



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

E-mail:- nodal.pccfodisha@gmail.com

No. 9703

/ 9F (MG) – 49/2023

Dated, Bhubaneswar the

02nd April 2025
May

To

The Assistant Inspector General of Forests (FC)
Government of India,
Ministry of Environment, Forests & Climate Change (F.C. Division)
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road
New Delhi-110003

Sub: Proposal for seeking prior approval of the Central Government under Section-2(1) (ii) of the Van (Sanrakhsan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 134.69 ha of forest land for expansion of Kulda Open Cast Coal Mining Project of Basundhara Area of Mahanadi Coalfields Limited in Sundargarh District under Sundargarh Forest Division.-GoI Observation regarding.

Ref:- (i) EDS raised dated 06.01.2025 by the Assistant Inspector General of Forests, GoI, MoEF & CC, New Delhi
(ii) Memo No.1354 dated 13.01.2025 of OSD-Cum-Special Secretary to Government, Govt. of Odisha, FE&CC Department

Sir,

In inviting a reference to EDS raised by GoI, MoEF & CC, New Delhi cited above on the captioned subject, the compliance based on the reports of the DFO, Sundargarh Forest Division and RCCF, Rourkela Circle are as follows:-

Observation –(i): The area proposed for CA on DFL is having MDF over 116 ha as per DSS analysis. Further, as informed by the state the area involves road, cultivated land and claims under FRA, 2006, which indicate that the area proposed for CA is neither completely suitable for plantation, nor it is free from encumbrances. The State Govt. shall therefore exclude the area which is not suitable for CA and provide alternate DFL twice in extent to the area proposed for diversion which is suitable for raising plantation and is free from all encumbrances. All requisite details with respect to the revised CA area shall be provided.

Compliance:- In compliance to the above, the RCCF, Rourkela Circle has reported that the DFO, Sundargarh Forest Division has submitted the revised Compensatory Afforestation Scheme over an area of 280.90 ha of Degraded Forest land identified in Sikajore-A RF (74.50 ha), Sikajore PRF (40.0 ha), Tangarpali DPF (14.0 ha), Pandripani RF (64.30 ha), Sidhamunda RF (50.40 ha) and Punjipahar RF (37.70 ha) in Sundargarh Forest Division against the aforementioned project.

The details of the revised scheme alongwith land suitability certificate, DSS analysis report etc. are as follows: (Page No.7 /Revised Scheme)

| Name of forest block | Patch No. | Area (in ha) | Area classified | | | Total |
|----------------------|------------------|-----------------|-----------------|--------------|--------------|--------------|
| | | | MDF | OF | NF | |
| Sikajore-A RF | 1 | 54.00 | 0 | 44.0 | 10.0 | 54.00 |
| | 2 | 10.50 | | 1.0 | 9.00 | 10.00 |
| | 3 | 10.00 | 0 | 1.0 | 9.00 | 10.00 |
| | Sub-Total | 74.50 | 0 | 46.00 | 28.00 | 74.00 |
| Sikajore PRF | 1 | 40.00 | 0 | 23.00 | 17.00 | 40.00 |
| Tangarpali DPF | 1 | 14.0 | 0 | 5.00 | 9.00 | 14.00 |
| Pandripani RF | 1 | 64.30 | 0 | 7.00 | 57.00 | 64.00 |
| Sidarmunda RF | 1 | 18.0 | 0 | 17.0 | 1.0 | 18.00 |
| | | 32.4 | 0 | 0 | 32.40 | 32.40 |
| Punjipahar RF | 1 | 37.70 | 0 | 2.00 | 36.0 | 38.00 |
| Total | | 280.9 | 0 | 100.0 | 180.0 | 280.9 |

Species are to be planted such as *Adina cordifolia* (Haldu), *Anogeissus latifolia* (Dhaura), *Bombax ceiba* (Simili), *Cassia fistula* (Sunari), *Emblica officinalis* (Anla), *Madhuca indica* (Mahula), *Mangifera indica* (Amba), *Pterocarpus marsupium* (Bija), *Terminalia belerica* (Bahada), *Terminalia tomentosa* (Asana), *Xylia xylocarpa* (Tangan) etc. Basing on the DSS analysis report and field observation conducted by the DFO, Sundargarh Forest Division, it is proposed to adopt planting model i.e. ANR with Gap planting @ 500 plants per ha. The total seedling to be planted is 1,40,450 Nos. (i.e. 280.9 ha X 500). The land suitability certificate has been furnished by the DFO, Sundargarh Forest Division which is enclosed at **Page No.6/ Revised Scheme**.

