

Sub: Proposal for diversion of 137.02 ha. of forest land for Coal Mining by M/s National Aluminium Company Limited (NALCO) (Earlier M/s Orissa Mining Corporation (OMC)-issue of Stage-II Clearance and additional diversion of 6.5 ha of forest land located in village Rajjharan, nandichor, Similisahi, Kosala of safety zone area of Utkal 'D' Coal Mine of NALCO in Angul District, Odisha.

1. Government of Odisha vide their letter No. 10F (Cons) 90/06/12436/F&E dated 25.07.2006 submitted above subject proposal seeking prior approval of Central Government for diversion of 137.02 ha of forest land for Coal Mining in favour of M/s Orissa Mining Corporation (OMC).
2. Ministry vide its letter dated 20.10.2006(**Pg.234-235/c**) accorded Stage-I approval, in favour of M/s Orissa Mining Corporation (OMC), subject to fulfilment of certain conditions prescribed therein.
3. Subsequently, Hon'ble Supreme Court of India vide order dated 24.09.2014 has cancelled 214 coal blocks including Utkal-D Coal Block of M/s OMC and Utkal-D Coal Block was re-allocated to NALCO.
4. Based on the recommendation of Ministry of Coal and approval of competent authority in MoEF&CC, Stage-I approval under the FC Act, 1980 has been transferred vide this Ministry's letter F.No.8-99/2006-FC dated 05.01.2017 (**Pg.506-509/c**) from the original User Agency i.e. OMC to new User Agency NALCO.
5. Government of Odisha vide their letter No. 10F (Cons) 78/19 190/F&E dated 04.01.2020 has submitted compliance report on the conditions stipulated in Ministry's transfer approval letter dated 05.01.2017. Summary of compliance is as under:

S. No.	Conditions				Compliance		
1.	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 Adhoc CAMPA before execution of lease in favour of the new user agency.				In compliance to this condition, the State Government informed that the DFO Angul Forest Division has reported that the User Agency has deposited Rs.100,000/- towards lease transfer charges in the Adhoc-CAMPA A/c through RTGS/ NEFT vide UTR No. SBIN917086241696 dated 27.03.2017 in the ORRISA CAMPA A/c No. 344902010105428 in Union Bank of India, Sundar Nagar. New Delhi. The copy of the receipt in support of the above payment can be seen at Pg 831 .		
2.	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 there under.				In compliance to this condition, the State Government informed that the DFO Angul Division has reported that M/s OMC Ltd. has deposited Rs. 13,15,20,660/- towards the Compensatory Levies for diversion of 137.02 ha of forest land for Coal Mining in village Rajjharan, Nandihor and Similisahi in Chhendipada Tahasil. Angul District, Odisha. The details of the fund deposited in Adhoc-CAMPA by previous User Agency M/s OMC Ltd. in respect of Utkal-D Coal Block is furnished below:		
3.	Sl No.	Component	Amount (in Rs.)	Mode of Payment	BD No./ UTR No.	Date	
	1	CA	3686100	BD	335784	12.10.2007	
			639900	BD	922305	16.10.2007	
		Total	4326000				
	2	NPV	93765000	BD	335783	12.10.2007	
			9000000	BD	328817	16.10.2007	

	NPV (SZ area)	4745000	BD	200595	10.12.2010
	Total	107510000			
3	SZ	474150	BD	335785	12.10.2007
4	1.5 SZ	184910	BD	335786	12.10.2007
5	SSWLCP	13000000	RTGS	ANDBH11180912 700	28.06.2011
6	RWLMP	6025600	RTGS	ANDBH12101899 59	10.04.2012
	Grand Total	131520660			
Further, the new User Agency M/s NALCO Ltd. has deposited Rs.13,15,20,660/- towards reimbursement of amount paid by the original User Agency OMC Ltd. through RTGS vide UTR No.SBINR12017033000010199 dated 30.03.2017 in A/c No.105911011000001 at Andhra Bank, OMC Campus, BR Branch.					
4.	<p>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.</p> <p>In compliance to this condition, the State Government informed that the DFO Angul Division has reported that M/s OMC Ltd. Has deposited a sum of Rs.10,27.65,000/- towards the Net Present Value (NPV) of 137.02 ha forest land to be diverted @ Rs.7.50 lakhs per ha as the density of vegetation was estimated to be 0.25 in favour of CAF-Orissa in shape of Bank Draft bearing No.335783 dated 12.10.2007 for Rs. 9,37,65,000/- and Bank Draft No.328817 dated 16.10.2007 for Rs. 90,00,000/- in Account No. CA 1585 in Corporation Bank, Lodhi Road, New Delhi respectively. The copies of the said Bank Drafts can be seen at Pg 835 and 836 ToC .</p> <p>M/s OMC Ltd, has deposited a sum of Rs. 47,45,000/- towards the NPV (of SZ area) in favour of CAF-Orissa in shape of Bank Draft bearing No.200595 dated 10.12.2010 in Account No. CA 1585 in Corporation Bank, Lodhi Road, New Delhi. The copies of the said Bank Drafts can be seen at Pg 836 .</p> <p>The new User Agency Ms NALCO Ltd. has deposited Rs.19,87,860/- which includes Rs.1,80,180- towards interest and belated payment of NPV (of SZ area) through online portal in the account of Ad Hoc CAMPA Vide UTR NO INRI2017032100000827 dated 21.03.2017 in ORISSA CAMPA A/c No.344902010105428 in Union Bank of India, New Delhi. The copy of receipt in support of the aforesaid payment submitted by DFO Angul Division can be seen at Pg 837 .</p> <p>Therefore, the User Agencies have deposited Rs. 10,76,90,180- (Rs. 10,27,65,000/- + Rs.47,45,000/. + Rs.1,80,180/-) towards NPV for diversion of 137.02 ha of forest land for Coal Mining in village Rajjharan, Nandachaur &</p>				

