

F.No.8-281/89-FC (Part-I)
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 March 2005

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

Sub: Diversion of 12.70 ha. of forest land assigned for safety zone in earlier approval, for mining of coal in respect of Lilari Open Cast Project in favour of M/s Mahanadi Coalfields Ltd., in Jharsuguda district, of Orissa.

Sir,
I am directed to refer to your letter No. 10F(Cons.)-76/2003/14341/F&E dated: 20/22-09-2004 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 12.70 ha. of forest land assigned for safety zone in earlier approval, for mining of coal in respect of Lilari Open Cast Project in favour of M/s Mahanadi Coalfields Ltd., in Jharsuguda district, of Orissa, subject to fulfilment of following conditions:

1. Compensatory afforestation works as stipulated vide this Ministry's letter No. 8-281/89-FC dated: 31-07-1990 shall be completed by the State Forest Department, if not completed so far. State Government shall submit a progress report in this regard prior to Stage-II approval.
2. Remaining Safety Zone shall be fenced, protected and maintained at the project cost by the State Forest Department.
3. The user agency shall deposit the cost of raising and maintaining penal compensatory afforestation over degraded forest land, four times in extent of the area involved in violation, with the State Forest Department.
4. User Agency shall deposit the Net Present Value (NPV) of the diverted forest land of 12.70 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.
5. 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 time the CAMPA intimates the Head of Account for deposition of funds.
6. 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.

*Work done
20/04/05
To be discussed
with the concerned
Deptt. in Orissa*

for intimation

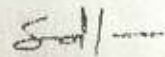
- ① G.M. (Dabhapur)
- ② P.O. Dikharod
- ③ C.F.
- ④ C.H.N.C & D

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7. State Government shall initiate disciplinary action against delinquent officials and pursue the legal proceedings. State Government shall submit a progress report in this regard prior to Stage-II approval.
8. The user agency shall protect the top soil at the project cost.
9. 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 CCF, 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.
10. The mining lease shall be coterminous with the current lease granted under MMRD Act, 1957.
11. 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.1,2,3,4,5,6 and 7 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 to user agency shall not be effected by the State Government till the final orders for diversion of forest land are issued by the Central Government.

Yours faithfully,

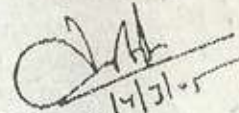


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Asstt. Inspector General of Forests

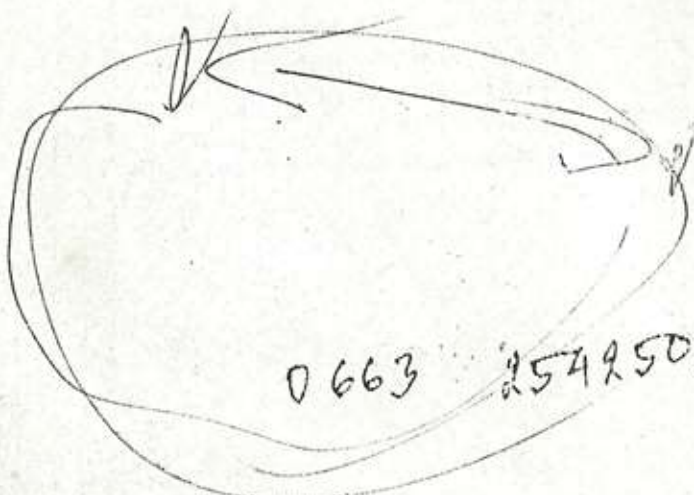
Copy to:

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. Regional Office (Hqs.), New Delhi.
5. M/s Maharadi Coalfields Ltd., Orissa.
6. Monitoring Cell of FC Division.
7. Guard file.



(ANURAG BAJPAI)

Asstt. Inspector General of Forests



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