

BEFORE HONBLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA.
Original Application No-233-of 2024

IN THE MATTER OF:

JHARANA DEHURY AND OTHERS...APPLICANTS

VERSUS

UNION OF INDIA AND OTHERS ...

RESPONDENTS

INDEX

SI NO	PARTICULARS	PAGE NO
1	Original Application	1-23
2	Copy of the letter dated 04/07/2024 as ANNEXURE 1.	24
3	Copy of Stage-II approval dated 12/10/2022 as ANNEXURE-2	25-30
4	Copy of the notice dated 20/01/2023 as ANNEXURE-3.	31-35
5	A true copy of the Circular dated 03.08.2009 issued by MoEF ANNEXURE-4	36-39
6	Copy of the letter dated 08/07/2024 as ANNEXURE-5.	40-41
7	Copy of the fact sheet as ANNEXURE-6	42-54
8	Copy of the letter dated 20/02/2023 as ANNEXURE-7.	55-63
9	Vakalatnama	64-66

PLACE: Bhubaneswar

SANKAR PRASAD PANI 

DATE: 04/10/2024

ASHUTOSH PADHY 
PRASANNA KUMAR BEHERA

ADVOCATE

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-
9437279278,Email:sankarprasadpani@gmail.com

2

SYNOPSIS

That the present application is being filed challenging the illegal handing over of 643.095 Ha of (Chhendipada- Ankurpal) Reserve Forest land for the non forestry use of Naini open cast project (Coal Mine) of M/S Singareni Collieries Company Ltd. That the applicant's are the inhabitant's of Chhendipada Tahasil, Angul District where this project is proposing for Naini open cast project (Coal Mine) and the villagers are concerned of the illegal diversion of forest land by Govt. of Odisha without following the compliances of Forest clearance dated 12/10/2022.

Further, both Stage I and Stage II forest clearance orders impose the condition of compliance with the Forest Rights Act 2006. While the Stage 1 condition has not been complied with, the Stage 2 clearance has been granted and final order under Section 2 of the Forest (Conservation) Act, 1980 has been issued subject to the implementation of FRA, 2006 before handing over land to user agency where this seminal condition has remained fulfilled at all stages of the approval process even up to the present juncture where tree felling and construction activities are being proceeded with.

The rights of the petitioners and other Scheduled Tribe population in the proposed project area is thus at the brink of being irredeemably affected against statutory provisions.

BEFORE HONBLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA.

(Under Section 18(1) read with Section 14(1), 15 and 20 of the National Green Tribunal Act 2010)

Original Application No-----of 2024

IN THE MATTER OF:-

1. **Jharana Dehury**, aged about 39 years, At/po- Chendipada, Dist-Angul, pin-759124
2. Bidesi Pradhan, S/o- Adhikari Pradhan, aged about 43 years, At-Saluikhaman, Po- Chhendipada , Dist-Angul, pin-759124
3. Tukuna Munda, S/o- Baru Munda, aged about 35 years , At-Saluikhaman, Po- Chhendipada , Dist-Angul, pin-759124
4. Hadi Pradhan, S/o- Adhikari Pradhan, aged about 55 years, At-Saluikhaman, Po- Chhendipada , Dist-Angul, pin-759124
5. Basant Kumar Sethi, S/o- Arakshit Sethi, aged about 25 years At/po- Chendipada, Dist-Angul, pin-759124.
6. Sunil Behera, S/o Bharat Behera, aged about 27 years, At-Kumbhara Sahi, Po- Chhendipada, Dist-Angul, pin-759124
7. Udayanath Behera, aged about- 64 years, S/o late Nityananda

4

Behera, At/po- Chendipada, Dist-Angul, pin-759124

8. Padmanav Behera, aged about 56 years, S/o late Nityananda

Behera, At/po- Chendipada, Dist-Angul, pin-759124

9. Bidyadhar Sahoo, C/o- Brundaban Sahoo, aged about 64 years,

At/po- Chendipada, Dist-Angul, pin-759124 ...**APPLICANTS**

VERSUS

1. UNION OF INDIA Through the Secretary, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jorbagh, New Delhi – 110003; Email - mef@nic.in, secy-moef@nic.in
2. State of Odisha represented by Additional Chief Secretary Forest Environment and Climate Change Dept. Govt. of Odisha, At: LokSeva Bhawan, Sachivalaya Marg, Bhubaneswar, Dist.: Khurda, Odisha, Pin: 751001. E-mail ID : fesec.or@nic.in
3. District Collector Angul, At/Po- Collectorate, Angul– 759122, email- dm-angul@nic.in
4. Tahasildar Chhendipada, At/po- Chhendipada, Odisha 759124, Email- tah.chhendi-od@nic.in
5. Divisional Forest Officer Angul, at/Po- Amalapada, Angul, Odisha 759122, Email- dfo.angul@odisha.gov.in

5

6. Singareni Collieries Company Limited, represented through it's General Manager, At/Po- Bikash Nagar, FCI Road Turanga, 759123, Odisha.
7. **Secretary, Ministry of Tribal Affairs, Government of India, 416, 4th Floor, B-Wing, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi-110001** email- secy-tribal@nic.in

....Respondents.

Most Respectfully Showth :-

- I. The Address of the Applicants are given above for the service of notices of this application.
- II. The Addresses of the Respondents are given above for the service of notice of this application.
- III. The Present Application Challenges the illegal transfer of forest land in favor of M/S the Singareni Collieries Company ltd. for the purpose of Naini open cast project (Coal Mine) without following the due process of Forest Conservation Act 1980.