		<p>Similisahi in Chhendipada Tahasil, Angul District, Odisha.</p> <p>The User Agency has furnished 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 which can be seen at Pg 834 .</p>
5.	The new user agency shall abide the following conditions:	
6.	I.	<p>Legal status of the diverted forest land shall remain unchanged;</p> <p>In compliance to above, the DFO Angul Division has reported that the User Agency has furnished an undertaking that the Legal status of the forest land proposed for diversion shall remain unchanged. The undertaking received from the User Agency can be seen at Pg 840 .</p>
7.	II.	<p>Compensatory afforestation over the non-forest land equal in extent to the forest land i.e. over 137.02 ha, being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency within three years of Stage-II Clearance;</p> <p>In compliance to above, the DFO Angul Division has reported that an area of 137.02 ha of non-forest land in village Rengali, Kuluma & Khindo under Talcher Tahasil has been identified for raising Compensatory Afforestation. The identified land has been transferred and mutated in favour of State Forest Department. MS OMC Ltd, has deposited a sum of Rs. 43,26,000/- towards the cost of raising Compensatory Afforestation over 137.02 ha of non-forest land @ Rs.70/- MD identified in village Rengali, Kuluma and Khindo under Talcher Tahasil in shape of Bank Draft bearing No.335784 dated 12.10.2007 for Rs.36,86,100/- and Bank Draft No.922305 dated 16.10.2007 for Rs.6,39,900/- issued in favour of Compensatory Afforestation Fund (CAF) Orissa Account No.CA-1585 in Corporation Bank, New Delhi. The copies of the said Bank Drafts can be seen at Pg 843 and 844 . The new User Agency M/s NALCO is deposited Rs. 6,92,99,571/- which includes Rs 4,61,09,737/- towards differential CA (cost of CA of Rs. 5,04,35,737/- @ Rs.280/- per MD – Cost of CA of Rs. 43,26,000 @ Rs.70/- per MD) through online portal in the account of Ad-hoc CAMPA vide Transaction No.143320190410504538 dated 12.04.2019 in Corporation Bank, Lodhi Complex Branch, Block-II. CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC No.CORPO000371). The copy of the receipt in support of payment submitted by DFO Angul Division can be seen at Pg 845 .</p>
8.	III.	<p>The land identified for the purpose of CA shall be clearly depicted on Survey of India toposheet of 1:50,000 scale;</p> <p>In compliance to above, the DFO Angul Division has reported that the land identified for the purpose of CA has been clearly depicted on Survey of India toposheet No.73G/3/SW, 73/16 & 73C/15 of 1:50,000 scale.</p>

9.	IV.	The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;	In compliance to above, the DFO Angul Division has reported that 137.02 ha of non forest land in village Khindo, Kuluma and Rengali under Talcher Tahasil of Angul District identified for raising Compensatory Afforestation has been transferred and mutated in favour of the State Forest Department. The copy of the relevant ROR for 5.471 ha in Khindo, 6.0703 ha in Kuluma village and 125.4769 ha in Rengali village can be seen at Pg 845 .
10.	V.	The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;	In compliance to above, it is mentioned here that notification has been issued by State Govt. in F&E Department vide Notification No.129/F&E dtd.03.01.2020 comprising area of 125.48 ha, Notification No. 136/F&E dtd.03.01.2020 comprising of 6.07 ha & Notification No.143/F&E ded.03.01.2020 comprising of 5.47ha.
11.	VI.	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	<p>In compliance to above, the DFO Angul Division has reported that an area of 137.02 ha of non-forest land in village Rengali, Kuluma & Khindo under Talcher Tehsil has been identified for raising Compensatory Afforestation. The DFO Angul Division has prepared the CA scheme consisting of Block Plantation @ 1600 plants per ha including provision of 10% escalation cost for work scheduled for subsequent years. The scheme has been technically approved by Chief Conservator of Forests (Nodal) for Rs.43.26,00/- @ Rs.70/- per MD excluding infrastructure cost of Rs.1,00,000/-.</p> <p>Again the financial outlay of the CA Scheme was revised @ Rs.280/- per MD owing to revision of wage rate to take up Block Plantation @ 1600 plants per la with 10 years maintenance which has been technically approved by Adul. PCCF (FD & NO, FC Act) for Rs. 5,04,35,737/- which Includes provision of 20% escalation cost for work scheduled for subsequent years.</p> <p>Ms OMC Ltd. has deposited a sum of Rs.43.26.000/- towards the cost of raising Compensatory Afforestation over 137.02 ha of non-forest land @ Rs. 70/- MD identified in village Rengali, Kuluma and Khindo under Talcher Tahasil in shape of Bank Draft bearing No. 335784 dated 12.10.2007 for Rs 36,86,100/- and Bank Draft No.922305 dated 16.10.2007 for Rs.6,39,900.- issued in favour of Compensatory Afforestation Fund (CAF) Orissa Account No.CA-158S in Corporation Bank, New Delhi.</p>