The maps of the Degraded Forest land proposed for plantation are as follows:

| Name of Forest Block | Patch No. | Range | Toposheet No. | Plate No. | Scale |
|---|-----------|------------|---------------|-----------|----------|
| Sikajore-A RF | 1 | Lephripada | F44L15 | 1 | 1:50,000 |
| | 2 | | F44L15 | 1 | 1:50,000 |
| | 3 | | F44L15 | 1 | 1:50,000 |
| Sikajore PRF | 1 | Lephripada | F44L15 | 1 | 1:50,000 |
| Tangarpali DPF | 1 | Ujalpur | F44L16 | 2 | 1:50,000 |
| Pandripani RF | 1 | Gopalpur | F44L16 | 3 | 1:50,000 |
| Sidarmunda RF | 1 | Gopalpur | F44L16 | 3 | 1:50,000 |
| Punjipahar RF | 1 | Gopalpur | F44L16 | 3 | 1:50,000 |
| GPS Map of Sikajore-A RF (patch-1) over 54 ha for CA land | 1 | Lephripada | CA Map | 4 | 1:2000 |
| GPS Map of Sikajore-A RF (patch-2) over 10.5 ha for CA land | 3 | Lephripada | CA Map | 5 | 1:2000 |
| GPS Map of Sikajore-A RF (patch-3) over 10 ha for CA land | 2 | Lephripada | CA Map | 6 | 1:2000 |

| | | | | | |
|--|---|-----------|--------|----|--------|
| GPS Map of Sikajore PRF over 40 ha for CA land | 1 | Lephipada | CA Map | 7 | 1:2000 |
| GPS Map of Tangarpali DPF over 14 ha for CA land | 1 | Ujalpur | CA Map | 8 | 1:2000 |
| GPS Map of Pandripani RF over 64.30 ha for CA land | 1 | Gopalpur | CA Map | 9 | 1:2000 |
| GPS Map of Sidharmunda RF over 54.0 ha for CA land | 2 | Gopalpur | CA Map | 10 | 1:2000 |
| GPS Map of Punjipahar RF over 37.70 ha for CA land | 1 | Gopalpur | CA Map | 11 | 1:2000 |

The financial outlay of the CA scheme over 280.90 ha has been approved by the Addl. PCCF (FD & NO, FC Act) for Rs.10,99,09,200/- which is enclosed at **Page No.24/ Revised Scheme.**

Observation- (ii): The State shall provide the status of the compliance of the conditions stipulated in the approval dated 11.03.2019 (for 29.41 ha) for Basundhara washery. The status of violations (if any) in the said project shall also be submitted.

Compliance:- In compliance to the above, the RCCF, Rourkela Circle has reported that the user agency has stated that the Stage-1 FC for Basundhara Washery was obtained on 11.03.2019 & EC was obtained on 31.10.2019. However, as per guidelines from MoC & decision taken in MCL Board, the plan for establishing the washery was dropped in 2020 for the following reasons which are quoted as follows:

Quote:-

As per the gazette notification issued by MoEF & CC vide dated 21.05.2020, use of washed coal having ash percent less than 34% is not mandatory and power plants can use coal without stipulations as regards ash content or distance. During audit of Annual Accounts 2019-20 while going through the "Capital Work in Progress", CAG opined that in light of the recent notification of MoEF & CC, setting up of coal washery seems not beneficial for MCL. Thereafter, two meetings were held with the coal consumers and no firm commitment was made by the consumers for taking washed coal. The matter was also discussed in a meeting chaired by the Secretary, MOC and he gave option to MCL to drop these non-coking coal washeries if they are unable to find consumers.

