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पूर्वांचल क्षेत्रीय कार्यालय, शिलांग  
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F.No.8-61/2012-FC

2015

25<sup>th</sup> November, 2019

सेवा में,

अतिरिक्त निदेशक सामान्य(FC)/Additional Director General(FC)

भारत सरकार/Govt of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/Ministry of Environment, Forest & Climate Change

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Sub: Diversion of 98.59 ha of Forest Land for Tikok Open Cast Project in Saleki PRF under Digboi Division by North Eastern Coalfield, Coal India Ltd., Assam.

Ref:- (i) MoEF&CC letter No. 8-34/2013- FC dated 06/09/2019.

Sir,

With reference to the subject and letter cited above, I am directed to enclose herewith the site inspection report of the proposal mentioned under subject above conducted by Regional Office, Shillong, for kind information and further necessary action.

Encl: as stated.

भवदीय,

(आर. एल. सांगा)/(R.L. Sanga)

उप वन महानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

**SITE INSPECTION OF THE TIKOK OPEN CAST MINE, DIGBOI DIVISION ASSAM, ON 24<sup>TH</sup> OCTOBER 2019 BY THE REGIONAL OFFICE SHILLONG**

**Background:** The area of the proposal comes under the Saleki PRF of Lekhapani Range under Digboi Forest Division, Assam. The Tikok open cast mine is a project carried out by the Eastern Coalfields which is a subsidiary of Coal India Ltd. (a Public Sector Undertaking under Govt. of India) on a lease over a 4 sq mile of which the current proposal area of 98.59 ha falls. According to the CIL officials the lease of the CIL over which the area proposed falls was from the 1973 to 2003 for a period of 30 years. On expiry of the lease it was necessary on the part of the User Agency to apply for renewal of lease/diversion of the forests land but it has done so with due earnest only in the year 2012. This being the case the proposal of 98.59 ha of the proposed land for diversion consists of three sections:

1. 12.93 ha: This is an area broken up to 2003
2. 44.27 ha: Area broken between 2003 to 2012
3. 41.39 ha: Fresh area proposed to be broken after seeking prior approval.

Once the user agency has applied for prior approval from the Central Government it is implied that till such time the approval is obtained no fresh mining should have been carried out. It is also a situation where the State Government should have stopped forthwith works of the user agency till such time prior approval of the Central Government is obtained.

The Ministry took note of the situation and vide letter No. 8-34/2013-FC dated 06.09.2019 has instructed this office to carry out site inspection and to take necessary action as per Forest Conservation Act 1980.

**The Site Inspection:** The Site Inspection could not be carried out immediately due to the sudden demise of the then DFO of Digboi Division and due to absence of regular DFO. The Site Inspection was carried out on the 24<sup>th</sup> October 2019 in the presence of the following officers:

1. Shri S. K. Daila IFS, CCF and Nodal Officer Gauhati, Assam
2. Shri. Rajan Kr. Das, IFS, CF, Eastern Assam Circle, Jorhat.
3. Shri. Atiqur Rahman, I/c DFO, Digboi Division.
4. Shri. Shri Jugal Kumar Borah, General Manager (North Eastern coal Field)
5. Shri S P Dutta, General Manager (Operation)
6. Shri. Narayan Das, ACF, Digboi Division.
7. Shri. Mriganka Bora, ACF Digboi Division
8. Shri. Aftabuddin Choudhary, RFO, Lekhapani Range

and others officers from the state Government and the User Agency. The group moved with the security forces provided by the State Government.

*Handwritten signature*



During the discussion with the forest officers and the user agency on the evening of 23<sup>rd</sup> October 2019 prior to the site visit, the CIL officials asserted that they have already broken up and are still carrying out coal mining in 57.20 hectares out of the total project area (98.59 hectares) without obtaining the mandatory prior approval of the Central Government under the Forest (Conservation) Act, 1980 for the project. The officers from the State Government including the CF, North Assam Circle and the DFO seem to be aware of the fact that the work was going on. Thus, coal mining was carried out by CIL in gross violation of the Assam Forest Regulation, 1891 and the FCA, 1980. Accordingly, the CF, EAC and the DFO, Digboi Division present during the discussion, were instructed to take action as per law for violation of the aforesaid forest laws.

The actual site visit was carried out on the 24<sup>th</sup> October 2019 accompanied by the above mentioned officers. The project site bore signs of trucks plying in the area but coal-laden vehicles could not be noticed during the time of inspection.

