

Government of Odisha  
Forest & Environment Department

-0-

No.10F (Con) 48/2014 22514 /F&E, Bhubaneswar, dated the 05-12-16

ORDER

Sub: Diversion of 4.16 ha (including safety zone of 0.11 ha) of forest land in addition to 45.46 ha of forest land already diverted within Talabira-I Coal Mining lease area of 170.305 ha for coal mining by the new allottee i.e. M/s GMR Chhattisgarh Energy Limited in Sambalpur Forest Division of Sambalpur District of Odisha during the original mining lease period.

WHEREAS, the M/s Hindalco Industries Ltd, Hirakud, Dist. Sambalpur Pin- 768016 had applied for diversion of 4.16 ha (including safety zone of 0.11 ha) of forest land in addition to 45.46 ha of forest land already diverted within Talabira-I Coal Mining lease area of 170.305 ha for coal mining by them in Sambalpur Forest Division of Sambalpur District of Odisha during the original mining lease period.

And whereas, the Ministry of Environment, Forests and Climate Change (hereinafter referred to as MoEF&CC ), Government of India, had accorded 'in-principle' approval for diversion of 4.16 ha (including safety zone of 0.11 ha) of forest land in addition to 45.46 ha of forest land already diverted within Talabira-I Coal Mining lease area of 170.305 ha for coal mining by M/s Hindalco Industries Ltd in Sambalpur Forest Division of Sambalpur District of Odisha during the original mining lease period vide its letter F.No. 8-89/98-FC(Vol.) dt. 13.8.2014(ANNEXURE-1).

And whereas, the MoEF&CC, Government of India in pursuant to order of Hon'ble Supreme Court dt. 25.8.2014 read with its order dt. 24.9.2014 regarding cancellation of coal blocks and subsequent letter No. 13016/38/2015-CA-II dt. 16.4.2015 of Ministry of Coal, Government of India in this context, had also conveyed their approval for transfer of Stage-I approval for diversion of 4.16ha. of forest land in favour of new allottee i.e. M/s GMR Chhattisgarh Energy Limited in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal, Government of India. (Annexure-2)

And whereas, the MoEF&CC , Government of India, in consideration of the compliance of the conditions of the 'in-principle' approval, has accorded final approval for diversion of the said 4.16ha. of forest land in favour of above mentioned new allottee vide its letter F.No. 8-89/1998-FC(Vol.) dt. 22.11.2016 (Annexure-3) under Section 2 of the Forest (Conservation) Act, 1980;

Now therefore, the Government of Odisha, do hereby allow diversion of forest land of 4.16ha in favour of new allottee i.e. M/s GMR Chhattisgarh Energy Limited, as per approved land use pattern, detailed land schedule of said forest land duly authenticated by

*Handwritten signatures and dates:*  
9/12/16  
AKP  
9/12/16

*Handwritten signature*

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Tahasildar, Rengali and Divisional Forest Officer, Sambalpur Division as received from PCCF, Odisha vide his letter No. 4051 dt. 1.3.2016 appended herewith as Annexure-4, subject to fulfillment of the conditions stipulated by the MoEF&CC, Government of India.

The Collector of Sambalpur district is authorized to handover the forest land, as has been diverted, to the user agency **subject to having valid lease** following due procedure of law. Before handing over the forest land to the user agency, it shall be ensured that Net Present Value for forest land for this project as well as for any other projects, belonging to same user agency, is deposited, in full, at applicable rates.

The Divisional Forest Officer of Sambalpur Division is also directed to monitor compliance to the conditions stipulated for such diversion in the respective forest/Wildlife clearance order and to report violations, if any, to the Nodal Officer, O/O Pr. CCF, Odisha and to the Forest & Environment Department.

Execution of project activities will be subject to having valid lease and availability of all other statutory clearances required under relevant Act/Rules for this mining project, deposit of requisite funds and compliance of Court's order, if any.

By order of Governor

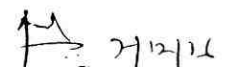
  
(Debidutta Biswal)

Special Secretary to Government

Memo No. 22915 /F&E, Dated: 08-12-16

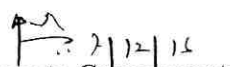
Copy along with the copy of Annexure 1, Annexure-2, Annexure-3 and Annexure-4 above forwarded to the Principal Chief Conservator of Forests, Odisha for kind information and necessary follow up action.

