

Stage - II
Approval

F. No. 8-67/2013-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi -1100 03.
Dated: 11 June, 2014

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

Sub: Diversion of 75.828 hectares of forest land for construction of railway line by South Eastern Railways from Food Corporation of India (FCI) shunting neck, Jharsuguda to Sardega (Gopalpur) in Sundargarh and Jharsuguda Forest Divisions (Jharsuguda to Chichhinda in Jharsuguda district involving 6.93 hectares of forest land and Kanaktora to Sardega (Gopalpur) in Sundargarh District involving 68.898 hectares of forest land) for transportation of coal through railway infrastructure.

Sir,

I am directed to refer to the Government of Odisha's letter No 10F (Cons) 98/ 2013 - 17106/ F & E dated 19th August 2013 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 75.828 hectares of forest land for construction of railway line by South Eastern Railways from Food Corporation of India (FCI) shunting neck, Jharsuguda to Sardega (Gopalpur) in Sundargarh and Jharsuguda Forest Divisions (Jharsuguda to Chichhinda in Jharsuguda district involving 6.93 hectares of forest land and Kanaktora to Sardega-(Gopalpur) in Sundargarh District involving 68.898 hectares of forest land) for transportation of coal through railway infrastructure, was sought, in accordance with section 2 of the Forest (Conservation) Act, 1980. 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 17th December 2013, subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Odisha vide their letter No. 10F (Cons)-15/2014-8477/ F & E dated 7th May 2014, approval of the Central Government is hereby granted under section 2 of the Forest (Conservation) Act, 1980 for diversion of 75.828 hectares of forest land for construction of railway line by South Eastern Railways from Food Corporation of India



(FCI) shunting neck, Jharsuguda to Sardega (Gopalpur) in Sundargarh and Jharsuguda Forest Divisions (Jharsuguda to Chichhinda in Jharsuguda district involving 6.93 hectares of forest land and Kanaktora to Sardega (Gopalpur) in Sundargarh District involving 68.898 hectares of forest land) for transportation of coal through railway infrastructure, subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) State Government shall raise and maintain compensatory afforestation over the degraded forest land twice in extent to the forest land being diverted (i.e. $2 \times 75.828 = 151.656$ hectares) from funds realised from the user agency;
- (iii) State Government shall realise from the user agency additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the Ad-hoc CAMPA under intimation to this Ministry;
- (iv) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (v) Layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (vi) No labour camp shall be established on the forest land;
- (vii) State government shall raise penal compensatory afforestation from the funds realized from the user agency, over degraded forest land equal in extent to the area of non-forest land utilised for execution of a part of the project pending receipt of prior approval of Central Government under the FC Act for diversion of forest land required for the project;
- (viii) State Government and the user agency shall implement concerned components of the site specific wildlife conservation plan prepared by the user agency to mitigate impact of project on flora and fauna and provide funds for its implementation;
- (ix) State Government shall raise and maintain from funds realised from the user agency strip plantation along both sides of the railway line;
- (x) State Forest Department shall create and maintain from funds already realised from the user agency alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. 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
- (xi) 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 agency, department or person without obtaining prior approval of Central Government;
- (xii) User agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;



- (xiii) 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, forward and back bearing and distance from pillar to pillar;
- (xiv) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;
- (xv) Any other condition that the Regional Office (Eastern Zone), Bhubaneswar may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xvi) User agency shall submit the annual report on compliance to conditions stipulated in the approval to the to the State Government and the concerned Regional Office of this Ministry; and
- (xvii) 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.

Yours faithfully,


(M. Rajkumar)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, Forest Department, Government of Odisha, Bhubaneswar.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.



(M. Rajkumar)

Assistant Inspector General of Forests