dated 12.10.2011, approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 66.359 ha. forest land in favour of M/s. Reliance Cementation Pvt. Ltd. for limestone mining in Sadhera Block No. P-536 of Mahar Forest Range in Satna District of Madhya Pradesh, subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from the funds realised from the user agency;

(Handwritten signature)



(Handwritten signature)
08/11/2011

(Handwritten signature)

15/11/11

- (iii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
- (iv) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act;
- (v) Following activities shall be undertaken by the user agency at the project cost:
 - (a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;
 - (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour;
 - (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28°; and
 - (e) Strict adherence to the prescribed top soil management.
- (vi) State Government shall charge the additional amount of NPV from the user agency, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (vii) To prevent illegal occupation/encroachment of the forest land by the families to be displaced from the project site, the User Agency shall ensure that each family being displaced from the project site actually acquires and settles on non-forest land. Apart from taking other measures to achieve the said objective, as a measure to discourage the project affected families from encroachment on the forest land, payment of annuity for a period of at-least five years at the rate of the minimum wage payable to the unskilled person for 200 person-days per annum to each adult member of the project affected families, on receipt of a certificate signed by a forest officer not below the rank of a Range Officer having jurisdiction over the area where such person has settled after displacement from the project site, should be incorporated in the R & R plan. Payment of the said annuity should be an additionality and not in replacement of any of the benefits to be accrued to the project affected persons, as per the present R&R Plan;
- (viii) The User Agency shall track location of each displaced family and ensure that none of them encroach/ occupy forest land. In support of compliance to the said condition at least for five years from the date of taking possession of the forest land, the User Agency shall submit an annual certificate to the Principal Chief Conservator of

[Handwritten signature]

Forests, Madhya Pradesh that none of the persons displaced from the project land has encroached/ settled on the forest land during the year;

- (ix) The User Agency should assess the benefits such as grazing, collection of tendu leave and other NTFP etc. presently accrued from the forest land proposed for diversion, to the tribal and other people residing in its vicinity and make payment of its consolidated commuted value or equivalent annuity (except the amount for first two years which has already been paid) as approved by the State Government of Madhya Pradesh, to the concerned beneficiaries;
- (x) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xi) The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining) at the project cost;
- (xii) The User Agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone;
- (xiii) The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years;
- (xiv) User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- (xv) The User Agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required;
- (xvi) The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation as indicated in the mine closure plan shall be executed by the User Agency from the very first year, and an annual report on implementation of the concurrent reclamation plan shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh and the Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Western Zone), Bhopal. 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

22/08/11/2014

of Forests (Central) may recommend to the Ministry of Environment & Forests, suitable penal action to be taken against the proponent.

- (xvii) No labour camp shall be established on the forest land;
- (xviii) The User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xix) The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc.;
- (xx) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxi) Any other condition that the Western Regional Office of this Ministry at Bhopal and the State Government of Madhya Pradesh may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxii) User agency shall submit annual self-monitoring report, indicating status of compliance to the conditions stipulated in the approval, to the State Government and the concerned Regional Office of this Ministry; and
- (xxiii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

sel

(H.C. Chaudhary)
Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal.
2. The Nodal Officer, Forest Department, Government of Madhya Pradesh, Bhopal.
3. The CCF(Central), Regional Office, Bhopal.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

08/11/2017

(H.C. Chaudhary)
Assistant Inspector General of Forests