

F. No. 8-147/89-FC (Vol. II)
Government of India
Ministry of Environment & Forests
(FC Division)

For: Mr. D. Pattanaik
Sr. Manager (Survey)
Forest Dept., MCL HS

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi-110 003

Dated : 24th May 2006

To
The Secretary (Forests),
Government of Orissa,
Bhubaneswar.

Sub: Diversion of 145.82 ha of forest land for mining of coal by M/s Mahanadi Coalfields Limited (MCL) in Samaleswari Extension OCP, Jharsuguda District of Orissa.

Sir,

I am directed to refer to your letter No. 10F(Cons.)63/2005/4007/F&E, Bhubaneswar dated 06.03.2006 whereunder the above mentioned proposal was submitted seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the above proposal was examined by the Forest Advisory Committee (FAC) constituted under Section-3 of the Act.

2. After careful consideration of the proposal of the State Government, and on the basis of recommendations of the FAC, the Central Government hereby agrees in-principle for diversion of 145.82 ha of forest land for mining of coal by M/s Mahanadi Coalfields Limited (MCL) in Samaleswari Extension OCP, Jharsuguda District of Orissa, subject to fulfilment of following conditions: -

- (i) The Compensatory Afforestation shall be raised and maintained at the cost of the user agency over double the degraded forest land twice in extent to the land proposed to be diverted. The user agency shall transfer the cost of Compensatory Afforestation to the State Forest Department.
- (ii) The user agency shall create, fence and maintain a safety zone around the mining area. The user agency shall also bear the cost of afforestation over one and a half times the safety zone area over degraded forest land elsewhere.
- (iii) The user agency shall construct 4 feet high RCC pillars with forward and backward bearings to demarcate the area.
- (iv) The reclamation of mines shall be carried out as per the reclamation plan and should be regularly monitored by the State Forest Department.
- (v) The State Government shall charge Net Present Value from the user agency for the entire diverted forest land, as directed by Hon'ble Supreme Court and as per

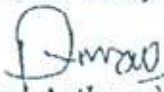
the guidelines issued vide Ministry of Environment and Forests letters No. 5-1/98-FC (Pt-II) dated 18th September and 22nd September 2003.

- (vi) An undertaking from the user agency may also be obtained stating that in case the rates of NPV are revised upwards, the additional/differential amount shall be paid by the user agency.
- (vii) The State Government shall deposit all the above-mentioned funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in Account No. CA 1585 of Corporation Bank of India (A Government of India Enterprises); Block-11, Ground Floor, C.G.O. Complex, Phase-1, Lodhi Road, New Delhi-110003, as per the instruction communicated vide letter No. 5-2/2006-FC dated 20.05.2006.
- (viii) The Wildlife Conservation Plan shall be implemented at project cost and in consultation with Chief Wild Life Warden of the State.
- (ix) Other standard conditions as applicable to proposals related to mining shall apply in the instant case also.

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

Yours faithfully,


(Pankaj Asthana)
Assistant Inspector General of Forests

Copy to :-

1. The Principal Chief Conservator of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer, Forest Department, Government of Orissa, Bhubaneswar.
3. The Chief Conservator of Forests (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Guard File.
6. Monitoring Cell of FC Section.
7. PS to IGF (FC).


(Pankaj Asthana)
Assistant Inspector General of Forests

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