

F.No.8-70/2004-FC
 Government of India
 Ministry of Environment & Forests
 (F.C. Division)

Paryavaran Bhawan, C.G.O. Complex,
 Lodi Road, New Delhi-110003.
 New Delhi, the 11th November 2004.

To

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

Sub: Diversion of 58.096 ha. of forest land for Jagannath Extension Open Cast Project in favour of M/s Mahanadi Coalfields Ltd., in Angul district of Orissa.

Sir,

I am directed to refer to your letter No. 10F(Cons.)84/2003/10(94/F&E dated: 19-7-2004 on the above mentioned subject seeking prior approval of the Central Govt. under Section-2 of Forest (Conservation) Act, 1980, and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

After careful consideration of the proposal of the State Government, and on the basis of recommendations of the above-mentioned Advisory Committee, the Central Government, hereby, agrees **in-principle** for diversion of 58.096 ha. of forest land for Jagannath Extension Open Cast Project in favour of M/s Mahanadi Coalfields Ltd., in Angul district of Orissa, subject to fulfilment of following conditions:

1. The user agency shall deposit the cost of raising and maintaining the compensatory afforestation over degraded forest land area double in extent, with the State Forest Department.
2. The user agency shall deposit the cost of raising and maintaining a Safety Zone and also the cost of raising and maintaining the plantation over an area one and half times of the extent of the safety zone, over degraded forest land elsewhere at the project cost.
3. User Agency shall deposit the Net Present Value (NPV) of the diverted forest land of 58.096 ha., with the State Forest Department as per the orders of the Hon'ble Supreme Court dated 30-10-2002 & 1-8-2003 in I.A. No.566 in WP (C) No.202/1995 and the guidelines issued by this Ministry vide letter No.5-1/98-FC(Pt-II) dated 18-9-2003 and 22-9-2003 in this regard.
4. The State Government shall deposit all the above-mentioned funds in form of Fixed Deposits in the name of concerned DFO/ Nodal Officer of the State, till such times the CAMPA intimates the Head of Accounts for deposit of funds.
5. The User Agency shall demarcate the area by erecting 4 feet high RCC pillars at the project cost indicating forward and back bearings and distance between adjacent pillars on them.

6. The Village Samrakshan Samitis (VSSs) shall be duly compensated at the project cost for loss of their share of forest produce due to impending felling of trees.
7. The user agency shall protect the top soil at the project cost.
8. Concurrent Reclamation plan shall be executed by the user agency from the very first year and an annual report shall be sent to the Nodal Officer and the Regional CC., Bhubaneswar. If it is found from the Annual report that the annual programme mentioned in Concurrent Reclamation Plan is not being adhered to by the user agency, the mining activities shall remain suspended till such times the annual programme is completed for that year.
9. The mining lease shall be coterminus with the current lease granted under MMRL Act, 1957.
10. Other standard conditions as applicable in respect of mining projects shall apply in the instant case also.

After receipt of compliance report on the fulfilment of the conditions no.1,2,3,5 and 6 from the State Government, formal approval will be issued in this regard under Section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till the formal order is issued by the Central Government in this regard. However, Temporary Working Permission shall be allowed over already broken up area of 30.997 ha. for a period of one year to comply with the conditions including the collection of Net Present Value, in accordance with Para 4.18 of the guidelines issued under Forest (Conservation) Act, 1980.

Yours faithfully,

Sd/-

(ANURAG BAJPAI)
Asstt. 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 (EZ), Bhubaneswar.
4. User Agency.
5. Monitoring Cell of FC Division.
6. Guard file.

(Signature)
19/11/04

(ANURAG BAJPAI)
Asstt. Inspector General of Forests

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