

F. No. 8-37/2015-FC  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi – 110 003

Dated: 18<sup>th</sup> May, 2018

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


**Sub: Diversion of 240.672 ha. of forest land including 2.776 ha. of forest land for safety zone within total project area of 690 ha. for Ananta Expansion OCP, (Phase-III) of Mahanadi Coalfields Ltd. for coal mining in Angul Forest Division under Angul district of Odisha.**

Sir,

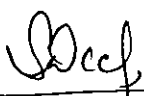
I am directed to refer to the Government of Odisha's letter 10F(Cons) 143/2015.20562/F&E, Bhubaneswar, dated 21.11.15 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under section-3 of the said Act, *In-principle* approval was granted vide this Ministry's letter of even number dated 11.09.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Pr. Chief Conservation of Forests & Nodal Officer (FCA), State Government of Odisha vide their letters no. 6172/9F (MG)-330/2010 dated 22.03.2018, *Stage-II/Final* approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 240.672 ha. of forest land including 2.776 ha. of forest land for safety zone within total project area of 690 ha. for Ananta Expansion OCP, (Phase-III) of Mahanadi Coalfields Ltd. for coal mining in Angul Forest Division under Angul district of Odisha subject to following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land twice in extent to the area being diverted i.e, 482.00 ha shall be raised on the identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan by the State Forest Department from **the funds of Rs. 6,09,65,700/- deposited in Ad-hoc CAMPA account** by the user agency.
- (iii) The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (iv) The State Government shall ensure to implement the following activities, as per approved plan / schemes, at the cost of the User Agency:
  - (a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented in accordance with the **approved plan of Rs. 2,97,45,000.00/- by the user agency at their cost** in consultation with State Forest Department;
  - (b) Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the **approved plan of Rs. 1,27,32,500/- by the user agency at their cost** in consultation with State Forest Department;

  
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- (c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme **of Rs. 70,47,000/- by the user agency at their cost** in consultation with State Forest Department;;
- (d) Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme **of Rs. 25,18,600/- by the user agency at their cost** in consultation with State Forest Department;; so as to ensure that angles of repose at any given place is less than 28o; and
- (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan **of Rs. 7,22,318/- by the user agency at their cost** in consultation with State Forest Department;.
- (v) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986; if required;
- (vi) The State Government shall ensure that the State Forest Department shall implement the approved plan to create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project and 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 from **the funds of Rs. 22,31,000/-deposited in Adhoc-CAMPA.**
- (vii) The State Govt. shall ensure that the fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done as per approved scheme of Rs. 1,33,05,000/- by the user agency at their cost in consultation with State Forest Department; Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done as per **approved scheme from the funds of Rs. 1,52,000/- deposited in account of Adhoc CAMPA.** The degraded forest land (DFL) so selected will be informed to the MoEF & CC with shape files and afforestation will be done within three years from the date of Stage-II clearance;
- (viii) Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended in 2015 and the Rules framed there-under;
- (ix) The State Govt. shall ensure that the State Forest Department will implement the approved scheme **for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40) located in the area within 100 m. from outer perimeter of the mining lease from the funds of Rs. 92,30,800/- deposited in Ad-hoc CAMPA account** by the user agency;
- (x) The State Govt. shall ensure that the user agency will implement scheme for de-silting of the village tanks and other water bodies located **within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies in accordance with approved scheme of Rs. 3,55,00,000/- at their cost in consultation with State Forest Department,** whenever required preferably within five years,;
- (xi) The State Govt. shall ensure that the State Forest Department will implement the approved Regional Wildlife Management Plan and Site Specific Wildlife Management Plan from the funds **of Rs. 4,00,20,000/- and 4,14,10,000/- respectively deposited in Ad-hoc CAMPA account** by the user agency;
- (xii) The State Government and the User Agency shall ensure to implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones.
- (xiii) The State Govt. and the user agency shall ensure that the mining may be carried out in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first

  
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year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.

- (xiv) The State Govt. and the user agency shall ensure that the land surrender schedule and progressive mine closure plan may be implemented as per approved mining plan;
- (xv) The State Govt. and the user agency shall ensure that no residential buildings will be permitted in diverted forest land.
- (xvi) The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
- (xvii) The State Government shall ensure that the User Agency will provide fuels preferably 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;
- (xviii) The State Government shall ensure that the boundary of the mining lease and safety zone 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, distance from pillar to pillar and GPS co-ordinates;
- (xix) The State Govt. and the user agency shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) The State Govt. shall ensure that the User Agency shall submit the annual self compliance report in respect of the above stated conditions and also to the conditions stipulated in Stage-I Clearance to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- (xxi) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order(s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- (xxiii) **The State Govt. shall ensure that all mitigative measures, as well as provisions of Wildlife Management plan which are stipulated to be done by user agency at their own cost are monitored regularly and its compliance are sent to MoEF&CC regularly. User agency to follow the direction of concern DFO to implement all such activities as per approved plan/scheme.**

Yours faithfully,

  
(Sandeep Sharma) 18-5-16

Assistant Inspector General of Forests (FC)

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer (FCA), 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.

  
(Sandeep Sharma) 18-5-16

Assistant Inspector General of Forests (FC)