FACTS OF THE CASE

1. That the applicants are the villagers of Chhendipada and Saluikhaman under Chhendipada Tahasil of Angul district, who are going to be directly affected by the grant of Forest Clearance to the Respondent No 6. It is pertinent to mention that the villagers have

6

been protecting the forest for generations by community patrolling and after the joint forest management policy being part of Van Suraskhya Samiti there are at least two Van Suraskhya Samiti namely Ramachandi VSS and Maa Hingula VSS in this area which are proposed to be diverted for the coal mining operation. Since the people are connected with the forest emotionally, physically and spiritually, the proposed diversion of forest without consulting the gramsabhas are in blatant violations of the letter and spirit of Forest Right Act as well as the conditions imposed in forest clearance letter issued under Forest Conservation act 1980.

2. It is pertinent to mention here that the villagers of Chhendipada are protecting the forest which is illegally transferred to the respondent company namely Singareni Collieries Company Limited without following the due process of law.
3. That the Singareni Collieries Company Ltd., (SCCL) is a Govt. Company jointly owned by Govt. of Telengana and Govt. of India. The Naini Coal mine is opencast mining project and located in Chhendipada Tahasil of Angul District of Odisha.
4. That the respondent company namely Singareni Collieries Company Limited has now started felling of trees in some parts of the forest for facilitating the movement of vehicles to the site in question and the

large scale felling is to be followed, hence the present application requires urgent intervention of this Hon'ble Tribunal.

5. That the present cause of action arose on 04/07/2024 when the DFO Angul wrote a letter to the General Manager Singareni Collieries Co. Ltd. for handing over the **Chhendipada Reserve Forest land** measuring an area of **643.095ha**. Copy of the letter dated 04/07/2024 is annexed here unto as **ANNEXURE 1**.
6. It is pertinent to mention here that in Chhendipada RF around **1,05,092 number of trees to be felled**, in **Revenue forest 1087** number of trees and in **non-forest area around 327 number of trees** to be felled, and all these trees proposed to be felled are completely illegal as because the conditions of the stage I and stage II approval are yet to be fulfilled and without fulfilling the conditions of the stage I and stage II approval, any kind of activity in the proposed area is illegal.
7. It is humbly submitted that in the said letter it is categorically mentioned that the said approval is **subject to the fulfillment of the conditions as mentioned in the Stage-I and Stage-II** approval orders of MoEF & CC, Govt. of India, However in the present case conditions of the Stage-I and Stage-II approval is not fulfilled specifically the condition No. (B) 13 of stage-II clearance dated

8

12/10/2022 which states regarding settlement of Forest Rights, written consent of Gram Sabha and full compliance of OM dated 03/08/2009 and the land in question has been transferred to the Respondent-6 i.e **M/S Singareni Collieries Company Ltd.** for non forestry use. The applicant could not find copy of the Stage-I forest clearance from the Parivesh Portal and the Stage-II approval dated 12/10/2022 is annexed here unto as **ANNEXURE-2**.

8. That on dated 20/01/2023 OSD-cum-Special Secretary to the Government, Forest Environment & Climate Change Department, Government of Odisha wrote a letter to the Principal Chief Conservator of Forests & HoFF, Odisha regarding AMENDMENT IN CONDITION A-1, A-5 & A-7 OF STAGE - II APPROVAL, the said amendments are as follows,

- i. *“They shall publish this letter along with the enclosure in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware about the amendment in conditions conveyed by Govt. of India, MOEF &CC, New Delhi.*

- ii. *They shall submit the copies of this letter along with the enclosure to the Heads of local bodies, Panchayats and Municipal bodies along with the relevant offices of the State Government,*

9

who in turn, shall display the same for 30 days from date of receipt.

iii. Detailed action taken in this regard shall be intimated to the DFO, Angul Forest Division/RCCF, Angul Circle/ PCCF & HoFF, Odisha/ Forest, Environment & Climate Change Department for reference.

Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project in full, if not deposited yet, at applicable rates. Requisite funds due for deposit by the user agency on account of this project shall also be deposited under appropriate head.

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

9. It is submitted that as on date no such compliances has been done by the user agency however the proposed forest land has been transferred in favor of the user agency and handed over for non forestry use. Copy of the notice dated 20/01/2023 is here unto annexed as **ANNEXURE-3**.

10

10. It is further submitted that since the villagers are living and depending on the Chhendipada Reserve Forest for their livelihood for generations hence they are the Forest dwellers as defined in Forest Rights Act and any kind of deprivation of Rights from accessing the forest is a violation of Forest Rights Act.
11. It may be pointed out that interference with forest rights or any attempt to dispossess the forest dwellers is a violation of Section 7 read with Section 4(5) of the FRA, 2006, and also a criminal atrocity under Section 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Such failure to comply with the statutory conditions also amounts to an offence under the FCA, 1980.
12. Felling of trees and clearing of such forest-land will be irreversible and therefore cannot be allowed to proceed in violation and non-compliance of judicial precedent, statute and various provisions of law.
13. It is pertinent to mention here that The Ministry of Environment & Forests, vide their letter dated 03.08.2009, has issued directions requiring State/UT Governments to enclose certain evidences relating to completion of the process of settlement of rights under the FRA, 2006, while formulating unconditional proposals for diversion of forest land for non-forest purposes under the FCA, 1980. The

11

State Government should ensure that all diversions of forest land for non-forest purposes under the FCA, 1980 take place in compliance with the instructions contained in the Ministry of Environment & Forest's letter dated 03.08.2009. The circular states as follows:

“to formulate unconditional proposals under the Forest (Conservation) Act, the State / UT governments are, wherever the process of settlement of Rights under the FRA has been completed or currently under process, required to enclose evidences for having initiated and completed the above process, especially among other sections, Sections 3(1)(i), 3(1)(e) and 4(5).”