Appropriate instruction to the Divisional Forest Officer of Sambalpur Division and user agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of user agency as well as for any other projects of the same user agency, is deposited by them in appropriate head of account in Adhoc-CAMPA in full, at applicable rates. The user agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer of Sambalpur Division for facilitating monitoring of compliances.

  
Special Secretary to Government

Memo No. 22916 /F&E, Dated: 08-12-16

Copy along with the copy of annexures as above forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC(FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/Addl. Principal Chief Conservator of Forests(Central), MoEF&CC, Government of India, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.

  
Special Secretary to Government

Memo No. 22917 /F&E, Dated: 08-12-12

Copy along with the copy of annexures as above forwarded to the Pr. CCF(WL)&CWLW, Odisha/Director, Environment, F&E department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

Special Secretary to Government

Memo No. 22918 /F&E, Dated: 08-12-16

Copy along with the copy of annexures as above forwarded to the Regional Chief Conservator of Forests, Sambalpur/ Collector, Sambalpur /Divisional Forest Officer, Sambalpur Division for information and immediate necessary compliance.

It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of user agency as well as for any other projects of the same user agency, shall be deposited by them in full at applicable rates in appropriate head of account in Adhoc-CAMPA before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the lessee in this project shall also be deposited by the lessee before the forest land is handed over to him. The user agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer concerned for facilitating monitoring of compliances by them.

The Divisional Forest Officer of Sambalpur Division is also instructed to ensure that the direction given to the user agency are executed immediately.

Special Secretary to Government

Memo No. 22919 /Dated. 08-12-16

Copy along with the copy of annexures as above forwarded to the Steel & Mines Department /Revenue & Disaster Management Department for information and necessary follow action.

Special Secretary to Government

Memo No. 22920 /Dated. 08-12-16

Copy along with the copy of annexures as above forwarded to the Private Secretary to Minister of Forest & Environment Department for kind information of Hon'ble Minister.

Special Secretary to Government

Memo No. 22921 /Dated. 08-12-16

Copy along with the copy of the enclosures forwarded to Director, GMR Chhattishgarh Energy Limited, New Shakti Bhawan, Building No. 302, Opp terminal-3, IGI Airport, New Delhi-110037 for information and immediate necessary action.

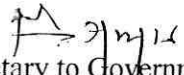
The user agency is asked to take following actions immediately as per orders of Hon'ble National Green Tribunal dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MOEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.

- (i) *They shall publish the entire forest clearance granted in verbatim along with conditions and safeguards imposed by the Central Government in Stage-I/II forest clearance in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware of the permission granted to the Project for use of forest land for non-forest purposes.*
- (ii) *They shall submit the copies of forest clearance orders granted by the Central Government/State Government to the Heads of local bodies and Municipal bodies along with the relevant offices of the State Government, who in turn, shall display the same for 30 days from date of receipt.*

(iii) Detailed action taken in compliance to the above order of State Government shall be intimated to the DFO, Sambalpur Division/RCCF, Sambalpur/Pr. CCF, Odisha/F&E Department for reference.

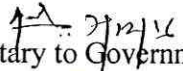
Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project and for any other projects belonging to him in full, if not deposited yet, at applicable rates. Also requisite funds due for deposit by the user agency on account of this project shall also be deposited in Adhoc-CAMPA Account.

The user agency shall furnish compliances to the conditions prescribed in the forest/wildlife clearance order to the Divisional Forest Officer of Sambalpur Division in every quarter, for the purpose of monitoring by him.

  
Special Secretary to Government

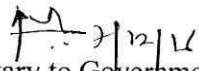
Memo No. 22922 Dated- 08-12-16

Copy with copy of enclosure forwarded to the O.I.C., State Portal, N.I.C., I.T. Department, Odisha Secretariat, Bhubaneswar/ M/s Luminous Infoways Pvt. Ltd, Sadhana, N-6/373, Nayapalli, Jayadev Vihar, Bhubaneswar-15 for information and necessary action. They are requested to upload this letter along with enclosed forest clearance order of Government of India, MoEF&CC, ERO in the website of Forest & Environment Department **immediately** for information of all concerned. **This is required in compliance to order of Hon'ble National Green Tribunal dt. 7.11.2012 in Appeal No. 7/2012. Hence this may be done unfailingly.**

  
Special Secretary to Government.

Memo No. 22923 Dated- 08-12-16

Copy with copy of enclosure forwarded to the Under Secretary to Government, Office Establishment Section, F&E Department for information and necessary action with reference to their letter No.21646/F&E Dt. 22.11.2016.

