

**F. No. 8-69/2014-FC**  
**Government of India**  
**Ministry of Environment, Forests and Climate Change**  
**(FC Division)**

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.  
Dated: 19<sup>th</sup> January, 2018

To,  
The Principal Secretary (Forests),  
Government of Odisha,  
Bhubaneswar.

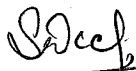
**Sub: Diversion of 440.53 ha of forest land including 3.80 ha in safety zone of open cast coal mining project in Hingula-II OCP Expansion Phase-II within Talcher and Chhendipada Tehsil of Angul District, Odisha by M/s. Mahanadi Coalfields Limited.**

Sir,

I am directed to refer to the Government of Odisha's letter no. 10F (Cons)/ 119/2014/2012-15728/F&E dated 21.08.2014 on the above-mentioned subject, wherein prior approval of the Central Government for the diversion of 440.53 ha of forest land including 3.80 ha in safety zone of open cast coal mining project in Hingula-II OCP Expansion Phase-II within Talcher and Chhendipada Tehsil of Angul District, Odisha by M/s. Mahanadi Coalfields Limited was sought. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, *in-principle* approval for the said diversion was granted vide this Ministry's letter of even number dated 06.01.2015, subject to fulfilment of certain conditions.

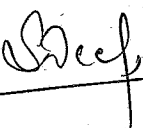
In this connection, I am directed to say that on the basis of the compliance report furnished by the State Govt. of Odisha vide their letters No. 10 F (Cons) 119/2014/3785/ F&E dated 26.02.2016 , No. 10 F (Cons) 119/2014/14087/ F&E dated 04.07.2017 and no. 25195/9F (MG)-314/2011 dated 27.11.2017, *Stage-II/Final approval* of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 440.53 ha of forest land including 3.80 ha in safety zone of open cast coal mining project in Hingula-II OCP Expansion Phase-II within Talcher and Chhendipada Tehsil of Angul District, Odisha by M/s. Mahanadi Coalfields Limited subject to following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation (CA) over the degraded forest land, twice in extent to the area of forest land proposed to be diverted, shall be raised on the identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan by the State Forest Department from the funds provided by the user agency;
- (iii) Following activities, as per approved plan/schemes, shall be ensured 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 initiated to be implemented within a period of three years with effect from the date of issue of Stage-II clearance in accordance with the approved Plan 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 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 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



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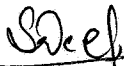
- (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- (iv) The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (v) The User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (vi) State Government and the user agency shall ensure to implement the approved Regional Wildlife Management Plan and site-specific Wildlife management Plan from the funds provided by the user agency;
- (vii) State Government shall ensure that the User agency shall transport the of coal from the mine to the nearest railway siding through close conveyer corridor and from the railway siding onwards through train and the trucks to be utilised for transportation of coal within the mine should be covered with tarpaulin;
- (viii) State Government shall ensure that the User agency may take appropriate measures for creation of ponds and other rain water harvesting structures, so as to ensure harvesting and storage of rain water and recharge of the groundwater;
- (ix) State Government shall ensure that the User agency shall implement the approved plan for soil conservation ;
- (x) State Government shall ensure that the user agency shall implement the land surrender schedule for surrender of the mined out and biologically reclaimed forest land in accordance with the existing mine plan and progressive mine closure plan and the mined out and biologically reclaimed forest land will be surrendered to the State Forest Department as per approved schedule;
- (xi) State Government shall ensure that the user agency shall implement the approved plan for afforestation of non-mineralised areas located within the mining lease at project cost under the supervision of State Forest Department;
- (xii) State Government and the User agency shall ensure that the top and sub soil is stacked separately at earmarked places so as to conserve precious natural resource and ensure better stability of dumps. Quantity of top and sub soil (stored and used) should be separately recorded in a measurement book;
- (xiii) State Government shall ensure that the User agency in consultation with the State Forest Department shall implement the approved scheme for creating and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project and Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- (xiv) State Government and the User agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area), and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department;
- (xv) State Government and the User agency shall ensure that in case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/roads should be properly fenced by the user agency at the project cost to protect the vegetation /regeneration activities in the safety zone;
- (xvi) State Government and the User agency shall ensure to maintain the safety zone as green belt around the mining lease and to ensure dense canopy cover in the area, regeneration shall be taken in this area at the project cost under the Supervision of the State Forest Department;
- (xvii) Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015 ] shall be done within three years at the project cost as per approved scheme. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost;
- (xviii) 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

  
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Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-  
under;

- (xix) 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 meters from outer perimeter of the mining lease;
- (xx) The State Govt. and the User agency shall ensure 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 preferably within five years;
- (xxi) The State Govt. and the User agency shall ensure mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office, Bhubaneswar. 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 Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xxii) The State Govt. and the User agency shall ensure that no labour camp shall be established on the forest land;
- (xxiii) The State Govt. shall ensure that and 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;
- (xxiv) 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, forward and back bearing, distance from pillar to pillar and GPS Co-ordinates;
- (xxv) The State Govt. shall ensure that Forest land shall not be used for any purpose other than that specified in the proposal;
- (xxvi) Any other condition that the Regional Office, Bhubaneswar of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxvii) The State Government and User Agency shall ensure compliance to all conditions stipulated in the Stage-I approval for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) & NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project

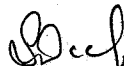
Yours faithfully

  
(Sandeep Sharma) 13.1.18

Assistant Inspector General of Forests (FC)

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, O/o the PCCF, Government of Odisha, Bhubaneswar.
3. The Addl. PCCF (Central), Regional Office, Bhubaneswar
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC
6. Guard File

  
(Sandeep Sharma) 13.1.18

Assistant Inspector General of Forests (FC)