

**F. No. 8-28/2014-FC**  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

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**Indira Paryavaran Bhawan,**  
Aliganj, Jor Bagh Road,  
New Delhi-110 003,

**Dated: 19<sup>th</sup> May, 2016,**

To,

**The Principal Secretary (Forests)**  
Forest and Revenue Department,  
Government of Odisha,  
Bhubaneswar

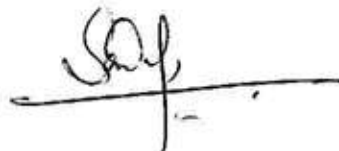
**Sub: Diversion of 159.18 ha of forest land including 2.51 ha coming within Safety zone for expansion of Lajkura OCP (2.5 Mty, peak Capacity 3.00 Mty) of Mahanadi Coalfields Limited, IB Valley Area, Brajrajnagar in Jharsuguda District in the State of Odisha.**

Sir,

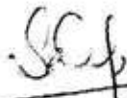
I am directed to refer to the State Government of Odisha's letter No. 10F (Cons) 77/2014/3977/F&E, Bhubaneswar dated 28.02.2014 on the above mentioned subject, wherein prior approval of the Central Government for diversion of 159.18 ha of forest land including 2.51 ha coming within Safety zone for expansion of Lajkura OCP (2.5 Mty, peak Capacity 3.00 Mty) of Mahanadi Coalfields Limited, IB Valley Area, Brajrajnagar in Jharsuguda District in the State of Odisha was sought in accordance with provisions of 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 29.08.2014, subject to fulfillment 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's letters No. 10F (Cons) 77/2014/6918/F&E, Bhubaneswar dated 28.04.2015, letter No. 10F (Cons) 219/2015/19817/F&E, Bhubaneswar dated 09.11.2015, letter No. 10F (Cons) 219/2015/3642/F&E, Bhubaneswar dated 24.02.20216, final approval (*Stage -II*) of the Central Government is hereby granted under section 2 of the Forest (Conservation) Act, 1980 for diversion of 159.18 ha of forest land including 2.51 ha coming within Safety zone for expansion of Lajkura OCP (2.5 Mty, peak Capacity 3.00 Mty) of Mahanadi Coalfields Limited, IB Valley Area, Brajrajnagar in Jharsuguda District in the State of Odisha, subject to the following conditions:

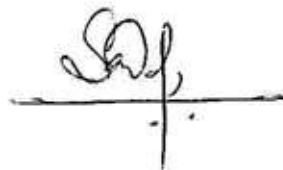
- (i) Legal status of the diverted forest land shall remain unchanged;



- (ii) The user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (iii) The forest land on surface of the mining lease shall be fenced and afforested by the user agency at the project cost;
- (iv) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal Officer, Forest (conservation) Act, 1980, Government of Madhya Pradesh must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record;
- (v) State Government shall ensure the following activities by the user agency in consultation with State Forest Department at the project cost:
- (a) An approved plan for appropriate mitigative measures to minimize soil erosion and choking of streams may be implemented;
- (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
- (c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour;
- (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28°; and
- (e) Strict adherence to the prescribed top soil management.
- (vi) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (vii) **The User Agency shall make the payment for the evaluated royalty for the enumerated trees to the State Government before commencement of work.**
- (viii) The State Government shall ensure approved a plan and take up plantation, at the project cost, in the northern, eastern and southern sides of the Lajkura OCP where there is no coal as reported by Dy. Director of Mines, Sambalpur in his report dated 17<sup>th</sup> April 2010.
- (ix) The State Government and the user agency shall ensure land surrender schedule for surrender of the mined out and biologically reclaimed forest land as per approved mine plan and progressive mine closure plan. The biologically reclaimed forest land will also be surrendered to the State Forest Department as per approved schedule;

  
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- (x) The State Government shall ensure implementation of approved Site Specific Conservation Plan in their leasehold area as well as its impact area as per the guidelines of Chief Wildlife Warden, Odisha at the project cost;
- (xi) The State Government shall ensure implementation of approved Regional Wildlife Management Plan of Mining lease area at the project cost;
- (xii) Any tree felling shall be done only when it is absolutely necessary and unavoidable;
- (xiii) Fencing, protection and regeneration of the safety zone area [7.5 meters strip all along the outer boundary of the mining lease area as recommended by the state govt.] shall be done at the project cost. 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 at the project cost;
- (xiv) The State Government should explore the feasibility of transplanting the trees up to 30 cm girth;
- (xv) Under Corporate Social Responsibility activities emphasis should be on capacity building of the tribal, education, health care, protection and up gradation of traditional agriculture, promotion of traditional crafts and local knowledge, preservation of local identity, improvement of the soil and water conservation mechanisms and great thrust on creating alternative source of income;
- (xvi) To enrich the buffer area and to mitigate the impact of mining, provisions given in the approved action plan for Environmental Management shall be implemented by the State Forest Department at the project cost;
- (xvii) 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, and the Rules framed there-under, subject to a maximum period of 30 years;
- (xviii) User agency either himself or through the State Forest Department shall ensure gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 meters from outer perimeter of the mining lease;
- (xix) The State Government and user agency shall ensure 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, whenever required;
- (xx) User agency shall ensure mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and concerned Regional Office of this Ministry. If it is found from

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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 concerned Regional Office of this Ministry may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

- (xxi) No labour camp shall be established on the forest land;
- (xxii) User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xxiii) 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;
- (xxiv) Forest land shall not be used for any purpose other than that specified in the proposal;
- (xxv) 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;
- (xxvi) The user agency shall submit the annual report on compliance to conditions stipulated in the approval conditions and also the condition stipulated in Stage-I clearance to the State Government and the concerned Regional Office of this Ministry; and
- (xxvii) 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.

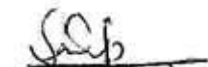
Yours faithfully

  
(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

**Copy to:**

1. The PCCF, Government of Odisha, Bhubaneswar.
2. The Addl. PCCF (Central), Regional Office, Bhubaneswar.
3. The Addl. PCCF-cum-Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
6. Guard File.

  
(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

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