Unquote:-

However, as per recent decision taken by MCL considering the present market scenario and the requirement of washed coal, a coal washery is again planned to be set up in the same location of appropriate capacity using the same 43.90 Ha land (forest land of 29.41 Ha) for which

Stage-I Forest Clearance has been obtained in March 2019 and accordingly the proposal is being further processed for obtaining stage-II forest clearance.

Initially, the compliance of Stage-I conditions of Basundhara Washery had been submitted to the center vide letter no. 18864/9F (Misc)-6/2016 dated 1 November 2019 through PCCF(FD & No, FC Act) Bhubaneswar, copy of which is attached herewith as **Annexure 'A'**.

Further, the short comings in respect of Stage-I compliance which were pointed out by MoEF & CC vide letter no. 8-176/1997 FC(Vol) dated 12th December 2019 (**Copy enclosed as Annexure 'B'**) containing 5 points is still pending to be complied by the UA and the same will be submitted after approval of Site Specific Wildlife Conservation Plan by PCCF & Chief Wildlife Warden, Bhubaneswar and deposit of the requisite fund in respect of the same in CAMPA account.

Observation –(iii): The Regional Office shall provide the detailed site inspection report of the CA area with clear recommendations. The Regional office shall also give its comments on the status of the compliance of the conditions stipulated in the approval dated 11.03.2019 (for 29.41 ha) for Basundhara Washery and violation (if any) in the said project.

Compliance:- In compliance to the above, the RCCF, Rourkela Circle has reported that the Site Inspection Report (SIR) from the Integrated Regional Office, Bhubaneswar, will be submitted as mandated and will include their observations and recommendations.

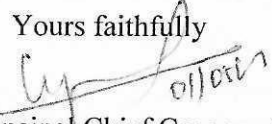
Observation –(iv): The State has informed that the DFO, Sundargarh Division vide his Memo No.6722 dated 30.11.2024 has stated that as per DSS analysis, an area of 10 ha of water bodies was not included earlier and it is clarified that an area of 929.825 ha is comprised of 4 ha as MDF, 678 ha as Non-forest, 132 ha as open forest, 105 ha as scrub and 10 ha Water Bodies. The possible impact of mining over 10 ha water bodies needs to be examined and state shall provide the justification along with proposed mitigation measures if any for the inclusion of 10 ha water bodies in the project.

Compliance:- In compliance to the above, the RCCF, Rourkela Circle has reported that the user agency has clarified that the 10 Ha of water bodies identified in the project area are already existing within the boundaries of the current mining lease of 634.205 Ha. These water bodies are in the form of mine sumps, which have established as part of the ongoing mining operations. These sumps serve an important purpose for the industrial use of the mine, specifically for water storage and management in the mining process.

In view of the above, the compliance to the EDS raised by the Govt. of India, MoEF & CC, New Delhi dated 06.01.2025 is sent herewith for favour of kind information and necessary action.

Encl-As above

Yours faithfully


Additional Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)

Memo No. 9704

/Dt. 02-05-2025

Copy forwarded to the Dy. Director General of Forests (C), MoEF & CC, Regional Office, Bhubaneswar for favour of kind information and necessary action with reference to EDS dated dated 06.01.2025 by the Assistant Inspector General of Forests, GoI, MoEF & CC, New Delhi

 1/5/2025

Chief Conservator of Forests (Nodal)

Memo No. 9705

/Dt. 02-05-2025

Copy alongwith enclosures forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Memo No.1354 dated 13.01.2025 of OSD-Cum-Special Secretary to Government, Govt. of Odisha, FE&CC Department

Encl: As above

 1/5/2025

Chief Conservator of Forests (Nodal)

Memo No. 9706

/Dt. 02-05-2025

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle for information and necessary action with reference to his Memo No.1970 dated 11.04.2025.