			<p>Again the new User Agency M/s NALCO has deposited Rs. 6,92,99,571/- which includes Rs. 4,61,09,737/- towards differential CA (cost of CA of Rs 5,04,35,737/- @ Rs. 280/- per MD – Cost of CA of Rs. 43,26,000/- Rs.70/- per MD) through online portal in the account of Ad-hoc CAMPA vide Transaction No: 143320190410504538 dated 12.04.2019 in Corporation Bank, Lodhi Complex Branch, Block-II, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC NO.CORP 0000371).</p> <p>The User Agency has furnished an undertaking to deposit the differential amount any due to change in wage rate for raising and maintenance of Compensatory Afforestation in Ad-hoc CAMPA through online portal in consultation with State Forest Department.</p>
12.	VII.	<p>The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09052008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. S-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;</p>	<p>In compliance to above, the DFO Angul Division has reported that M/s OMC Ltd. has deposited a sum of Rs. 10,27,65,000/- towards the Net Present Value (NPV) of 137.02 ha forest land to be diverted @ Rs. 7.50 lakhs per ha as the density of vegetation was estimated to be 0.25 in favour of CAF Orissa in shape of Bank Draft bearing No. 335783 dated 12.10.2007 for Rs. 9,37,65,000/- and Bank Draft No. 328817 dated 16.10.2007 for Rs. 90,00,000/- in Account No. CA 1585 in Corporation Bank, Lodhi Road, New Delhi respectively.</p> <p>MS OMC Ltd. has deposited a sum of Rs. 47,45,000/- towards the NPV (of SZ area) in favour of CAF-Orissa in shape of Bank Draft bearing No 200595 dated 10.12.2010 in Account No. CA 1585 in Corporation Bank, Lodhi Road, New Delhi.</p> <p>Again the new User Agency M/s NALCO Ltd. has deposited Rs. 19,87,860 - which includes Rs. 1,80,180/- towards interest on belated payment of NPV (of SZ area) through online portal in the account of Adhoc-CAMPA vide UTR No. SBINR 2017032100000827 dated 21.03.2017 in ORISSA CAMPA A/c No.344902010105428 in Union Bank of India, New Delhi.</p> <p>Therefore, the User Agencies have deposited Rs. 10,76,90,180/- (Rs 10,27,65,000/- + Rs. 47,45,000/- + Rs.1,80,180/-) towards NPV for diversion of 137.02 ha of forest land for Coal Mining in village Rajjharan, Nandachaur & Similisahi in Chhendipada Tahasil, Angul District, Odisha.</p>
13.	VIII.	<p>At the time of the payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the</p>	<p>In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to pay the additional</p>

		additional amount of NPV V so determined, as per the final decision of the Hon'ble Supreme Court of India;	amount of NPV, if so determined the final decision of the Hon'ble Supreme Court of India. (pg 834)
14.	IX.	The Block-B should be worked at the end of the working in Block-4, however, surface area of the Block-B can be used for OB dumping and infrastructure works.	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to carry out the work of Block-B at the end of working in Block-A and the surface area of the Block-B can be used for OB dumping and infrastructure works can be seen at Pg 865 .
15.	X.	<p>Following activities shall be undertaken by the User Agency under the supervision of the State Forest Department:</p> <p>a. Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.</p> <p>b. Planting of adequate drought hard plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with approved scheme;</p> <p>c. Construction of check dams, retention toe walls to arrest sliding down of the excavated material along the contour in accordance with the approval scheme;</p> <p>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; and</p> <p>e. No damage shall be caused to the top-soil and the user agency will</p>	<p>In compliance to this condition, the State Government informed that the User Agency has submitted a plan containing appropriate mitigative measures to minimize soil erosion and choking of stream which has been technically approved by Regional Chief Conservator of Forests, Angul Circle with a financial outlay of Rs. 3,68,38,106/- at current wage rate of Rs.286.30. The copy of the scheme can be seen at Pg 867 . The User Agency has furnished an undertaking duly countersigned by DFO Angul Division to implement the plan at the project cost in consultation with the State Forest Department which is enclosed at SI. No.10 (a) can be seen at Pg 866 .</p> <p>In compliance to this condition, the State Government informed that the User Agency has submitted a scheme to plant adequate drought hardy species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion which has been technically approved by Regional Chief Conservator of Forests, Angul Circle with a financial outlay of Rs. 5,56,785- at the current wage rate of Rs. 286.30. The copy of the scheme can be seen at Pg 895 . The User Agency has furnished an undertaking duly countersigned by DFO Angul Division to implement the scheme at the project cost. Which can be seen at Pg 866 .</p> <p>In compliance to this condition, the State Government informed that the User Agency has submitted a scheme for construction of check dams, retention/ toe walls to arrest sliding down of the excavated material along the contour which has been approved by Regional Chief Conservator of Forests, Angul Circle and the financial forecast of the scheme has already been provided in the</p>

		<p>follow the top soil management plan.</p>	<p>scheme for mitigative measures to minimize soil erosion and choking of streams in Condition No. 10 (a) above. The copy of the scheme is enclosed as 912 . The User Agency has furnished an undertaking duly countersigned by DFO Angul Division to implement the scheme at the project cost, can be seen at pg 866 .</p> <p>In compliance to this condition, the State Government informed that the User Agency has submitted a scheme to 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" which has been approved by Regional Chief Conservator of Forests, Angul Circle with a financial outlay of Rs. 3,36,53,816/- at the current wage rate of Rs. 286.30. The copy of the scheme can be seen at pg 924 . The User Agency has furnished an undertaking duly countersigned by DFO Angul Division to implement the scheme at the project cost can be seen at pg 866 .</p> <p>In compliance to this condition, the State Government informed that the User Agency has submitted a scheme for top-soil management which has been approved by Regional Chief Conservator of Forests, Angul Circle with a financial outlay of Rs. 56,37,356 - at the current wage rate of Rs.286.30. The copy can be seen at pg 941 . The User Agency has furnished an undertaking duly countersigned by DFO Angul Division to implement the scheme at the project cost can be seen at pg 866 .</p>
16.	XI.	<p>Fencing, protection und 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 Government shall be done within three year at the project cost from the issue of Stage-II Clearance. 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. 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;</p>	<p>In compliance to this condition, the State Government informed that the DFO, Angul Division has reported that the User Agency has submitted a scheme for 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 Government] over 16.50 ha (Forest Land- 6.50 ha + Non-forest land – 10.0 ha) to take up ANR plantation @ 400 plants per ha which has been technically approved by Conservator of Forests, Angul Circle with a financial outlay of Rs.4,74,150/- @Rs.70/- per manday.</p> <p>The new User Agency M/s NALCO Ltd. has submitted the revised scheme for safety zone over 6.50 ha to take up ANR plantation @ 400 plants per ha which has been technically approved by RCCF Angul Circle for Rs.17,72,140/- @ Rs.280/- per manday which can be seen at Pg 956 .</p>

