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

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F.L.O.

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Paryavatan Bhawan, CGO Complex,
Lodhi Road, New Delhi - 110 003.

Dated the 9th August, 2001

To

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

FINAL APPROVAL ORDER

Sub: Diversion of 167.232 ha. of forest land for Smaleswari Open Cast Project in Sambhalpur district of Orissa.

Sir,

I am directed to refer to your letter No. 10F(Cons)25/89/4070 dated 22.02.1989, 10F(Cons)72/99.21828/F&E dated 15.12.99, 10F(Cons)72/99.9492/F&E dated 19.06.2000 and No. 10F(Cons)-72/99.12108/F&E dated 28.07.2001 of the above mentioned subject seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government and on the recommendations of the above mentioned Advisory Committee, the Central Government hereby conveys its approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 167.232 ha. of forest land (146.288 ha. for mining, 15.944 ha. for construction of roads and 5.00 ha. for construction of road in the safety zone) for Smaleswari Open Cast Project in Sambhalpur district of Orissa subject to the fulfillment of following conditions:-

- i) Legal status of forest land shall remain unchanged.
- ii) Compensatory afforestation shall be raised over 335.00 ha. on degraded forest land identified in Budharaj Reserved Forest and Lamdungri Reserved Forest at the project cost.
- iii) Pennal compensatory afforestation shall be raised over degraded forest land twice in extent to the area worked in violation of Forest (Conservation) Act, 1980 i.e. 157.00 ha. in Lamdungri Reserved Forest at the project cost.
- iv) Mining shall be done as per the approved mining plan. The reclamation of mined out areas will be done concurrently in consultation with the State Forest Department at the project cost. The progress of reclamation shall be assessed by the State Forest Department and the Regional Office, Bhubaneswar periodically.

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- v) Fencing, protection and regeneration of the safety zone area will be done at the project cost. Besides this, afforestation over one and half times of safety zone area in degraded forest land elsewhere will be done at the project cost.
- vi) Demarcation of mining lease area will be done on the ground at the project cost using four feet high re-inforced cement concrete pillars with serial numbers, forward & back bearings and distance from pillar to pillar.
- vii) The user agency will complete the administrative action on the defaulting officials of the MCL for violation of Forest (Conservation) Act, within a period of 6 months.
- viii) No felling of trees shall be done within the lease area (unless it is really warranted for mining and such felling should be done with the prior permission and the conditions imposed by the concerned DFO.
- ix) The user agency will make arrangements for free supply of fuel wood preferably alternate energy source to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
- x) The period of permission under the Forest (Conservation) Act, 1980 will be for 20 years from the date of issue of this letter subject to Environmental Clearance under the Environment (Protection) Act, 1986.
- xi) The area will not be used for any other purpose other than that specified in the proposal.
- xii) Any other condition that the State Government or the Chief Conservator of Forests (Central), Regional Office, Bhubaneswar may impose from time to time in the interest of afforestation, conservation and management of flora and fauna of the area.

Yours faithfully,

(J.P. Mishra)

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. The Regional Office (Hq.), New Delhi.
5. The User agency.
6. Guard file.

(J.P. Mishra)

Assistant Inspector General of Forests