 1/5/2025

Chief Conservator of Forests (Nodal)

Memo No. 9707

/Dt. 02-05-2025

Copy forwarded to the Divisional Forest Officer, Sundargarh Forest Division for information and necessary action with reference to Memo No.1971 dated 11.04.2025 of the RCCF, Rourkela Circle to his address.

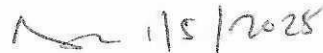
 1/5/2025

Chief Conservator of Forests (Nodal)

Memo No. 9708

/Dt. 02-05-2025

Copy forwarded to Chief Manager (Mines), Project Officer, Kulda OCP, Basundhara Area, MCL, Sundargarh, Odisha-770076 for information.

 1/5/2025

Chief Conservator of Forests (Nodal)



ANNEXURE - A

STATE FOREST HEADQUARTERS OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, ODISHA, BHUBANESWAR

No. 18864
Dated, Bhubaneswar the

19F (Misc)-6/2016
1st November 2019

From:

Jitendra Kumar, IFS
Principal CCF (FD & NO, FC Act),
O/o the PCCF, Odisha, Bhubaneswar,
Odisha.

To

The Assistant Inspector General of Forest (F.C),
Government of India,
Ministry of Environment, Forests & Climate Change (F. C. Division),
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road,
New Delhi- 110003.

GM's Secretariat
MCL, Basundhara Area
मेरा लक्ष्य - अस्सलवार मुक्त भारत

Issue No. 4566
Date 05/11/19

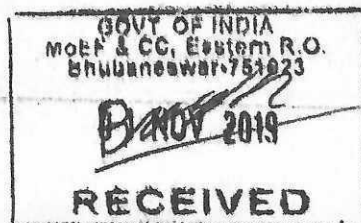
Sub:- Proposal for diversion of 29.41 ha of forest land (20.89 ha fresh forest land and 8.52 ha of forest land for re-diversion out of already diverted forest area of 227.89 ha of Kulda OCP of Mahanadi coal fields Ltd) in Sundargarh Forest Division of Sundargarh District, Odisha for construction of Basundhara Coal Washery (10MTY) by Mahanadi Coal fields Limited.

Madam,

In inviting a reference to the aforementioned subject Government of India, Ministry of Environment, Forest & Climate Change, New Delhi have accorded Stage-I approval vide their letter No.F.No.8-176/1997-FC (Vol.) dated 11.03.2019 for diversion of 29.41 ha of forest land (20.89 ha fresh forest land and 8.52 ha of forest land for re-diversion out of already diverted forest area of 227.89 ha of Kulda OCP of Mahanadi coal fields Ltd) in Sundargarh Forest Division of Sundargarh District, Odisha for construction of Basundhara Coal Washery (10MTY) by Mahanadi Coal fields Limited subject to fulfilment of Twenty Two (22) nos. of conditions stipulated therein. The User Agency has complied all the conditions imposed by Government of India, Ministry of Environment, Forest & Climate Change and additional five (5) conditions imposed by State Government. The pointwise compliance received from the RCCF Rourkela Circle are furnished below:-

Condition No.(i):- Legal status of the forest land proposed for diversion shall remain unchanged.

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the legal status of Forest land proposed for diversion shall remain unchanged. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-I.



Manoranjan Das
F-49

Condition No.(ii) Compensatory afforestation shall be raised over the non-forest land equal in extent to the forest land being diverted within three years of Stage-II Clearance and maintained thereafter by the State Forest Department at the Cost of the User Agency and at least 1000 plants per hectare shall be planted over identified non-forest land. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the degraded forest land over 58.82 ha. has been identified in Regedakhhol Reserve Forest of Sundargarh Forest Division for raising Compensatory Afforestation @200 plants per ha and additional degraded forest land over 51.194 ha (gross area) with an effective plantation area of 46 ha has been identified in Singaribahal Reserve Forest of Sundargarh Forest Division for raising Compensatory Afforestation @ 200 plants per ha. The aforesaid schemes for CA over 58.82 ha and the additional CA over 51.194 ha (gross area) with an effective plantation area of 46 ha have been technically approved by PCCF (FD & NO, FC Act) for Rs. 62,08,100/- and Rs. 39,29,300/- (including the cost of infrastructure development amounting to Rs.2,00,000/-) respectively.