M/s OMC Ltd has deposited Rs.4,74,150/- towards cost of fencing, protection and regeneration of safety zone around the leasehold area over 16.50 ha in favour of CAF-Orissa Account No.CA 1585 in shape of Bank draft bearing No 335785 dated 12.10.2007 can be seen at Pg [968](#) .

The new User Agency M/s NALCO has also deposited Rs. 6,92,99,571/- which includes Rs. 12,97,990/- towards differential cost of safety zone (cost of Safety Zone of Rs. 17,72,140 @Rs. 280/- per manday - cost of safety zone of Rs.4.74,150@Rs. 70/- per manday) through online portal in the account of Adhoc-CAMPA vide transaction No.143320190410504538 dated 10.04.2019 in Corporation Bank, Lodhi Complex Branch, Block-II, CGO Complex. Phase-1. Lodhi Road, New Delhi (IFSC NO.CORP 0000371 can be seen at [969](#) .

The DFO, Angul Division has reported that the previous User Agency M/s OMC Ltd. has submitted the scheme for afforestation over one & half time of Safety Zone over 10 ha (6.50 ha forest land x 1.5) of degraded forest land identified in Kukurkhai A" RF to take up ANR plantation @ 800 plants per ha alongwith SMC activities which has been technically approved by Conservator of Forests, Angul Circle with a financial outlay of Rs.1,84,910/- @ Rs.70/- per manday. Further, the new User Agency M/s NALCO Ltd. submitted the revised scheme for 1.5 time safety zone Identified in Patakhman RF under Kaniha Range of Angul Forest Division to take up ANR plantation @ 800 plants per ha along with provision of SMC activities like LBCD, staggered trenches etc. which has been technically approved RCCF, Angul Circle for Rs.2,20,76,754/- @ Rs.280/- per manday which can be seen at Pg [970](#) .

M/s OMC Ltd has deposited Rs.1,84,910/- towards one & half time of Safety Zone over 10 ha of degraded forest land identified in Kukurkhai ARF in favour of CAF- Orissa Account No.CA 1585 in shape of Bank draft bearing No.335786 dated 12.10.2007 (Pg. [986](#))

Further, the new User Agency M/s NALCO has deposited Rs. 6,92,99,571/- which includes Rs.2,18,91,844/- towards differential cost of one & half time of Safety Zone over 10 ha (cost of 1.5 Safety Zone of Rs. 2,20,76,754/- @Rs.280/- per manday - cost of 1.5 safety zone of Rs. 1,84,910/ @Rs.70/- per manday) through online portal in the account of Adhoo-CAMPA vide transaction No.143320190410504538 dated 10.04.2019 In

			<p>Corporation Bank, Lodhi Complex Branch, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC No.CORPO000371) (Pg. 987)</p> <p>The User Agency has submitted the shape file of one & half time of Safety Zone over 10 ha of degraded forest land identified in Patakhman RF under Kaniha Range of Angul Forest Division in CD form.</p>
17.	XII.	Period of diversion of the said forest land under this approval shall be for a period co-terminus (Development and Regulation) Act, 1957, as amended and the Rules framed there under;	<p>In compliance to this condition, the State Government informed that the DFO, Angul Division has reported that the User Agency has furnished an undertaking that 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 and Regulation) Act, 1957, as amended and the Rules framed there-under. The undertaking furnished by the User Agency. (Pg 988)</p>
18.	XIII.	Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration demarcation of safety zone, shall be transferred through online portal into Ad-hoc CAMPAA account of the State Concerned;	<p>In compliance to this condition, the State Government informed that all the funds received from the User Agency have been transferred to Ad-hoc CAMPAA through Bank Draft/RTGS and online portal of Ad-hoc CAMPAA Account. The details of the following amounts deposited by the user agency is furnished. (Table given below).</p> <p>The details of the funds deposited by the user agency duly countersigned by the DFO, Angul Division and PCCF (FD & NO, FC Act) in prescribed format. (Pg 989-990)</p>
19.	XIV.	The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;	<p>In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has obtained the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986 vide Letter NoJ-11015/203/2006-IA.I (M) dated 29.01.2007 of Government of India. Ministry of Environment & Forests, New Delhi. (Pg 1006).</p>
20.	XV.	No labour camp shall be established on the forest land;	<p>In compliance to this condition, the State Government informed that the User Agency has furnished an undertaking that no labour camp shall be established on the forest land (Pg. 1013)</p>
21.	XVI.	The User Agency shall provide fuels preferably alternative fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;	<p>In compliance to this condition, the State Government informed that the User Agency has furnished an undertaking to provide fuels preferably alternative fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.(pg 1014)</p>

