



No.5-ORB165/2013-BHU

28th March, 2023

To

The Addl. Chief Secretary,
Forest & Environment Deptt.,
Government of Odisha,
Bhubaneswar – 751 001.

Sub:- Diversion of 0.89 ha of Revenue forest land for expansion of Kanika Railway siding by M/s Mahanadi Coalfields Ltd. in Sundargarh district, Odisha.

Madam,

I am directed to refer to State Govt. letter No.10F(Cons)460/2012-7054/F&E dated 04.04.2013 and No.10F(Cons)460/2012-2000/F&E dated 31.01.2014, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 0.89 ha of Revenue forest land for expansion of Kanika Railway siding by M/s Mahanadi Coalfields Ltd. in Sundargarh district, Odisha, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 18.07.2014, subject to fulfillment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.22947/9F(Rly)-65/2010 dated 11.11.2022 and No.4689/9F(RLY)-65/2010 dated 10.03.2023, **Stage-II/final** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 0.89 ha of Revenue forest land for expansion of Kanika Railway siding by M/s Mahanadi Coalfields Ltd. in Sundargarh district, Odisha, subject to the fulfillment of the following conditions:-

A: Conditions which need to be complied prior to handing over of forest land.

- i) The State Govt. shall ensure the compliance on FRA, 2006 as per Forest (Conservation) Rules and guidelines issued from time to time.
- ii) The State Govt. shall ensure that NPV of the above proposal has been realized from user agency as per Ministry's direction from time to time.
- iii) The State Govt. shall ensure that the user agency shall obtain revised Environment Clearance for Basundhara (West) Open Cast Coal mine expansion project of MCL including the Railway siding, which was not included in Environment Clearance granted vide Ministry's letter No.J-11015/205/208-IA.II (M) dated 25.02.2013.
- iv) The State Govt. shall ensure that the KML files of forest area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency.
- v) The State Govt. shall ensure that the boundary of the diverted forest land 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 co-ordinates.

- B: Conditions which need to be complied after handing over of forest land to the user agency.**
- i) Legal status of the diverted forest land shall remain unchanged.
 - ii) The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 1.78 ha of degraded forest land identified in Singaribahal RF under Hemgir Range of Sundargarh Forest Division within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The species to be planted under the CA scheme shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals.
 - iii) 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.
 - iv) The State Govt. shall ensure that the user agency shall take up Avenue Plantation on either side alignment of the track at the project cost in consultation with the DFO.
 - v) The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
 - vi) The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
 - vii) The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency.
 - viii) The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
 - ix) The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area.
 - x) The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
 - xi) The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
 - xii) The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
 - xiii) The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of this Ministry by the end of March every year regularly.
 - xiv) The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.

- xv) The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- xvi) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 of Chapter-1 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.

Yours faithfully,

Padma Mahanti

(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
3. The General Manager, Basundhara-Garjanbahal Area, Mahanadi Coalfields Ltd., At/PO: Basundhara, Dist: Sundargarh-770076, Odisha.

Dy. Inspector General of Forests (C)