



To

The Principal Secretary,
 Forest & Environment Deptt.,
 Govt. of Odisha,
 Bhubaneswar.

Sub:-

Diversion of 0.89 ha of Revenue foest land for expansion of Kanika Railway siding by M/s Mahanadi Coalfields Ltd. in Sundergarh district, Odisha.

Sir,

I am to 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 on the above mentioned subject seeking prior approval of the Ministry of Environment & Forests under section 2 of Forest(Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment & Forests hereby conveys 'in-principle' approval for diversion of 0.89 ha of Revenue foest land for expansion of Kanika Railway siding by M/s Mahanadi Coalfields Ltd. in Sundergarh district, Odisha subject to the fulfillment of the following conditions.

1. Legal status of forest land proposed for diversion shall remain unchanged.
2. The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency at the rates as per the Orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in 'his regard.
3. Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by the State Govt. from the user agency. An undertaking from the user agency shall be obtained in this regard.
4. Compensatory Afforestation shall be raised over 0.89 ha X 2 = 1.78 ha of degraded forest land identified in Singaribahal RF under Hemgir Range of Sundergarh district at the cost of the user agency. The user agency shall transfer the cost of compensatory afforestation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to the Forest Department.
5. The State Government shall deposit Net Present Value and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No.SB01025222 of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi - 110 003 (RTGS/IFSC No.CORP0000371) or in SB Account No.344902010105428 of Union Bank of India, Sunder Nagar, New Delhi - 110 003 (RTGS/IFSC No.UBIN0534498) by RTGS/NEFT modes, as per the instruction communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.

NPV - 836,49,700

CA Scheme
 Rs. 5, 71,000

[Signature]

6. State Govt. shall upload the compensatory levies demanded and received from the user agency in the Ministry website and submit compliance before Stage-II approval.
7. The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc. The distance between any two pillars shall be kept at 50 mtr and each pillar should be clearly visible from pillars on both sides.
8. The State Forest Department/UA shall submit the surveyed sketch of 1.78 ha of degraded forest land identified in Singaribahal RF under Hemgir Range of Sundergarh for C.A. and demarcate the area, giving the forward and backward bearing and DGPS reading of each demarcation pillars/station, and distance between them before Stage-II approval. The latitude and longitude of those pillars/stations shall also be marked.
9. Avenue plantation of shade bearing trees shall be raised in the entire stretch of the Railway line on both sides at project cost.
10. Earth or other any material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the User Agency.
11. The rocks/morum excavated from work site should be utilized by the Railways/State government for various construction purposes etc. so as to minimize the extent of forest land needed for spoil banking.
12. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
13. The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forests & Climate Change.
14. The layout plan of the proposal shall not be changed without the prior approval of the Ministry of Environment, Forests & Climate Change.
15. The forest area proposed for diversion shall not be used for any purpose other than those shown in the diversion proposal.
16. The user agency while executing works, shall ensure not to fell any tree or damage forest growth in the surrounding forest area in any manner.
17. No additional or new path will be constructed inside the forest area for transportation of materials for execution of the project work.
18. No labour camp shall be allowed in the forest area.
19. The user agency shall provide fire wood, preferably alternate fuel, to labourers working at the site.
20. The environment clearance has been granted by Ministry vide letter No.J-11015/205/2008-IA.II (M) dated 25.02.2013 for Basundhara (West) Open Cast Coal mine expansion project of MCL which does not mention Railway siding. Therefore, the user agency shall accordingly inform MoEF and seek the inclusion of Railway siding also in the Environment Clearance granted already.

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21. The user agency will obtain clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before final approval of the project and will submit certificate towards settlement of all claims and rights over the proposed forest land as per the Guidelines of Ministry communicated vide letter No.11-9/1998-FC (Pt) dated 30.07.2009, 03.08.2009 read with guidelines dated 05.02.2013, 05.07.2013 & 15.01.2014.
22. 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.
23. The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment & Forests.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests(FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Govt. of Odisha, Aranya Bhawan, C.S. Pur, Bhubaneswar.
3. The Addl. PCCF & Nodal Officer, Forest Deptt., Govt. of Odisha, Aranya Bhawan, C.S. Pur, Bhubaneswar.
4. The Divisional Forest Officer, Sundergarh Forest Division, Sundergarh, Odisha.
5. The General Manager, Basundhara-Garjanbahal Area, M/s Mahanadi Coalfields Ltd., At/PO: Basundhara, Dist: Sundergarh-770076, Odisha
6. Guard file.

Conservator of Forests (Central)