  
Special Secretary to Government

(25)



F. No. 8-89/98-FC (vol.)

Government of India

Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi -110 003  
Dated: 13<sup>th</sup> August, 2014

*A. Anand - I*

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

*SI - I app. order*

**Sub:** Diversion of 4.16 hectares (including safety zone of 0.11 hectares) of forest land in addition to 45.46 hectares of forest land already diverted in Talabira-I Coal Mine the mining lease area of 170.305 hectares by M/s. Hindalco Industry Ltd. in Sambalpur Forest Division of Sambalpur district of Odisha during original lease period.

Sir,

I am directed to refer to the Government of Odisha's letter No 10F (Cons) 48/ 2014-3829/ F & E dated 25<sup>th</sup> February, 2014 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.

2. After careful consideration of the proposal of the State Government of Odisha and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to accord **stage-I approval under the Forest (Conservation) Act, 1980** for diversion of 4.16 hectares (including safety zone of 0.11 hectares) of forest land in addition to 45.46 hectares of forest land already diverted in Talabira-I Coal Mine the mining lease area of 170.305 hectares by M/s. Hindalco Industry Ltd. in Sambalpur Forest Division of Sambalpur district of Odisha during original lease period, subject to the fulfillment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Following activities shall be undertaken by the user agency at the project cost:
  - (a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and 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;

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*23/8/14*

*13/8/14*

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- (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.
- (iii) State Government shall charge the Net Present Value (NPV) of the forest area diverted under this proposal from the user agency 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 this regard;
- (iv) At the time of payment of the Net Present Value (NPV) at the present rate, 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;
- (v) All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in the concerned Saving Bank Account in Corporation Bank, Lodi Road, New Delhi-110003;
- (vi) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (vii) User agency in consultation with the State Forest Department shall create and maintain 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;
- (i) User agency shall ensure demarcation of boundary of fencing zone (7.5 meter strip all along outer boundary of the mining lease) and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department;
- (ii) In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/ road should be properly fenced by the user agency at the project cost to protect the vegetation/ regeneration activities in the safety zone;
- (iii) Safety zone shall be maintained as green belt around the mining lease to ensure dense canopy cover in the area, regeneration shall be taken in this area by the user agency at the project cost under the supervision of the State Forest Department;
- (vi ii) Afforestation on degraded forest land to be selected elsewhere, measuring one and half times the area under safety zone shall be done by the user agency at the project cost under supervision of the State Forest Department;
- 12/10/2012

- (ix) 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;
- (x) User agency either himself or through the State Forest Department shall undertake 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;
- (xi) User agency shall undertake 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;
- (xii) User agency shall undertake 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 the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Eastern Zone), Bhubaneswar. 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. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xiii) No labour camp shall be established on the forest land;
- (xiv) 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;
- (xv) 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 and distance from pillar to pillar;
- (xvi) Forest land shall not be used for any purpose other than that specified in the proposal;
- (xvii) State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC (pt.) dated 3<sup>rd</sup> August 2009, in support thereof;

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- (xviii) Any other condition that the Regional Office (Eastern Zone), Bhubaneswar of this Ministry, Bhubaneswar may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xix) 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.

3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Odisha, final/ stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of to the said forest land to the user agency shall not be affected by the State Government of Odisha till final/stage-II approval for its diversion is issued by this Ministry.

Yours faithfully,

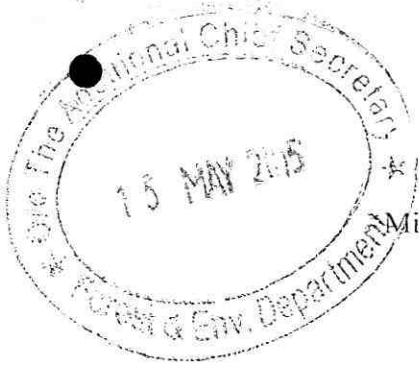
2/3/2017  
(H. C. Chaudhary)  
Director

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, the Forest (Conservation) Act, 1980, 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.