14. It is submitted that the above-mentioned direction of the Ministry, correctly, requires such certificates in *all* cases of forest diversion, and does not provide for any exceptions to this requirement on any ground whatsoever. The direction further states that the evidences in question must, *inter alia*, include:
 - a. A letter from the State Government certifying that the *complete process for identification and settlement of rights under the FRA has been carried out* for the entire forest area proposed for diversion, with a record of all consultations and meetings held;

12

- b. A letter from the State Government certifying that *proposals for such diversion (with full details of the project and its implications, in vernacular / local languages) have been placed before each concerned Gram Sabha* of forest-dwellers, who are eligible under the FRA;
- c. *A letter from each of the concerned Gram Sabhas, indicating that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion* and the compensatory and ameliorative measures if any, having understood the purposes and details of proposed diversion;
- d. A letter from the State Government certifying *that discussions and decisions on such proposals had taken place only when there was a quorum of minimum 50% of members of the Gram Sabha present;*
- e. *Obtaining the written consent or rejection of the Gram Sabha to the proposal* (emphasis supplied).

A true copy of the Circular dated 03.08.2009 issued by MoEF is annexed hereto and marked as **ANNEXURE-4**

15. It is submitted that there are no records of compliance of Forest Rights Act prior to handing over of Forest Land and if the same compliance is not insisted then the evidences of Forest Rights of local community will be erased/wipeout leading to further deprivation and frustrating the objective of Forest Rights Act to undo the historical injustice.

16. That there has been no publication of the forest clearances in widely circulated newspapers in the vernacular and English languages by the project proponent, nor has the same been submitted to the head of local bodies as required in case of Vimal Bhai Vs Union of India, Appeal No 7/2012/PB, Order dated 7.11.2012. The relevant portion of the para 31 and 32 of the order is reproduced as follows

“31. We are surprised to find that most of the State Governments do not pass separate orders in the light of the basic requirement of Section 2 of the FC Act as explained above thereby creating an embargo and depriving a person aggrieved from filing an Appeal. Section 2 of the FC Act, mandates that as and when the State Government decides to permit use of the Forest land for non-forest purpose, it has to pass order to that effect. The said order along with the conditions imposed by the Central Government according Stage - I and Stage - II Clearance is mandatorily required to be displayed in the website. A copy of the order should also be sent to the MoEF forthwith. After receiving the copy of the order MoEF is also required to upload the same in its website so as to make the entire transactions transparent and bring it to public domain or Government portal and to enable any person aggrieved by the order passed under the provision of Section 2 of the FC Act, to approach this Tribunal in consonance

with Section 2 (A) for FC Act or Section 16 (e) of the NGT Act.

32. Apart from the said action the State Government should also insist that the Project Proponent should publish the entire forest clearances granted in verbatim along with the conditions and safe-guards imposed by the Central Government in Stage - I Forest Clearance in two widely circulated daily newspapers one in vernacular language and the other in English language so as to make people aware of the permission granted to the Project Proponent for use of forest land for non-forest purposes. The cause of action for filing an Appeal would commence only from the date when such publication is made in the newspapers, as well as from the date when the forest clearance and permission to use the Forest land for non-forest purpose is displayed in the website of the concerned State Government or the MoEF, as the case may be. The copies of the Forest Clearance should also be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
17. It is pertinent to mention here that on dated 08/07/2024 Singareni Collieries Company Ltd wrote a letter to all the concerned secretaries of the Vana Samraskhan committee to inform that the Govt. had gave

them approval for counting and felling of the trees present in the land in question and they are going ahead with their project. But as on date conditions of stage I and stage II approval is not fulfilled and the project proponent is going ahead to fell the trees present in the forest land without fulfilling the conditions of stage I and stage II approval which is clear violation. Copy of the letter dated 08/07/2024 is here unto annexed as **ANNEXURE-5**.

18. It is pertinent to mention here that in the fact sheet it is clearly mentioned that during site inspection Dy. Inspector General (Central), Regional Office, Bhubaneswar observed that the movement of elephant is noticed in northern & southern part of lease area, if the area is mined out, the surrounding villages will be impacted more. So detail Mitigation plan has to be prepared for avoiding Man-animal conflict in future and for providing safe passage of elephants, but as on date no such Mitigation plan has been prepared by the user agency. Copy of the fact sheet is annexed here with as **ANNEXURE-6**.
19. It is pertinent to mention here that the project area is a habitation of endangered species like Elephant, Barking deer, Indian Hare. Birds: Indian pea fowl, Blue jay, Egrets, kingfisher, Drongo, so any kind of non forestry activity in the said area will have a severe impact on the endangered species.

20. That the proposed area comes under Tropical Moist Deciduous forest. The said forest has been put under Eco-Value-Class-I with density 0.4. The forest comprises of Acacia (*Acacia auriculiformis*), Bahada (*Terminalia belerica*), Varavajykua (*Delbergiapaniculata*), Bheru (*Chloroxylonswietenia*), Eucallyptus (*Eucallyptushybrid*), Ghurudu (*Gardenia gummifera*), Gohira (*Acacia leukophloea*), Sal (*Shorea robusta*), Sirisa (*Albizziaprocera*), sunari (*Cassia fistula*), Teak (*Tectonagrandis*), Tentuli (*Tamarindusindica*), Chakunda (*Cassia siamea*), etc.
21. It is pertinent to mention here that on dated 20/02/2023 the Chhendipada village committee wrote a letter to all the concerned authorities regarding the illegal transfer of forest land to Singareni Collieries Co. Ltd for non forest use. Copy of the letter dated 20/02/2023 is here unto annexed as **ANNEXURE-7**.
22. That the objective of the Forest (Conservation) Act of 1980 is to prevent further destruction except where it was unavoidable and checks and balances could be built in. Thus, it has avoided arbitrary de-reservation of large blocks of forests.