22.	XVII.	The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that User Agency has submitted the DGPS map of the boundary of diverted forest land, mining lease and safety zone, as applicable, which has been demarcated on ground at the project cost, by creating four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates. (Pg 1015)
23.	XVIII.	The User Agency shall undertake mining 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 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 Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to carry out the mining 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 from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act 1980. and the concerned Government of India, MoEF & CC, Eastern Regional Office, Bhubaneswar. Further, if it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed. (Pg 1016)
24.	XIX.	The layout plan of the mining plan/proposal shall not be changed without the prior approval of the Central Government:	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that User Agency has furnished an undertaking that the layout plan of the mining plan proposal shall not be changed without the prior approval of the Central Government. (Pg 1017)
25.	XX.	The forest land shall not be used for any purpose other than that specified in the proposal;	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking that the forest land shall not be used for any purpose other than that specified in the proposal. (Pg No. 1018)
26.	XXI.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government. (Pg No. 1019)

27.	XXII.	No damage to the flora and fauna of the adjoining area shall be caused;	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking that no damage to the flora and fauna of the adjoining area.(Pg No. shall be caused.(Pg No. 1020)
28.	XXIII.	Any tree felling shall be done only in a phased manner to coincide with the phasing of area to be put to mining with a view to minimizing clear felling. The felling will always be carried out under strict supervision of State Forest Department.	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking that any tree felling shall be done only in a phased manner to coincide with the phasing of area to be put to mining with a view to minimizing clear felling. The felling will always be carried out under strict supervision of State Forest Department. (Pg No. 1021).
29.	XXIV.	When it is unavoidable and that too under strict supervision of the State Forest Departments	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to carry out any work which is unavoidable under strict supervision of the State Forest Department.
30.	a.	The user agency will abide by the applicable recommendations of the State Government:	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to abide by the applicable recommendations of the State Government (Pg No. 1023)
31.	b.	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other 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 its letter No.II-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, In support thereof:	In compliance to this condition, the State Government informed that the Collector, Angul has issued the required certificate in the prescribed format vide Letter No. 712 dated 11.05.2011 of District Welfare Officer, Angul under ST & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for the entire forest area of 143.52 ha proposed for diversion. The copy of the certificate along with the proceeding of the District Level Committee dated 27.04.2011, Sub-Divisional Level Committee held on 06.04.2011 and the Gram Sabha Resolutions of village Rajjharan, Nandikoor/ Gopiballavpur and Simlisahl village both in Odia & English versions.(Pg 1025) .
32.	c.	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 0.40). if any, located in the area within 100 m. from outer perimeter of the mining lease. The plan for	In compliance to this condition, the State Government informed that the scheme for undertaking gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests having crown density less than 0.40). if any, located in the area 100 m from outer perimeter of the mining lease has been technically approved by the RCCF, Angul with a financial outlay of Rs.4,16,726.00/-

		plantation and SMC activities will be prepared and submitted to MOEF & CC before Stage-II Clearance;	(Rupees Four Lakh Sixteen thousand seven hundred and twenty six) only at the wage rate of Rs.286.30/- per man day.(Pg No. 1032). The user agency has submitted an undertaking to implement the same. (Pg No. 1052)
33.	XXV.	The User Agency shall undertake mining 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 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 concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactory executed.	In compliance to this condition, the State Government informed that the DFO Angul Division has reported that the User Agency has furnished an undertaking to carry out the mining 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 from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer. Forest (Conservation) Act 1980, and the concerned Government of India, MoEF & CC, Eastern Regional Office, Bhubaneswar. Further, if it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed. (Pg No. 1053).
34.	XXVI.	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 setting of identified ponds and water bodies to be prepared in consultation with Forest Department and shall be submitted to MoEF & CC before Stage-II approval;	In compliance to this condition, the State Government informed that the scheme for desilting of village tanks and other water bodies located within 5 km from the mine lease boundary of the mining lease has been technically approved by the RCCF, Angul with a financial outlay of Rs. 68,05,165/- (Rupees Sixty eight lakhs five thousand one hundred & sixty five) only at the wage rate of Rs. 286.30/- per man day. (Pg No. 1054). The user agency has submitted an undertaking to implement the same.(Pg No. 1075).
35.	XXVII.	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year:	In compliance to this condition, the State Government informed that the User Agency has furnished an undertaking to submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional office and this Ministry by the end of March every year regularly. (Pg No. 1076).
36.	XXVIII.	Any other condition that the concerned Regional Office of this Ministry may	In compliance to the above. the User Agency has furnished an undertaking that any other condition

		stipulate, from time to time, in the interest of conservation, protection and development of forest & wildlife;	which the Regional Office of this Ministry may stipulate from time to time in the interest of conservation protection and development of forest & wildlife. (Pg No. 1077).
37.	XXIX.	The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines 6 Hon'ble Court Order (\$) pertaining to this project, if any, for the time being in force, as applicable to the project.	In compliance to this condition, the State Government informed that the User Agency has furnished an undertaking to comply the provisions of all Acts, Rules, Regulations and Guidelines and Hon'ble Court order (s) pertaining to this project, if any, for the time being in force, as applicable to the project (Pg No. 1078).