(H. C. Chaudhary)  
Director





F. No. 8-89/1998 - FC

Government of India

Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.  
Dated: 11<sup>th</sup> May, 2015

Annexure - 2

To

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

**Sub: Transfer of lease in respect of diversion of 49.62 ha (4.16 ha + 45.46 ha; Stage-I for 4.16 ha accorded on 13.08.2014 and final approval for 45.46 ha was accorded on 16.05.2002) of forest land for coal mining at Talabira -I Coal Block in Sambalpur District in the State of Odisha from the original user i.e. M/s HINDALCO in whose favour forest land was diverted to new user agency i.e. M/s GMR Chhattisgarh Energy Limited in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal -regarding.**

Sir,

I am directed to refer to the Ministry of Coal's letter no. 13016/38/2015-CA-II dated 16.04.2015 on the above subject requesting this Ministry's to transfer its approval granted under the Forest (Conservation) Act, 1980 for diversion of forest land for coal mining at Talabira-I Coal Block in Sambalpur District in the State of Odisha from the original user agency i.e. M/s HINDALCO in whose favour forest land was diverted, to new user agency i.e. M/s GMR Chhattisgarh Energy Limited in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal, in accordance with para 2.8 of the Guidelines issued under the Forest (Conservation) Act, 1980 read with the Guidelines dated 3.05.2010, 3.05.2013 and latest Guidelines dated 31.03.2015.

In this connection, I am directed to say that after careful examination of the proposal for transfer of forest clearance and on the basis of recommendations of the Ministry of Coal, the Central Government hereby conveys its approval for transfer of Stage-I and Stage-II approvals in respect of diversion of 49.62 ha (4.16 ha for which Stage-I accorded on 13.08.2014 and 45.46 ha for which Stage-I was accorded on 25.07.2000 and Stage-II accorded on 16.05.2002) for coal mining at Talabira -I Coal Block in Sambalpur District in the State of Odisha from the original user i.e. M/s HINDALCO in whose favour forest land was diverted, to new user agency i.e. M/s GMR Chhattisgarh Energy Limited in whose favour the coal block was auctioned/re-allotted by the Ministry of Coal, subject to the conditions as given below:

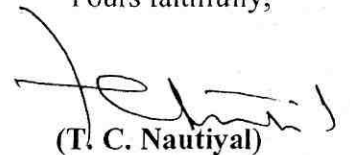
- (i) Lease transfer charges @ 10% of the NPV or Rs. 1,00,000/- (1 Lakh) whichever is less will be realized from the new user agency and will be deposited in the account of Ad-hoc CAMPA before execution of lease in favour of the new user agency.

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- (ii) Reimbursement of amount paid by the original user agency shall be dealt with in the manner, as provided in the Coal Mines (Special Provisions) Second Ordinance, 2014 and Rules framed thereunder.
- (iii) The new user agency shall pay the NPV as per the approval granted under FC Act if not paid earlier. The new user agency shall also furnish an undertaking to pay the additional NPV, if so determined by the Hon'ble Supreme Court of India.
- (iv) The new user agency shall abide by all the conditions on which the forest land was leased to the original user agency.
- (v) The new user agency shall abide by any other condition that may be stipulated by the Central Government/Regional Offices/State Government in future in the interest of conservation, protection and development of forests & wildlife.

Yours faithfully,



(T. C. Nautiyal)

Assistant Inspector General of Forests (FC)

Copy to:

1. Secretary, Ministry of Coal, Shastri Bhawan, New Delhi.
2. Principal Chief Conservation of Forests, Government of Odisha, Bhubaneswar.
3. Addl. PCCF (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. Nodal Officer, O/o the PCCF, Government of Government of Odisha, Bhubaneswar.
5. User Agencies;
6. User Agencies;
  - a) M/s Hindalco Industries Limited, Hirakund Complex, Hirakund-768016, Sambalpur District, Odisha.
  - b) M/s GMR Chhattisgarh Energy Limited.
7. Monitoring Cell, FC Diviosn, MoEF&CC, New Delhi
8. Guard File.

(T. C. Nautiyal)

Assistant Inspector General of Forests (FC)

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Annexure-3



K. No. 8-89/1998 - FC (Vol.)  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.

Stage-I FC order

Dated: November, 2016  
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To  
The Principal Secretary (Forests),  
Government of Odisha,  
Bhubaneswar.

*[Handwritten signatures and initials]*

Sub: Diversion of 4.16 ha (including safety zone of 0.11 ha.) of forest land in addition to 45.46 ha of forest land already diverted in Talabira -I Coal Block the mining lease area of 170.305 ha for coal mining in Sambalpur District in the State of Odisha -regarding.