GROUNDNS

- I. That the grant of forest clearance is subject to compliance of FRA, 2006 on proposed forest land meant for diversion, hence this application requires the consideration of the Hon'ble Tribunal.

- II. That the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 Guidelines issued by the nodal Ministry under Sec 12 of the FRA unequivocally establishes the requirement of settlement of rights prior to eviction. Clause V(a) of the Guidelines states that:

V(a). Section 4(5) of the Act is very specific and provides that no member of a forest dwelling Scheduled Tribe or other traditional forest dwellers shall be evicted or removed from the forest land under his occupation till the recognition and verification procedure is complete. This clause is of an absolute nature and excludes all possibilities of eviction of forest dwelling Scheduled Tribes or other traditional forest dwellers without settlement of their forest rights as this Section opens with the words "Save as otherwise provided". The rationale behind this protective clause against eviction is to ensure that in no case a forest dweller should be evicted without recognition of his rights as the same entitles him to a due

compensation in case of eventuality of displacement in cases, where even after recognition of rights, a forest area is to be declared as inviolate for wildlife conservation or diverted for any other purpose. In any case, Section 4(1) has the effect of recognizing and vesting forest rights in eligible forest dwellers. Therefore, no eviction should take place till the process of recognition and vesting of forest rights under the Act is complete.

III. The aforesaid guidelines make it incumbent on the State government to ensure that all diversion of forest land for non-forest purposes under the FCA, 1980 complies with the MoEF letter dated 30.07.2009 and 03.08.2009. Clause 5(b) of the Guidelines state that:

V (b). The Ministry of Environment & Forests, vide their letter No.11-9/1998-FC(pt.) dated 30.07.2009, as modified by their subsequent letter of the same number dated 03.08.2009, has issued directions, requiring the State/UT Governments to enclose certain evidences relating to completion of the process of settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, while formulating unconditional proposals for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980.

The State Government should ensure that all diversions of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 take place in compliance with the instructions contained in the Ministry of Environment & Forest's letter dated 30.07.2009, as modified on 03.08.2009.

- IV. That the Forest (Conservation) Rules, 2002 under Rule 9(6)(b)(ii) makes it incumbent on the State government to fulfil and comply with the settlement of rights under FRA, 2006 before issuing order for diversions, assignment of lease or de-reservation of forest land.
- V. That compliance of FRA, 2006 being a prerequisite for giving effect to the Forest Diversion proposal and in the present case, the same has not been not complied with, hence the Forest Clearance is not absolute and subject to scrutiny by the Hon'ble Tribunal.
- VI. That FRA, 2006 being a progressive law with an objective to undo historical injustices, the non-compliance of the Act for a project of such nature will lead to further injustice towards the Schedule Tribe and Other Traditional Forest Dwellers.
- VII. That if the project is not stopped at this stage, it will lead to all evidences of forest rights to be wiped out which could have been determined by the Sub-Divisional Level Committee and District Level Committee in consultation with the concerned Gram Sabhas.

VIII. As such, these above conditions are unequivocal in putting a restriction on transfer of land and change in land use prior to settling of rights under the FRA, 2006.

IX. That the Honble NGT in **Paryawaran Sanrakshan Sangharsh Samiti Lippa vs. Union of India & Ors. Appeal No. 28/2013**, in order dated 04.05.2016 directed the State government to consult the Gram Sabhas of concerned villages regarding forest clearance. The Gram Sabhas were further directed to consider all community and individual claims and take up mitigation measures to offset the adverse impact of the project. The Court directed that a Judicial Officer be deputed in order to ensure transparency and confidence of the villagers in the proceedings and for the proceedings to be completed in a time bound manner. In Para 20(1) the tribunal directs as follows:

“The Respondents No.1 and 2 shall ensure that the entire proposal pertaining to Forest Clearance in respect of Stages II and III of 130 MW Kashang Integrated Hydro Electric Project is placed before the Gram Sabha of villages Lippa, Rarang, Pangi and Telangi in Kinnaur District of Himachal Pradesh as prescribed under the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required under Condition 16 of the Forest Clearance dated 22.03.2011 issued by the Ministry of Environment and

Forests;”

- X. That the non-compliance of FRA, 2006 is in violation of the order of Hon’ble Supreme Court of India in *Orissa Mining Corporation vs. Ministry of Environment and Forests* (2013) 6 SCC 467. In the judgement the hon’ble court observes as follows:

“The Statement of Objects and Reasons of the Act states that forest dwelling tribal people and forests are inseparable and that the simplicity of tribals and their general ignorance of modern regulatory framework precluded them from asserting their genuine claims to resources in areas where they belong and depended upon and that only recently that forest management regimes have initiated action to recognize the occupation and other right of the forest dwellers. Of late, we have realized that forests have the best chance to survive if communities participate in their conservation and regeneration measures. The Legislature also has addressed the long standing and genuine felt need of granting a secure and inalienable right to those communities whose right to life depends on right to forests and thereby strengthening the entire conservation regime by giving a permanent stake to the Schedule Tribes dwelling in the forests for generations in symbiotic relationship with the entire ecosystem.”

PRAYER FOR INTERIM RELIEF

Restrain the DFO Angul from handing over of the forest and felling of trees by Singareni Co Ltd pending disposal of the Original Application.