Table

Sl No	Type of deposit {NPV/CA/ IWMP Others (specify)}	Whether by RTGS/BD/ DD/NEFT (Specify)	UTR/DD No./BD No.	Amount deposited (Rs.)	Date of deposit	Name of Bank from which amount transferred to account CAF	Bank Account of CAF managed by CAMPA in which fund deposited	Deposited with	Deposited by
1.	CA	BD	335784	36,86,100	12.10.2007	Axis Bank Ltd, New Delhi	Corporation Bank, Lodhi Road , New Delhi	Adhoc- CAM PA	OMC
2.	CA	BD	922305	6,39,900	16.10.2007	ICICI, BBSR	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
3.	CA	Online	Transaction No. 1433 201904 10504538	4,61,09,737 Part of Deposit of Rs . 6,92,99,571	10.04.2019	Corporation Bank, Angul	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	NALCO
4.	NPV	BD	335783	9,37,65,000	12.10.2007	Axis Bank Ltd, New Delhi	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
5.	NPV	BD	328817	90,00,000	16.10.2007	ICICI, BBSR	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	
6.	NPV (SZ Area)	BD	200595	47,45,000	10.12.2010	ICICI, BBSR	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
7.	Interest on belated payment of NPV (of SZ	RTGS	SBINR1201203 2100000827	1,80,180 Part of deposit of 19,87,860	21.03.2017	SBI, BBSR	Union Bank of India Sundernagar, New Delhi	Adhoc- CAM PA	NALCO
8.	SZ	BD	335785	4,74,150	12.10.2007	Axis Bank Ltd, New Delhi	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
9.	Differential cost of SZ	Online	Transaction No. 1433 201904 10504538	12,97,990 Part of deposit of RS. 6,92,99,571	10.04.2019	Corporation Bank, Angul	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	NALCO
10.	1.5 SZ	BD	335786	1,84,910	12.10.2007	Axis Bank Ltd, New Delhi	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC

11.	Differential cost of 1.5 SZ	Online	Transaction No. 1433 201904 10504538	2,18,91,844 Part of Deposit of Rs. 6,92,99,571	10.04.2019	Corporation Bank, Angul	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	NALCO
12.	RWLMP	RTGS	ANDBH12 10189959	60,25,600	10.04.2019	Andhra Bank, OMC Campus Branch, BBSR	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
13.	Differential cost of RWLMP	RTGS	SBINR12012 032100000827	18,07,680 Part of deposit of 19,87,860	21.03.2017	SBI, BBSR	Union Bank of India Sundernagar, New Delhi	Adhoc- CAM PA	NALCO
14.	Differential cost of RWLMP	Online	Transaction No. 1433 20190 719690865	1,68,71,680	19.07.2019	Corporation Bank, Angul	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	NALCO
15.	SSWLCP	RTGS	ANDBH11 180912700	1,30,00,000	29.06.2011	Andhra Bank, OMC Campus Branch, BBSR	Corporation Bank, Lodhi Road, New Delhi	Adhoc- CAM PA	OMC
16.	Lease Transfer Fee	NEFT	SBIN9170 86241696	1,00,000	27.03.2017	SBI, NALCO Corporate Office, BBSR	Union Bank of India Sundernagar, New Delhi	Adhoc- CAM PA	NALCO

6. Stage-II approval is under consideration in the Ministry for diversion of 137.02 ha of forest land for Coal Mining. CAMPA office is requested vide this Division's OM dated 03.01.2020 to confirm funds deposited towards compensatory levies. After confirmation, the proposal is processed further.
7. Government of Odisha vide their letter No. 10F (Cons) 78/19-22822/F&E dated 26.11.2019 submitted **an additional proposal for diversion of 6.5 ha of forest land for safety zone area** of Utkal 'D' Coal Mine of NALCO in Angul District, Odisha. State Government in their letter dated 04.01.2019 indicated the follows:

- (i) The Government of India, Ministry of Coal vide their letter No.4 7011/ (1)/2001-CPAM/CA dated 19.12.2003 conveyed in-principle consent to the working of Utkal-D Coal Block by Government of Odisha through Odisha Mining Corporation Ltd. **This allotment order at Condition No. IV stipulated that, OMC will work the mine partly by opencast and partly by underground method.** Government of Odisha, Department of Steel & Mines vide their letter NO.55581/SM dated 14.08.2003 approved the proposal for development of Utkal 'D' Coal Block by a Joint Venture Agreement of OMC Ltd. with M/s Sainik Mining and Allied Services Ltd. Subsequently, a new company named "Kalinga Coal Mining (P) Ltd." was formed as per Memorandum of Association to execute the work of the Joint Venture. Government of India, Ministry of Coal in their letter No.47011(1)/2001-CPAM/CA dated 15.09.2005 **granted the Coal Mining lease to M/s OMC Ltd. over 319.23 ha for a period of 30 years.** The total land involved in this lease is 319.23 ha. Out of this 17.95 ha has operational un-suitability. So the operation will be confined to 301.28 ha. Out of this 143.52 ha is Revenue forest land in village Rajjharan, Nandichor and Similisahi of Chhendipada Tahasil in Angul District. **OMC Ltd. had applied for diversion of 137.02 ha of forest land leaving 6.50 ha for Safety Zone. An area of 12.14 ha of land has been earmarked for safety zone and out of this 6.50 ha is forest land.**
- (ii) The Government of India, MoEF vide their letter No. 8-99/2006-FC dated 20.10.2006 have accorded "In-Principle" approval for diversion of 137.02 ha of forest land in Utkal 'D' Coal Block coal mining in favour of M/s Odisha Mining Corporation Ltd (OMC) in village Rajjharan, Nandichor and Similisahi at Chhendipada Tahasil, Angul District, Odisha subject to fulfilment of conditions prescribed therein. **(copy enclosed as Annexure-I).**
- (iii) The previous User Agency, M/s OMC Ltd. has complied all the conditions imposed by Government of India, MoEF in the Stage-I approval and the same was forwarded to the CCF Nodal by DFO Angul Division and Conservator Forests, Angul Circle. In view of the compliance to the conditions imposed by Govt. of India, MoEF, the CCF Nodal requested State Government to recommend it to the Govt. of India, MoEF for according final approval for diversion of 137.02 ha of forest land in favour of the previous User Agency M/s OMC Ltd.

under Section-2 of Forest (Conservation) Act 1980.