Further, the DFO Sundargarh Division has reported that the User Agency has deposited Rs.2,30,14,540/- which includes CA cost of Rs.62,08,100/- through online portal in the A/c of Adhoc-CAMPA vide UTR No.SBINI19298637318 dated 28.10.2019 in the ORISSA CAMPA A/c No.150826716495050 in Corporation Bank, Lodhi Complex Branch, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC Code-CORP0000371). The copy of the receipt in support of the aforesaid payment submitted by DFO Sundargarh is enclosed as Annexure-II.

Again the DFO Sundargarh Division has reported that the User Agency has deposited Rs.2,30,14,540/- which includes Additional CA cost of Rs37,29,300/- (excluding the cost of infrastructure development amounting to Rs.2,00,000/-) through online portal in the A/c of Adhoc-CAMPA vide UTR No.SBINI19298637318 dated 28.10.2019 in the ORISSA CAMPA A/c No.150826716495050 in Corporation Bank, Lodhi Complex Branch, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi (IFSC Code-CORP0000371). The copy of the receipt in support of the aforesaid payment submitted by DFO Sundargarh is enclosed as Annexure-III.

Therefore, the User Agency has deposited Rs.99,37,400/- (CA cost of Rs.62,08,100/- + Additional CA cost of Rs37,29,300/-) towards Compensatory Afforestation through e-portal in the A/c of Adhoc-CAMPA.

Manoranjan Das

Condition No.(iii) 25% of CA cost will be deposited extra by the user agency for soil and moisture conservation (SMC) activities on the CA land;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that 25% of the CA cost has already been included in the CA scheme for Soil and Moisture Conservation (SMC) activities on CA land. However, the User Agency has agreed to deposit extra 25% of CA cost for Soil and Moisture Conservation (SMC) activities on the CA land by DFO, if required at a later stage. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-IV.

Condition No.(iv) The admissible identified non-forest land raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance and the same shall be notified by the State Government as RF under Section-4 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;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the compensatory afforestation site for Basundhara Coal Washery (10 MTY) has been identified in Regedakhhol Reserve Forest and Singaribahal Reserve Forest under Sundargarh Forest Division and therefore, transfer and mutation in favour of the State Forest Department is not required. Only in case of degraded Revenue Forest /Government Non-Forest land, it shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1972.

Condition No.(v) The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50000 scale.

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the lands identified for the purpose of CA in Regedakhhol RF and Singaribahal RF have been depicted on Survey of India topo-sheet No.F44L16 & F44R9 of 1:50000 scales respectively which are enclosed as Annexure-V.

Condition No.(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 CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the degraded forest land over 58.82 ha. has been identified in Regedakhhol Reserve Forest of Sundargarh Forest Division for raising Compensatory Afforestation @200 plants per ha and additional degraded forest land over 51.194 ha (gross area) with an effective plantation area of 46 ha has been identified in Singaribahal Reserve Forest of Sundargarh Forest Division for raising Compensatory

Manoranjan Das

Phase-I, Lodhi Road, New Delhi (IFSC Code-CORP0000371). The copy of e-challan and the copy of the UTR duly certified by Branch Manager, State Bank of India, Balinga (Branch) are enclosed as Annexure-VIII & IX respectively.

Condition No.(viii) 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;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that 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 is enclosed as Annexure-X.

Condition No.(ix) User Agency should ensure that the Compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriated bank online only. Amount deposited through other mode will not be accepted as compliance of Stage-I clearance;