LIMITATION

That the present application is being filed within six months from the letter issued by the DFO Angul i.e. on 04/07/2024, hence the application is not barred by limitation.

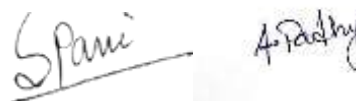
PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to

- a. Restrain the respondents and Singareni Co Ltd from accessing and using the forest land for non-forest activity.
- b. Hold and declare handing over of forest land without compliance of Forest Right Act is illegal.
- c. Direct the state respondent to comply with the provisions of the FRA, guidelines, rules, and judicial precedent.
- d. Pass any other order(s)/direction(s) that Your Lordships may deem fit and proper in the interest of justice, equity and good conscience.

For this act of kindness the Applicant shall remain ever grateful to you.

DATE- 4/10/2024



APPLICANTS THROUGH

ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO -..... OF 2024/EZ

IN THE MATTER OF:

JHARANA DEHURY AND OTHERS

APPLICANTS

VERSUS

UNION OF INDIA AND OTHERS

RESPONDENTS

AFFIDAVIT

04 OCT 2024

I, **Bidyadhara Sahoo, C/O-Brundaban Sahu**, aged about 64 years, At/Po-Chhendipada, Dist- Angul, Pin- 759124 do hereby solemnly affirm, and declare as under:

1. That I am one of the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and authorized by other applicants therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Bidyadhara Sahoo
DEPONENT

VERIFICATION

Verified on this 04 OCT 2024 day of2024 atthat the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
[Signature]
Advocate

Bidyadhara Sahoo
DEPONENT



The above named deponent(s) being duly identified by *[Signature]* Advocate, Bhubaneswar Appears before me on 04 OCT 2024 at 3:00 PM States on oath the contents of his/its affidavit are true to the best of his / her / their knowledge and belief

Deponent(s) Notary, Bhubaneswar

[Signature]
JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHUBANESWAR
REGD. NO-ON-86/2012
Mob. No. - 9337121273

ANNEXURE-1

OFFICE OF THE DIVISIONAL FOREST OFFICER: ANGUL DIVISION: ANGUL

Memo No. 5030 / 65/DRP/2024/Dated. 04-07-2024

- To The General Manager Singareni Collieries Co Ltd,
Naini Area, Angul Bikash Nagar, FCI Road Turanga,
Angul A.Po-Dist-Angul, Odisha-Pin-759123
- Sub: - Proposal for diversion of 783.275 ha forest land for Naini open cast project (Coal Mine) of M/S the Singareni Collieries Company Ltd consisting of 643.095 ha (Chhendipada-Ankurpal) Reserve Forest and 140.180 ha revenue forest land of Chhendipada Range, Angul District.
:- **Handing over Reserve Forest land 643.095 ha.**
- Ref: 1. Proposal No. FP/OR/MIN/30980 / 2017.
2. No. 8-01/2020-FC dt. 28.07.2021 of GoI, MoEF & CC, (Stage-I).
3. No. 8-01/2020-FC dt. 12.10.2022 of GoI, MoEF & CC, (Stage-II).
4. Memo No. 19403 F&E dt 31.10.2022 of Spl. Secy. to Govt. FE & CC Deptt.
5. No. 8-01/2020-FC dt. 10.01.2023 of GoI, MoEF & CC.
6. No. 8-01/2020-FC dt. 13.03.2023 of GoI, MoEF & CC.
7. Your letter No. 388 dated 21.06.2024.

Sir,

With reference to the above-cited subject, it is to inform that the Government of India, MOEF & CC, vide their letters No. 8-01/2020-FC dated 12.10.2022, No. 8-01/2020-FC dated 10.01.2023, and No. 8-01/2020-FC dated 13.03.2023, has accorded final approval under Section 2 of the Forest (Conservation) Act, 1980, for the non-forestry use of 783.275 ha of forest land. This consists of 643.095 ha of RF in Chhendipada & Kankurpal RF and 140.180 ha of Village Forest Land, in favor of M/S Singareni Collieries Company Ltd. for the Naini Opencast Coal Mining Project in the Angul Forest Division of District Angul (Odisha), subject to the fulfillment of few conditions. Further, the same was forwarded by the OSD-cum-Special Secretary to the Government, Forest Environment & Climate Change Department, Government of Odisha, along with 03 observations made in his letter, vide Memo No. 19403 F&E dated 31.10.2022.

In view of the above, you have requested to hand over the forest land vide your letter No. 388 dated 21.06.2024 for use of non-forestry purposes.

Hence, you are handed over the 643.095 ha of (Chhendipada-Ankurpal) Reserve Forest land for the non-forestry use of the above purpose. This is subject to the fulfillment of the conditions as mentioned in the Stage-I and Stage-II approval orders of MoEF & CC, Govt. of India, and OSD-cum-Special Secretary to the Government, Forest Environment & Climate Change Department, Government of Odisha for information and necessary action.

Encl:- As above

Yours faithfully,


Divisional Forest Officer
Angul Division

ANNEXURE-2

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

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi - 110003.

Dated: 12th October, 2022

To,

The Addl. Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Proposal for non-forestry use of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada and Kankurupal RF and 140.180 ha of Village Forest Land in favour of M/s Singareni Collieries Company Ltd for Naini Opencast Coal Mining Project in Angul Forest Division of District Angul (Odisha) - reg.