- (iv) Subsequently, Hon'ble Supreme Court of India vide order dated 24.09.2014 has cancelled 214 coal blocks including Utkal-D Coal Block of M/s OMC. Utkal-D Coal Block was re-allocated to NALCO vide allotment letter F. No. 103/34/2015/NA dt.02.05.2016. As per the said order of the Nominated Authority, Ministry of Coal, Govt. of India Clause No.1 (a), 1 (c) & 1 (d), all right, title and interest of the prior allottee and over the land and mine and mine infrastructure free from all encumbrances in respect of Utkal-D coal mine and entitlement to any statutory license, permit, permission, approval or consent required to undertake the coal mining operation in the mines lies with NALCO (**Copy enclosed as Annexure-II**).
- (v) Accordingly, Govt. of India, MoEF&CC, New Delhi vide their letter F.No.8-99/2006-FC dated 05.01.2017 has conveyed their approval for transfer of Stage-I approval under the FC Act, 1980 from the original User Agency i.e. OMC to new User Agency NALCO. (**Copy enclosed as Annexure-III**)
- (vi) **Utkal-D Coal Block comprises of 143.52 ha forest land including the Safety Zone of 6.5 ha in the Mining Lease area of 301.28 ha.** In line with the prevalent guidelines for diversion of forest land for non-forest purpose under the FC Act, 1980, **the previous User Agency (M/s OMC Ltd) applied for diversion of 137.02 ha forest land inside Utkal-D excluding 6.5 ha forest land as Safety Zone in the diversion proposal and obtained Stage-clearance as stated above.** However, the 6.5 ha safety zone was indicated separately along with application for diversion proposal for 137.02 ha.
- (vii) Ministry of Environment & Forest, Government of India vide their letter No. 1173/2014-FC dtd. 13.05.2014 (**copy enclosed as Annexure-IV**) have simplified the procedure for diversion of forest land exclusively in case of safety zone where it is stipulated that "State Government should seek the prior permission of the Central Government for diversion of forest land located in safety zone giving details of the earlier approval in letter form rather initiating a fresh proposal." In response to the said guideline the new User Agency, M/s NALCO Ltd. has applied for diversion of the forest land measuring 6.5 ha earmarked for safety zone of Utkal 'D' Coal Mine.

8. It is further reported by the State Govt. that the User Agency, M/s NALCO Ltd. has complied the following points:

- i. The User Agencies have deposited the cost of total NPV for forest land of 143.52 ha (137.02 ha + 6.50 ha Safety Zone) in three phases.

In the first phase, the previous User Agency, M/s OMC Ltd. has deposited a sum of Rs. 10,27,65,000/- towards the Net Present Value (NPV) of 137.02 ha forest land to be diverted @ Rs.7.50 lakhs per ha as the density of vegetation was estimated to be 0.25 in favour of CAF-Orissa in shape of Bank Draft bearing NO.335783 dated 12.10.2007 for Rs.9,37,65,000/- and Bank Draft NO.328817 dated 16.10.2007 for Rs.90,00,000/- in Account NO.CA 1585 in Corporation Bank, Lodhi Road, New Delhi respectively. The copies of the said Bank Drafts are enclosed as **Annexure-V (1) & Annexure-V (2)**.

In the second phase, the previous User Agency, M/s OMC Ltd. has deposited a sum of Rs.47,45,000/- towards the NPV (of Safety Zone area) in favour of CAF-Orissa in shape of Bank Draft bearing NO.200595 dated 10.12.2010 in Account NO.CA 1585 in Corporation Bank, Lodhi Road, New Delhi. The copies of the said Bank Drafts are enclosed as **Annexure-V (3)**.

In the third phase, the new User Agency, M/s NALCO Ltd. has deposited Rs.19,87,860/- which includes Rs. 1,80,180/- towards interest on belated payment of NPV (of Safety Zone area through online portal in the account of Adhoc-CAMPA vide UTR NO. SBINRI2017032100000827 dtd.21.03.2017 in ORISSA CAMPA A/c No 344902010105428 in Union Bank of India, New Delhi. The copy of receipt in support of the aforesaid payment

submitted by DFO Angul Division is enclosed as **Annexure-V (4)**.

The User Agencies have deposited Rs. 10,76,90,180/- (Rs. 10,27,65,000/- + Rs.47.45,000/- + Rs. 1,80.180/-) towards NPV for diversion of 137.02 ha of forest land for coal mining in village Rajjharan, Nandichor and Similisahi at Chhendipada Tahasil, Angul District, Odisha.

- ii. The User Agencies have deposited the cost of protection and regeneration of safety zone area 7.5 meters strip all along the outer boundary of the mining lease area as recommended by the State Government over 16.50 ha (Forest Land-6.50 ha + Non- forest land - 10.0 ha) in two phases.

In the first Phase, the previous User Agency, M/s OMC Ltd has deposited Rs.4,74,150/- towards cost of fencing, protection and regeneration of safety zone around the lease hold area over 16.50 ha in favour of CAF - Orissa Account NO.CA 1585 in shape of Bank draft bearing No.335785 dated 12.10.2007 which is enclosed as **Annexure-VI (1)**.

In the second phase, the new User Agency, M/s NALCO has deposited Rs. 6,92,99,571/- which includes Rs.12,97,990/- towards differential cost of safety zone (cost of Safety Zone of Rs. 17,72,140/- @Rs.280/- per manday-cost of safety zone of Rs.4,74,150/@ Rs.701- per manday) through online portal in the account of Adhoc-CAMPA vide transaction NO.143320190410504538 dtd. 10.04.2019 in Corporation Bank, Lodhi Complex Branch, Block-II, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC NO.CORP0000371) which is enclosed as **Annexure-VI (2)**. The copy of the scheme of the safety zone is enclosed as **Annexure- VI (3)**.