Compliance: In compliance to the above, all the funds received from the User Agency have been transferred to Ad-hoc CAMPA through online portal of Ad-hoc CAMPA Account. The details of the following amounts deposited by the user agency is furnished below:-

| Sl. No. | Type of deposit {NPV /CA /WMP Others (specify)} | Whether by RTGS/B D/DD/N EFT (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 |
|---------|---|--|-------------------|--|-----------------|---|--|----------------|
| 1. | CA | Online | SBIN11929 8637318 | 62,08,100 Part of deposit of Rs.2,30,14,540 | 28.10.2019 | SBI, Balinga Branch | Corporation Bank, Lodhi Road, New Delhi | Adhoc-CAMPA |
| 2. | Addl. CA | Online | SBIN11929 8637318 | 37,29,300 Part of deposit of Rs.2,30,14,540 | 28.10.2019 | SBI, Balinga Branch | Corporation Bank, Lodhi Road, New Delhi | Adhoc-CAMPA |
| 4. | NPV | Online | SBIN11929 8637318 | 1,30,77,140 Part of deposit of Rs.2,30,14,540 | 28.10.2019 | SBI, Balinga Branch | Corporation Bank, Lodhi Road, New Delhi | Adhoc-CAMPA |

Condition No.(x) The State Govt. 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 its letter No.11-9/1998-FC (Pt.), Dtd:03.08.2009 read with 05.07.2013 in support thereof.

Compliance: In compliance to the above, the Collector Sundargarh has issued the required certificate in the prescribed format vide Letter No.1738 dt14.09.2016 of Additional District Magistrate Sundargarh under Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act-2006 in respect of diversion of forest land measuring 29.41 ha of entire forest

Manoranjan Das

land including Reserved Forest in village Balinga, Bankibahal and Koisira for non-forestry use for construction of Basundhara Coal Washery of Mahanadi Coal Field Ltd. under Hemgiri Tahasil. The copy of the certificate issued by Collector Sundargarh is enclosed as Annexure-XI.

Condition No.(xi) Since an area of 8.52 ha of forest land is being re-diverted from already diverted forest area of 227.89 ha for Kulda OCP of Mahanadi Coalfields Limited in Sundargarh Forest Division of Sundargarh District, Odisha for construction of Basundhara Coal Washery (10 MTY) by M/s.Mahanadi Coalfields Limited, therefore, the land use plan and mining plan shall be got approved before Stage-II Clearance and a copy of the same be submitted to this Ministry for record.

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the new mining plan for Kulda Expansion OCP is under preparation, incorporating the changes in land use due to re-diversion of 8.52 ha for Basundhara Coal Washery of MCL and the same shall be submitted to the Ministry after getting approval from MCL Board before Stage-II Clearance. An undertaking to this effect furnished by the User Agency is enclosed as Annexure-XII.

Condition No.(xii) The User Agency shall prepare and implement Risk Management Plan and the User Agency shall take all necessary measures to prevent fire hazards;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the Risk Management Plan is under preparation for prevention of fire hazards for the Area of Basundhara Coal Washery which will be implemented by the User Agency accordingly. An undertaking to this effect furnished by the User Agency is enclosed as Annexure-XIII.

Condition No.(xiii) 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;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking that the period of diversion of the 29.41 ha 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 to this effect furnished by the User Agency is enclosed as Annexure-XIV.

Condition No.(xiv) User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act 1986, if required;

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that in the 41st meeting of the EAC held on 14th December, 2018, EAC has recommended the proposal for grant of Environmental Clearance to Basundhara Washery (10 MTY) of M/s Mahanadi Coalfields

Manoranjan Das

Limited in District of Sundargarh (Odisha). The copy of minutes furnished by the User Agency is enclosed as Annexure-XV.

Condition No.(xv) *No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking not to establish any labour camp on the forest land and shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XVI.

Condition No.(xvi) *The boundary of the diverted forest land 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;*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the boundary of the diverted forest land has already been demarcated with 4' high RCC pillars and the specified information, i.e. serial number, DGPS coordinates & distance from pillar to pillar have been inscribed on the pillars.

Condition No.(xvii) *The forest land shall not be used for any purpose other than that specified in the proposal and 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.*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking not to use the forest land for any purpose other than that specified in the proposal and 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. The Undertaking to this effect furnished by the User Agency is enclosed as Annexure-XVII.

Condition No.(xviii) *No damage to the flora and fauna of the adjoining area shall be caused;*

Compliance: : In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking not to cause damage to the flora and fauna of the adjoining area. The Undertaking to this effect furnished by the User Agency is enclosed as Annexure-XVIII.