Sir,

I am directed to refer to the Government of Odisha's letter No. 10F(Con)123/19-229/F&E dated 04.01.2020 on the above subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee, constituted under section 3 of the said Act, 'in-principle' approval to the proposal under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 28th July, 2021 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. 21909/9F(MG)-380/2019 dated 18.12.2021, letter no. 5677/9F (MG) - 380/2019 dated 17.03.2022, letter no. FE-DIV-FLD-0026-2021-8586/FE&CC dated 07.05.2022, letter no. 9986/9F (MG)-380/2019 dated 13.05.2022, letter No. 13632/9F(MG)-380/2019 dated 12.07.2022 and letter no. 18977/9F (MG)-380/2019 dated 26.09.2022, final approval of Central Government under section 2 of the Forest (Conservation) Act, 1980 is hereby granted for the non-forestry use of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada & Kankurupal RF and 140.180 ha of Village Forest Land in favour of M/s Singareni Collieries Company Ltd for Naini Opencast Coal Mining Project in Angul Forest Division of District Angul (Odisha) subject to the fulfillment of the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department

1. The State Government shall ensure that details of the finalized WLMP, SMC Plan and disposition of monies, payment of deficit amount, etc. shall be intimated to and concurred by the concerned IRO of the Ministry before actual breaking/non-forestry use of the forest land;
2. Wildlife/Elephant Management Plan, at project cost, shall be prepared, by the

State Government in consultation with national level institute such as Wildlife Institute of India, BNHS or Indian Institute of Science and the PCCF (Wildlife) of the State for the protection and conservation of wildlife of the area and to mitigate adverse impacts of coal mining on the elephant population, their movements, etc. for entire coal bearing belt encompassing areas of Chhendipada, Kaniha, Jarpada, ranges of Angul Division and Reamal range of Deogarh Division alongwith adjoining contiguous forest areas. Progress on the preparation of said Management Plan shall be submitted to the Integrated Regional Office of the Ministry on quarterly basis. A copy of approved Plan shall be submitted to the IRO and Ministry along with details of the corresponding funds deposited into the account of CAMPA;

3. The KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before handing over the forest land to the user agency;
4. As per the provisions of the Guidelines dated 7.06.2022, the user agency has deposited 2% of total project cost towards the cost of implementation of the Wildlife Management Plan and 0.5% of the project cost towards the cost of implementation of Soil and Moisture Conservation Plan. Funds, already deposited by the user agency shall be used for the implementation Wildlife/Elephant Management Plan and Soil & Moisture Conservation Plan
5. The provisions to be provided in the WLMP or SMC Plan shall be approved by the competent authority in the State and accordingly, the deficit amount, if any, from the money already realized to the tune of 2% and/or 0.5% of project cost, shall be paid by the user agency, and same shall be deposit in the CAMPA account prior to starting actual work in the Forest area;
6. The State Government shall ensure that details of the finalized WLMP, SMC Plan and disposition of monies, payment of deficit amount, etc. shall be intimated to and concurred by the concerned IRO of the Ministry before actual breaking/non-forestry use of the forest land;
7. State Government shall ensure that under no circumstances, implementation of such mitigating measures envisaged in WLMP and SMC or other similar Plans/Schemes should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

B. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department

1. Legal status of the diverted forest land shall remain unchanged.
2. **Compensatory Afforestation:**
 - i. The Compensatory afforestation over degraded forest land, double in extent to the forest land being diverted i.e. 1566.55 ha shall be raised by the State Forest Department at the project cost;
 - ii. The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department. The CA will be maintained for 10 years and the CA scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years;
 - iii. Compensatory afforestation over degraded forest land, double in extent to the forest land being diverted, shall be raised by the State Forest Department at the project cost within three years from the date of grant of Stage - II approval;
3. Following non-forest land, after its technical and biological reclamation shall be transferred and mutated in favour of the State Forest Department,

Telangana as per undertaking furnished by the user agency:

S. No.	Name of the project – NFL identified	District in Telengana State	Area (Ha)	Proposed year of mutation
1.	Javaharkhani oC-5 (External/Internal dump) of SCCL	Bhadradri-Kothagudem	212.19	2027-28
2.	Kakatiyakhani OC Sector-I (External Dump) of SCCL	Jayashankar-Bhupalpali	186.68	2027-28
3.	Ravindrakhani OCP (External Dump) of SCCL	Khammam	265.98	2027-28
4.	Jalagam Vengalla Rao OC (I&II Expansion) (External Dump) of SCCL	Khammam	129.78	2027-28
Total			794.63	

4. Compliance of the condition no. (3) above, shall be intimated by the user agency to the Ministry and its Integrated Regional Office at Vijayawada and in the event of non-compliance, the Stage-II approval shall be revoked by the Central Government;
5. The State Government has realized the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 through online portal of CAMPA account of the State. NPV, if any, becomes due in future shall be realized in accordance with the relevant guidelines issued by the Ministry;
6. Compensatory levies, if any, realized in future under the extant project, shall be transferred/ deposited, through e-challan, in the account of CAMPA pertaining to the State through **e-portal** (<https://parivesh.nic.in/>);
7. Additional Soil and Moisture Conservation (SMC) measures recommended by the State over an area of 913 ha shall be implemented by the State Forest Department from the funds, @ 0.5% of the total project, already deposited by the user agency;
8. Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:
 - i. Mitigative measures to minimize soil erosion and choking of streams/rivulets 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;
 - ii. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
 - iii. Construction of check dams, retention /toe walls to arrest sliding down of the