So the User Agencies have deposited Rs.17,72,140/- (Rs. 4,74,150/- + Rs.12,97,990/-) towards Safety Zone protection and regeneration for Coal mining in village village Rajjharan, Nandichor and Similisahi at Chhendipada Tahasil, Angul District, Odisha.

- iii. The User Agencies have deposited the cost of one & half time safety zone over 10 ha (6.50 ha forest land x 1.5) of degraded forest land in two phases.

In the first phase, the previous User Agency, M/s OMC Ltd has deposited Rs. 1,84,910/- towards one & half time of Safety Zone over 10 ha of degraded forest land identified in Kukurkhai 'A' RF in favour of CAF- Orissa Account NO. CA 1585 in shape of Bank draft bearing No.335786 dtd.12.10.2007 which is enclosed as **Annexure-VII (1)**.

In the second phase, the new User Agency, M/s NALCO has deposited Rs. 6,92,99,571/- which includes Rs.2,18,91,844/- towards differential cost of one & half time of Safety Zone over 10 ha (cost of 1.5 Safety Zone of Rs. 2,20,76,754/- @Rs.280/- per man day - cost of 1.5 safety zone of Rs. 1,84,910/- @ Rs.701- per manday) through online portal in the account of Adhoc-CAMPA vide transaction NO.143320190410504538 dtd. 10.04.2019 in Corporation Bank, Lodhi Complex Branch, Block-H, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC NO.CORP0000371) which is enclosed as **Annexure-VII (2)**. The copy of the scheme for 1.5 safety zone is enclosed as **Annexure-VII (3)**.

The User Agencies have deposited Rs.2,20,76,754/- (Rs.1,84,910/- + Rs.2,18,91,844/-) towards Afforestation of one and half times Safety Zone for diversion of 137.02 ha of forest land for Coal Mining in village Rajjharan, Nandichor and Similisahi at Chhendipada Tahasil, Angul District, Odisha.

- iv. The copy of the FRA certificate issued by Collector. Angul under ST & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act. 2006 for the entire forest area of 143.52 ha including forest area in safety zone in the mining lease area of 301.28 ha of Utkal 'D' is enclosed as **Annexure-VIII**.
- v. The DGPS survey map of the entire forest land of Utkal 'D' showing the forest patch clearly depicting the safety zone area duly verified by ORSAC and authenticated by Forest & Revenue

officials is enclosed as **Annexure-IX**.

- vi. The layout plan showing the safety zone area within the mining lease of Utkal 'D' Coal Block of NALCO is enclosed as **Annexure-X**.
- vii. The copy of the land schedule of the safety zone area along with Hal Sahik Kissam of non-forest land of safety zone duly certified by Tahasildar, Chhendipada and countersigned by DFO, Angul Forest Division is enclosed as **Annexure-XI**.
- viii. The undertaking furnished by M/s NALCO Ltd. to pay NPY. Additional NPY. CA Cost, if so determined by Hon'ble Supreme Court of India is enclosed as **Annexure-XII**.

9. The DSS cell of FC division analysed the shape file for the proposal for diversion of 6.5 ha of forest land and their report is placed in file at Pg. /ToC. Major observation are:

(a) In Case of Land proposed for Diversion:

- (i) Calculated area of Shape file/ KML file of Forest land proposed for **diversion is found 2.861 ha. (software calculated) whereas as per instant proposal the user agency has applied for diversion of 6.5 ha forest land which is coming under safety zone.** Thus, discrepancy has been found between forest area applied for diversion and forest area calculated through software/ DSS.
- (ii) There is no WLS/ PA/ Tiger Reserve or Tiger Corridor is located within 10 Km radius of proposed area for diversion.
- (iii) Proposed area for Diversion classified as Not-Inviolate area or Not-In High Conservation Zone (NHCV) based on DSS Decision Rule No. 1 & 2.
- (iv) Forest Cover: Out of 3 ha (DSS Calculated) forest area of Safety zone applied for diversion, 1 ha of land is characterized with Open Forest and 2 ha. of land as Non Forest (land devoid of tree cover) in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

(b) In Case of Compensatory Afforestation Land:

- (i) Calculated area of the KML file/ shapefiles of CA land proposed in lieu of safety zone is found 22 Ha (DSS calculated)
- (ii) Out of 22 ha CA area for safety zone, **2 ha of land is characterized with Moderately Dense Forest**, 11 ha of land as Open forest and remaining 9 ha of land as Non-forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014
- (iii) Patch-wise details of proposed CA patches w.r.t density classes (based on interpretation of satellite data period 2013-14) as per ISFR 2015, are as follows:

S. No.	District	Patch Name	Area (Ha)	VDF	MDF	OF	Scrub	NF
1	Dhenkanal	Patakhmana Reserved forest	22	0	2	11	0	9
Total			22	0	2	11	0	9

- (iv) **However, as per latest Google earth imagery dated 31.10.2016, the site proposed for CA for safety zone is having dense tree cover and further scope for plantation is not subsist in the proposed CA site for safety zone.**
- (v) It is also imperative to mention here that, discrepancy as observed in point '3' & '4' above from DSS and Google earth imagery point of view is only due to non-availability of latest forest map i.e. ISFR-2017 on DSS web portal.
- (vi) With reference to earlier In-principal approval dated 05.01.2017 for diversion of 137.02 ha forest land in favour of M/s NALCO and conditions imposed therein i.e. condition No. 2 & 3, the user agency has

now provided the KML/ Shape file of the CA site identified over Non-forest land and but the said KML files are not certified/ authenticated by the State Government of Odisha along with the Survey of India Topo sheet showing the locations of CA sites.

In view of above, the facts related to the proposal may be placed before FAC in its next meeting scheduled to be held on 27.02.2020 for their examination and appropriate recommendation.