Manoranjan Das

Condition No.(xix) *The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking to explore the possibility of translocation of maximum number of trees identified to be felled and any tree felling shall be done only when it is unavoidable and that too under the strict supervision of the State Forest Department. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XIX.

Condition No.(xx) *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 regularly;*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported 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 to the of Ministry of Environment, Forest and Climate Change by the end of March every year regularly. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XX.

Condition No.(xxi) *Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking to abide by any other condition that the concerned Regional Office of the MoEF & CC, GoI may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife. The Undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXI.

Condition No.(xxii) *The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and NGT Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.*

Compliance: In compliance to the above, the the User Agency has furnished an undertaking to comply all the provision of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and NGT Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project. The Undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXII.

Manoranjan Dal

Compliance of additional conditions stipulated by Govt. of Odisha vide letter no. 10F
(Cons)91/2016 - 6414/F&E, Bhubaneswar, dated 29.03.2019:-

Condition No.(a) *The Collector, Sundargarh shall furnish detailed compliance of FRA guidelines of MoEF&CC pertaining to forest land proposed for diversion.*

Compliance: In compliance to the above, the Collector Sundargarh has issued the required certificate in the prescribed format vide Letter No.1738 dt14.09.2016 of Additional District Magistrate Sundargarh under Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act-2006 in respect of diversion of forest land measuring 29.41 ha of entire forest land including Reserved Forest in village Balinga, Bankibahal and Koisira for non-forestry use for construction of Basundhara Coal Washery of Mahanadi Coal Field Ltd. under Hemgiri Tahasil. The copy of the certificate issued by Collector Sundargarh is enclosed as Annexure-XXIII.

Condition No.(b) *Operation of the project shall be subject to proper resettlement and rehabilitation of project affected families as per approved R&R policy.*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking for operation of the project subject to proper resettlement and rehabilitation of project affected families as per approved R&R policy. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXIV.

Condition No.(c) *Operation of the Basundhara Coal Washery will be subject to availability of valid environmental clearance of MoEF & CC and CTE/CTO of SPCB, Odisha.*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking to obtain valid Environment Clearance (EC) from MoEF & CC before operation of Basundhara Coal Washery. The Consent to Establish (CTE) has been obtained from the State Pollution Control Board, Odisha vide Memo No., 8009 dtd.08.06.2017 and Consent to Operate (CTO) from State Pollution Control Board, Odisha will be obtained soon before operation of Basundhara Coal Washery. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXV.

Condition No.(d) *User Agency shall prepare the Site-Specific Wildlife Conservation Plan as per guidelines of CWLW, Odisha to be approved by PCCF (WL) & CWLW, Odisha for its execution at project cost.*

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking to prepare the Site-Specific Wildlife Conservation Plan as per guidelines of CWLW, Odisha to be approved by PCCF (WL) & CWLW, Odisha for its execution at project cost. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXVI. The DFO, Sundargarh Division has reported that, the tender process for preparation of Site Specific Wild Life Conservation Plan is in final stage.

Manoranjan Das

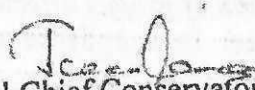
Condition No.(e) Updated State profile for this project duly signed by Addl. PCCF (Forest Diversion) & Nodal Officer, FC Act shall be furnished.

Compliance: In compliance to the above, the DFO Sundargarh Division has reported that the User Agency has furnished an undertaking to provide updated State profile for this project duly signed by PCCF (Forest Diversion) & Nodal Officer, FC Act. The undertaking to this effect furnished by the User Agency is enclosed as Annexure-XXVII.

In view of the above, the compliance to the conditions imposed by MoEF & CC, New Delhi and State Government is sent herewith for according final approval for diversion of 29.41 ha of forest land (20.89 ha fresh forest land and 8.52 ha of forest land for re-diversion out of already diverted forest area of 227.89 ha of Kulda OCP of Mahanadi coal fields Ltd) in Sundargarh Forest Division of Sundargarh District, Odisha for construction of Basundhara Coal Washery (10MTY) by Mahanadi Coal fields Limited under Section 2 of Forest (Conservation) Act, 1980.