Sir,

I am directed to refer to this Ministry's letter of even no. dated 13.08.2014 whereby in-principle approval for the diversion of 4.16 ha (including safety zone of 0.11 ha.) of forest land in addition to 45.46 ha of forest land already diverted in Talabira -I Coal Block the mining lease area of 170.305 ha for coal mining in Sambalpur District in the State of Odisha was granted in favour of M/s Hindalco .

2. With the recommendation of Ministry of Coal, the Stage-I accorded in favour of M/s Hindalco on 13.08.2014 was transferred by this Ministry's letter of even number dated 11.05.2015 to M/s GMR Chhattisgarh Energy Limited subject to the certain conditions prescribed therein .

3. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Odisha vide letters no 10F (Cons) 48/2014.8729/F&E dated 10.05.2016 and No. 10F (Cons) 48/2014/17368/F&E dated 19.09.2016 , Final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for of 4.16 ha (including safety zone of 0.11 ha.) of forest land in addition to 45.46 ha of forest land already diverted in Talabira -I Coal Block the mining lease area of 170.305 ha for coal mining in Sambalpur District in the State of Odisha subject to the 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 forest land being diverted shall be raised and maintained by the State Forest Department from the funds already realized from the User Agency;
- (iii) 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 Odisha shall submit compliance report within six months from the date of issue of the said letter;
- (iv) Following activities, as per approved plan/schemes, shall be ensured by the user agency under the supervision of the State Forest Department:

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- (a) Mitigative measures to minimize soil erosion and choking of stream shall be initiated to be implemented within a period of three years with effect from the date of issue of Stage-II clearance in accordance with the approved Plan in consultation with the 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 scheme;
- (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;
- (d) Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than  $28^{\circ}$ ; and
- (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- (v) The State Government shall realize from the user agency the 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;
- (vi) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, before work for the project is initiated;
- (vii) User agency in consultation with the State Forest Department shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project, from the funds provided by the User Agency.
- (viii) 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 within three years 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;
- (ix) The 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 & Regulating) Act, 1957, or Rules framed there under;
- (x) The State Govt. 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 m. from outer perimeter of the mining lease;
- (xi) The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km. from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF & CC;
- (xii) The User Agency shall ensure mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Southern Eastern Zone), Bhubaneswar If it is found from the annual

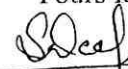
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22.11.16

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- report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xiii) The State Govt. shall ensure implementation of approved Regional Wildlife Management Plan and Specific Wildlife Conservation Plan from the funds provided by the user agency.
- (xiv) No labour camp shall be established on the forest land;
- (xv) The 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;
- (xvi) 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;
- (xvii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xviii) Any other condition that the Regional Office of MoEF&CC, Bhubaneswar and State Government of Odisha may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xix) All other conditions stipulated in the Stage-I approval for which the user agency has submitted undertakings shall be complied with;
- (xx) The user agency shall submit annual report on compliance to conditions stipulated in this clearance to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;
- (xxi) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and Hon'ble Court's order(s) pertaining to this project for the time being in force, as applicable to the project

Yours faithfully,



(Sandeep) Sharma 22.11.16

Assistant Inspector General of Forests (FC)

## Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, the Forest (Conservation) Act, 1980 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.



(Sandeep) Sharma 22.11.16

Assistant Inspector General of Forests (FC)

Condition I

Annexure - 4

Certified that status of total land involved in the project (both Forest & non-forest) as given in the table below is as per

Govt. Records as on dt.25.10.1980.

Annexure - 2 1

Mouza	Khata No.	Plot No.	Kisam	Area in Acre
Khinda	245	1360	Gramya jungle	1.42
	245	1810	Gramya jungle	1.42
	245	1809	Gramya jungle	4.70
	245	1361	Gramya jungle	2.74
			Total	Ac.10.28 4.16 Hector

Mouza	Khata No.	Plot No.	Kisam	Area in Acre
Khinda	245	1174	Gramya Jungle	0.12
	245	1181	Gramya Jungle	28.02
	245	1190	Gramya Jungle	1.98
	245	1361	Gramya Jungle	28.91
	245	1806(p)	Gramya Jungle	0.10
	245	1808(p)	Gramya Jungle	0.40
	245	1809	Gramya Jungle	52.80
			Total	Ac.112.33 45.46 Hector

The village Khinda has been finally published on dt.13.03.1981.

Countersigned  
Sardar  
Divisional Forest Officer  
Sambalpur Forest Division

Tahasildar  
Rengali  
Rengali (Sambalpur)