- I. The area of already broken between before 2003 (12.93 ha) and the area broken between 2003 to 2012 ( 44.27 ha) is accessible and could be seen clearly that there is intensive and continuous work going on, though the working was not there on the day of the inspection. It is also seen that the pit of the open cast mine is deep and big. As the user agency and the forest officers have acknowledged that the area already broken totaling 57.20 ha was being worked actively, the area which is claimed to be unbroken i.e. 41.39 ha was to be verified.
- II. The portion of the project area claimed to be unbroken (41.39 hectares) could not be reached and sighted due to continuous rainfall, fog and inaccessibility despite best possible efforts. Efforts were made to enter from the broken area but due the area being worked is unstable and steep, it was inaccessible. Then by driving round the area through village Rangrin Kan road, efforts were made to reach the unbroken area. After walking for a while through the dense forests the area could not be reached. Due to security reasons and the inclement weather (due to cyclone Kyarr) the area could not be accessed on that day. As there was no let up from the inclement weather, it was decided to ask the local officers to verify the area.

Therefore, the CF and the DFO were asked to ascertain and submit a report whether the said unbroken portion is still intact or already broken up. During inspection, it was also observed that illegal coal mining was carried out at several places in the vicinity of the project area, which was done by local illegal miners and not by the CIL as informed by the accompanying CIL and forest officials. Numerous stockpiles of coal and rat-hole mines were also noticed besides 3 huts (2 persons found inside them) which were dismantled by the





accompanying staff. This area was near the Assam-Arunachal Pradesh border. Thereafter, inspected the CIL's Tikok Coal Stock Yard adjacent to Ledo Railway Station where large quantity of coal from the Tikok OCP inside Saleki PRF was stocked. Since the coal was mined out and brought from the forest area in violation of the AFR, 1891 and the FCA, 1980, the CF and the DFO were directed to take action as per law after carefully examining the relevant records and facts.

On request, the CIL officials also provided the Coal production figures of the current financial year 2019-20, that is, April till October 2019, which shows a steady production of about 12500 tonnes of coal per month from the area except for the months of July and August 2019 where the work seems to have stopped temporarily. The closing stock as on October 2019 stands at 4810.36 tonnes (copy enclosed as Annexure I)

**Report of the CF, EAC Jorhat and DFO, Digboi:** As per the instructions given on the 24<sup>th</sup> October 2019 by the undersigned and the Nodal Officer, the officers have submitted the report the report accordingly to the Nodal Officer. As per mail received from the office of the Nodal Officer Assam on the 25<sup>th</sup> October 2019, enclosing the reports of the DFO Digboi and the CF, Eastern Assam Circle, the verification of the erstwhile unbroken area of 41.39 ha was carried out with cross-verification through the google maps. It was clearly stated that *"on subsequent field verification it was confirmed that about 9.0 ha. area out 41.39 ha. has already been broken up and operated and another approximately 7.0 ha. area has been cleared up"*. The report submitted by the CF, EAC Jorhat and DFO, Digboi are enclosed as Annexure II & III, and the map as Annexure IV.

The Conservator of Forests, EAC Jorhat in his report has also reported that suitable action under Assam Forest Regulation 1891 would be taken against the CIL officials for violations of the said Act.

The current status of the clearing and breaking up of the land in the proposed area was also cross-verified through the DSS facility available in the Regional Office and it is confirmed that as on date the unbroken area stands at approximately 25 ha (i.e. 41.39- 9.0 ha mined/broken  $\frac{2}{3}$  7.0 ha cleared) which agrees with the report of the CF/DFO(Annexure-V).

In the meantime, in view of the above report, this office has requested the State Government to submit the following information for further action:

1. List of Officers and their ranks from DCFs to RFOs from 2003-2012, 2012-2013 to 2019.
2. List of Officers and their ranks from GM to the last man Assistant Manager in NE Coalfield/CIL working-responsible for the period 2003-2012 and 2013-2019.
3. Whether any action taken by the State Government till date from 2003-2012, 2012-2019, if so the details thereof.



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#### CONCLUSION ON THE FIELD INSPECTION AND SUBSEQUENT REPORTS:

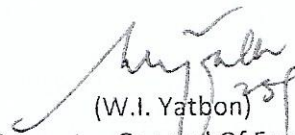
- 1) The User Agency North Eastern Coalfields of Coal India Limited has committed the following violations of illegal mining:
  - a. An area of 12.97 ha prior to 2003,
  - b. An area of 44.57 ha from 2003 to 2012 which is still being continually mined in spite of the pendency of the prior approval of the Central Government
  - c. The area of 41.39 ha claimed to be unworked/fresh area has also been broken of which 9 ha was mined and another 7 ha was cleared perhaps for further mining.

Ministry may take necessary action on the gross violations committed by the user agency under pendency of prior approval at their level.

- 2) As informed by the accompanying officers, the state government of the Forest Department of Assam has not taken any action till the date of the inspection on the User Agency under the local laws even though there is a clear violations of the Assam Forest Regulation Act 1891 as the status of the land in which the proposal stand is RF/ PRF. However from the report of the CF, EAC dated 22.11.2019 it appears that the Department has recently seized 4800 MT of coal from the Tikok mine area.
- 3) This office has requested for further information from the State Government and shall be informed to the MoEFCC for further necessary action.

Submitted

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(W.I. Yatbon)  
Dy. Inspector General Of Forests (C)  
Regional Office, Shillong