Yours faithfully,

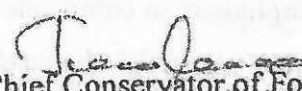
Encl- Annexure-I to XXVII
in One (1) set


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19

Memo No. /Dt.

Copy alongwith copy of one set of Stage-I compliance forwarded to the Addl. Director General of Forests (Central), MoEF & CC, Government of India, Eastern Regional Office, A/3, Chandrasekharpur, Bhubaneswar for information and necessary action.


Encl- Annexure-I to XXVII
in One (1) set


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19

Memo No. /Dt.

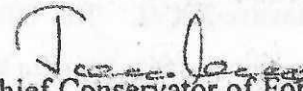
Copy alongwith copy of one set of Stage-I compliance forwarded to Principal Secretary to Government, F&E Deptt, Govt. of Odisha, Bhubaneswar for information and necessary action with reference to Letter No.10(Con)91/2016-6414/F&E dated 29.03.2019 of Special Secretary to Government, F&E Department.

Encl- Annexure-I to XXVII
in One (1) set


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19

Memo No. /Dt.

Copy forwarded to the Regional Chief Conservator, of Forests, Rourkela Circle for information and necessary action with reference to his Memo No.3001 dated 31.10.2019.

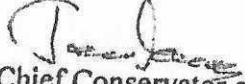

Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19

Manorajyan Das

Memo No.

/Dt.

Copy forwarded to the Divisional Forest Officer, Sundargarh Forest Division for information and necessary action with reference to Memo No.3002 dated 31.10.2019 of RCCF Rourkela Circle to his address.


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19


Memo No.

18869

/Dt.

01.11.19

Copy forwarded to the General Manager, Mahanadi Coal Fields Ltd., Basundhara Area, A/Po-Basundhara, District-Sundargarh, Odisha for information.


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
01/11/19

Manoranjan Das

Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

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

Dated: November, 2019.

12th December

To,

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

Sub: Diversion of 29.41 ha of forest land (20.89 ha fresh forest land and 8.52 ha of forest land for re-diversion out of already diverted forest area of 227.89 ha for Kulda OCP of Mahanandi Coalfields Ltd.) in Sundargarh Forest Division of Sundargarh District, Odisha for construction of Basundhara Coal Washery (10 MTY) by M/s Mahanadi Coalfields Limited.

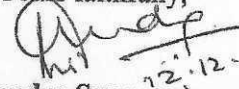
Sir,

I am directed to refer to the State Government's letter no. 18864/9F (Misc) 6/2016 dated 01.11.2019, on above mentioned subject wherein State Government has submitted point wise compliance of conditions stipulated in Stage-I approval dated 11.03.2019. After examination of the compliance report in the Ministry revealed following shortcoming:

- i. The revised approved mining plan in compliance to condition no. (xi) has not been submitted.
- ii. Risk Management Plan in compliance to condition no. (xii) has not been submitted.
- iii. As per compliance report of Site-Specific Wildlife Conservation Plan, the PCCF/ Nodal Officer mentioned that this plan is under preparation, therefore this required with deposition of fund in CAMPA account before issue of Stage-II clearance for instant proposal.
- iv. In compliance to condition no. (xiv) Environmental Clearance has not yet been granted, therefore present status of environment clearance may be given.
- v. The compliance has not been uploaded on web portal of Ministry.

In view of above, the State Government is requested to provide documents/clarification as indicated above, for further consideration of the proposal in the Ministry.

Yours faithfully,



(Brijendra Swaroop)

Dy Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Govt of Odisha, Bhubaneswar
2. The Nodal Officer, O/o the PCCF, Government of Odisha, Bhubaneswar.
3. The Dy. Director General (Central), Regional Office, Bhubaneswar
4. User Agency
5. Monitoring Cell of FC Divisions, MoEF&CC
6. Guard File