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- excavated material along the contour in accordance with the approved scheme;
- iv. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angle of repose at any given place is less than 28° ; and
 - v. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
8. User agency either itself or through the State Forest Department shall undertake gap planting and soil and 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 meter from outer perimeter of the mining lease as per plan for plantation and SMC activities submitted along with compliance of Stage-I approval;
 9. The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per plan submitted along with the compliance of Stage-I approval, so as to mitigate the impact of project on such tanks/water bodies.
 10. **Safety Zone Management:** Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry:
 - i. User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department;
 - ii. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - iii. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area; regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department;
 - iv. Afforestation on degraded forest land to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost under the supervision of the State Forest Department. The degraded forest land (DFL) so selected will be informed to the MoEF&CC and the afforestation will be done within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department; and
 - v. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
 11. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 12. State Government shall ensure that under no circumstance, implementation of such mitigating measures envisaged in WLMP and SMC or other similar Plans/Schemes should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
 13. State Government shall ensure that process for settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has been completed in accordance with the relevant guidelines prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated

- 03.08.2009 read with 05.07.2013;
14. 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;
 15. Trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of concerned DFO;
 16. 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;
 17. 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 (by 31st March each year) 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 concerned Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
 18. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them, in a timely manner, to a condition which is fit for growth of fodder, flora, fauna, etc.;
 19. 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;
 20. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 21. 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;
 22. 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 coordinates;
 23. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
 24. 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;
 25. No damage to the flora and fauna of the adjoining area shall be caused;
 26. 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 31st March every year regularly;



File No.8-01/2020-FC

27. 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;
28. 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; and
29. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

Yours faithfully

(Preetpal Singh)

Dy. Inspector General of Forests

Copy to:

1. Principal Secretary (Forests), Government of Telangana, Hyderabad with a request to accept the non-forest land of 794.63 ha, transferred and muted in favour of State Forest Department from 2027-28 onwards to provided against the diversion being considered under extant approval.
2. The PCCF (HoFF), Forest Department, Government of Odisha, Bhubaneswar
3. The PCCF & Nodal Officer (FCA), O/o PCCF, Forest Department, Government of Odisha, Bhubaneswar
4. The PCCF & Nodal Officer (FCA), O/o PCCF, Forest Department, Government of Telangana, Hyderabad
5. The Regional Officer (Central), Integrated Regional Office of MoEF&CC at Bhubaneswar
6. The Regional Officer, Integrated Regional Office of MoEF&CC at Hyderabad for monitoring and ensuring the compliance of condition no. B(3) and (B4) as per undertaking submitted by the user agency.
7. User Agency
8. Monitoring Cell, FC Division, MoEF&CC, New Delhi
9. Guard File

By Speed Post/e-mail

GOVERNMENT OF ODISHA
FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

No.FE-DIV-FLD-0026-2021-1184 /FE&CC Date 20.01.23
10F (Cons) 123/2019

From

Shri Lingaraj Otta,
OSD-cum-Special Secretary to Government

To

The Principal Chief Conservator of Forests & HoFF, Odisha,
Bhubaneswar

Sub: Proposal for non-forestry use of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada and Kankurupal RF and 140.180 ha of Village Forest Land in favour of M/s Singareni Collieries Company Ltd for Naini Opencast Coal Mining Project in Angul Forest Division of District Angul (Odisha)-Modification in the conditions regarding.

Sir,

In continuation to this Department Order No.19399/FE&CC dtd.31.10.2022, I am directed to invite a reference to the subject cited above and to say that with reference to this Department Letter No.FE-DIV-FLD-0026-2021-19519/FE&CC dtd.02.11.2022, the Govt. of India, MoEF & CC, New Delhi have conveyed the amendment in Condition No.A (1), A (5) & A (7) of the Stage-II approval dt.12.10.2022 vide their Letter dt.10.01.2023.

The copy of the Letter dt. 10.1.2023 of the Govt. of India, MoEF&CC, New Delhi is sent herewith for kind information and necessary action.

Yours faithfully,



OSD-cum-Special Secretary to Government

Memo No. 1185 /FE&CC,Date 20.01.23

Copy with copy of the enclosure forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC (FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/ Deputy Director General of Forests (Central), MoEF&CC, Government of India, IRO, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012- FC dtd.24.07.2013 with reference to this Department Memo No.19401/FE&CC dtd.31.10.2022.



OSD-cum-Special Secretary to Government

8-01/2020-FC

51476/Phase
13.1.2022

2023



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

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi - 110003.

Dated: 10th January 2023

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

Sub: Proposal for non-forestry use of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada & Kankurupal RF and 140.180 ha of Village Forest Land in favour of M/s Singareni Collieries Company Ltd for Naini Opencast Coal Mining Project in Angul Forest Division of District Angul (Odisha) - Modification in the conditions regarding .

Sir,

I am directed to refer to the Government of Odisha's letter No. FE-DIV-0026-2021-19519/FE&CC dated 02.11.2022 on the above mentioned subject requesting to amend certain conditions of the Stage-II approval dated 12.10.2022 to allow the State Government to hand over the forest land to the user agency and to say that the matter was considered by the Forest Advisory Committee (FAC) in the meeting held on 07.11.2022. The detailed minutes of the said FAC meeting can be seen at www.parivesh.nic.in.

