

GOVERNMENT OF ODISHA
FOREST & ENVIRONMENT DEPARTMENT

No.10F (Cons) 78/19 15371 /F&E, Bhubaneswar, dated the 06.10.2020
FE-DIV-FLD-0032-2020

ORDER

Sub: Diversion of 137.02ha of forest land for Coal Mining in favour of M/s National Aluminium Company Limited (NALCO).

WHEREAS, M/s Orissa Mining Corporation Ltd had applied for diversion of 137.02ha of forest land leaving 6.50ha of safety zone for Coal Mining in villages Rajjharan, Nandichor and Similisahi in Chhendipada Tahasil, Angul District of Odisha.

And whereas, the Ministry of Environment and Forests (FC Division), Government of India, had accorded 'in-principle' approval for 137.02ha of forest land for Coal Mining in favour of M/s Orissa Mining Corporation (OMC) in villages Rajjharan, Nandichor and Similisahi in Chhendipada Tahasil, Angul District of Odisha subject to fulfillment of certain conditions vide its letter F.No.8-99/2006-FC dtd.20.10.2006. Subsequent to the 'in-principle' approval granted by the Central Government and on the basis of recommendations of the Ministry of Coal, the Central Government conveyed its approval for transfer of Stage-I approval granted under Forest (Conservation) Act, 1980 by the Ministry vide its letter of even number dtd.20.10.2006 in respect of diversion of 137.02ha of forest land for Coal Mining from the original User Agency i.e. M/s Orissa Mining Corporation (OMC), in whose favour forest land was diverted to new user agency i.e. M/s National Aluminium Company Ltd. (NALCO) in whose favour the Coal Block was auctioned/ re-allotted by the Ministry of Coal subject to fulfillment of certain conditions. The in-principle approval order and transfer of in-principle approval order are annexed as **Annexure-I**.

And whereas, the MoEF&CC, Government of India, in consideration of the compliance of the conditions of the 'in-principle' approval, have accorded Stage-II/final approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 137.02ha of forest land for Coal Mining in favour of M/s National Aluminium Company Ltd. (NALCO) vide its Letter F.No.8-99/2006-FC dtd.02.09.2020 (**Annexure-II**) subject to fulfillment of conditions as stipulated therein.

Now, therefore, Govt. of Odisha do hereby allow for diversion of 137.02ha of forest land for Coal Mining in favour of M/s National Aluminium Company Ltd. (NALCO) as per approved land use pattern subject to fulfillment of the conditions of forest clearance order as stipulated

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by the MoEF&CC, Govt. of India, New Delhi. Detailed land schedule of forest & non-forest land is appended herewith as **Annexure-III**.

The Collector, Angul and Divisional Forest Officer, Angul Forest Division are authorized to hand over the diverted forest land to the user agency for the purpose of Coal Mining subject to having valid lease and compliance of Court's order, if any, following due procedure of law. Before handing over the diverted forest land to the user agency, it shall be ensured that Net Present Value of 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 Angul Forest 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 Principal Chief Conservator Forests, Odisha and to the Forest & Environment Department.

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

By order of Governor

dy 11/10/2020
(Lingaraj Otta)

Special Secretary to Government

Memo No. 15372 /F&E Dated 06.10.2020

Copy along with the copy of Annexure-I, Annexure-II and Annexure-III as 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 Angul Forest Division and user agency may be imparted for required follow up action at his end. It may be ensured by the Divisional Forest Officer, Angul Forest Division that Net Present Value of 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 in full, at applicable rates. The user agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer of Angul Forest Division for facilitating monitoring of compliances.

dy 11/10/2020
Special Secretary to Government

Memo No. 15373 /F&E Dated 06.10.2020

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/ Deputy Director General of Forests (Central), MoEF&CC, Government of India, ERO, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012- FC dtd.24.07.2013.

dy 11/10/2020
Special Secretary to Government

Memo No. 15374 /F&E Dated 06.10.2020

Copy along with the copy of Annexures as above forwarded to the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Odisha/ Director, Environment, Forest & Environment Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

dy 11/10/2020
Special Secretary to Government

Memo No. 15375 /F&E Dated 06.10.2020

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

It may be ensured by the Divisional Forest Officer that Net Present Value of 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 before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the user agency for this project shall also be deposited by the project proponent before the forest land is handed over to them. The user agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer, Angul Forest Division for facilitating monitoring of compliances by them.

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

dy 11/10/2020
Special Secretary to Government

Memo No. 15376 /F&E Dated 06.10.2020

Copy along with the copy of Annexures as above forwarded to the Steel & Mines Department/ Collector, Angul for information and necessary follow up action.

dy 11/10/2020
Special Secretary to Government

Memo No. 15377 /F&E Dated 06.10.2020

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.

dy 11/10/2020
Special Secretary to Government

Memo No. 15378 /F&E Dated 06.10.2020

Copy along with the copy of the Annexures forwarded to M/s National Aluminium Company Ltd. (NALCO), NALCO Bhawan, Nayapalli, Bhubaneswar/ General Manager (Coal Mines Division), NALCO, S&P Complex, Angul, Pin-759145 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 dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012-FC dtd.24.07.2013.

- 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, Panchayats 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, Angul / RCCF, Angul / PCCF, 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. Requisite funds due for deposit by the user agency on account of this project shall also be deposited under appropriate head.

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

[Signature]
Special Secretary to Government

Memo No. 15379 /F&E Dated 06.10.2020

Copy with copy of Annexures forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action. He is requested to upload this order along with its enclosures 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 dtd.07.11.2012 in Appeal No.7/2012. Hence this may be done unfailingly.**

[Signature]
Special Secretary to Government

Memo No. 15380 /F&E Dated 06.10.2020

Copy with copy of Annexures forwarded to the Under Secretary to Government, Office Establishment Section, Forest & Environment Department for information and necessary action with reference to their letter No.12939/F&E dtd.16.07.2016.

[Signature]
Special Secretary to Government