Based on the recommendation of the FAC and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby conveys the amendment in condition no. A(1), A(5) and A(7) of the Stage-II approval 12.10.2022 as under:

- a. A(1): The State Government shall ensure that details of the finalized WLMP, SMC Plan and disposition of monies, payment of deficit amount, etc. shall be approved by the competent authority and concurred by the concerned IRO of the Ministry within a period of one year from the date of issue of Stage-II approval;
- b. A(5): The provisions to be provided in the WLMP or SMC Plan shall be approved by the competent authority in the State and accordingly, the deficit amount, if any, from the money already realized to the tune of 2% and/or 0.5% of project cost, shall be paid by the user agency, and same shall be deposited in the CAMPA account;

Memo No. 1186 /FE&CC, Date 20.01.23

Copy with copy of enclosure forwarded to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha/ Principal Chief Conservator of Forests (FD&NO), FC Act, O/o PCCF & HoFF, Odisha/ Director, Environment-cum-Special Secretary to Government, Forest, Environment & Climate Change Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action with reference to this Department Memo No.19402/FE&CC dtd.31.10.2022.

dnof/2023

OSD-cum-Special Secretary to Government

Memo No. 1187 /FE&CC,

Date 20.01.23

Copy with copy of enclosure forwarded to the Regional Chief Conservator of Forests, Angul Circle/ Divisional Forest Officer, Angul Forest Division for information and immediate necessary follow up action with reference to this Department Memo No.19403/FE&CC dtd.31.10.2022.

dnof/2023

OSD-cum-Special Secretary to Government

Memo No. 1188 /FE&CC,

Date 20.01.23

Copy with copy of enclosure forwarded to Steel & Mines Department/ Director of Mines, Odisha/ Collector, Angul for information and necessary follow up action with reference to this Department Memo No.19404/FE&CC dtd.31.10.2022.

dnof/2023

OSD-cum-Special Secretary to Government

Memo No. 1189 /FE&CC,

Date 20.01.23

Copy with copy of enclosure forwarded to the General Manager, M/s Singareni Collieries Company Ltd, Naini Area, Angul, Odisha, Pin-759122 for information and immediate necessary action with reference to this Department Memo No.19406/FE&CC dtd.31.10.2022.

The user agency is asked to take following actions immediately as per orders of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012-FC dtd.24.07.2013.

- i. *They shall publish this letter along with the enclosure in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware about the amendment in conditions conveyed by Govt. of India, MoEF & CC, New Delhi.*
- ii. *They shall submit the copies of this letter along with the enclosure to the Heads of local bodies, Panchayats and Municipal bodies along with the relevant offices of the State Government, who in turn, shall display the same for 30 days from date of receipt.*
- iii. *Detailed action taken in this regard shall be intimated to the DFO, Angul Forest Division/ RCCF, Angul Circle/ PCCF & HoFF, Odisha/ Forest, Environment & Climate Change Department for reference.*

Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project in full, if not deposited yet, at applicable rates. Requisite funds due for deposit by the user

agency on account of this project shall also be deposited under appropriate head.

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

ds
20.01.23

Memo No. 1190/FE&CC, OSD-cum-Special Secretary to Government
Date 20.01.23

Copy with copy of the enclosure forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action. He is requested to upload this order along with its enclosures in the website of Forest, Environment & Climate Change Department **immediately** for information of all concerned. **This is required in compliance to order of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.7/2012. Hence this may be done unfailingly** with reference to this Department Memo No.19407/FE&CC dtd.31.10.2022.

ds
20.01.23

Memo No. 1191/FE&CC, OSD-cum-Special Secretary to Government
Date 20.01.23

Copy with copy of the enclosure forwarded to the Under Secretary to Government, Office Establishment Section, Forest, Environment & Climate Change Department for information and necessary action with reference to this Department Memo No.19408/FE&CC dtd.31.10.2022

ds
20.01.23

OSD-cum-Special Secretary to Government

37187/2023

- c. A (7): State Government shall ensure that under no circumstances, the implementation of mitigating measures envisaged in WLMP and SMC or other similar Plans/Schemes should be delayed beyond a period of two years from the date of grant of Stage-II approval to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

This issue with the approval of Competent Authority of the Ministry.

Signed by Charan Jeet
Singh

Date: 10-01-2023 10:39:56

Yours faithfully
Sd/-

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The PCCF, All States/ Union Territories Administration.
2. The Regional Officer, All Integrated Regional Office of MoEF&CC
3. The Nodal Officer, O/o the PCCF, All States/ Union Territories Administration.
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi
6. Guard file

167

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ANNEXURE-4

F. No. 11-9/1998-FC (pt)

Government of India
Ministry of Environment and Forests
(FC Division)

ANNEXURE-4

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510.
Dated: 03.08.2009

To

The Chief Secretary / Administrator
(All State/UT Governments except J&K)

Subject: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

Sir,

In continuation to this Ministry's letter of even number dated 30.07.2009, I am directed to invite the attention of the State Government to the operationalization of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which has become effective from 01.01.2008. It is observed that the proposals under the Forest (Conservation) Act, 1980 are being received from different states/UT Governments with the submission that the settlement of rights under Forest Rights Act, 2006 (FRA) will be completed later on.

Accordingly, to formulate unconditional proposals under the Forest (Conservation) Act, 1980, the State/UT Governments are, wherever the process of settlement of Rights under the FRA has been completed or currently under process, required to enclose evidences for having initiated and completed the above process, especially among other sections, Sections 3(1)(i), 3(1)(e) and 4(5). These enclosures of evidence shall be in the form of following:

- a. A letter from the State Government certifying that the complete process for identification and settlement of rights under the FRA has been carried out for the entire forest area proposed for diversion, with a record of all consultations and meetings held;
- b. A letter from the State Government certifying that proposals for such diversion (with full details of the project and its implications, in vernacular / local languages) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA;
- c. A letter from each of the concerned Gram Sabhas, indicating that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensatory and ameliorative measures if any, having understood the purposes and details of proposed diversion.

168

- d. A letter from the State Government certifying that the diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA have been completed and that the Gram Sabhas have consented to it.
- e. A letter from the State Government certifying that discussions and decisions on such proposals had taken place only when there was a quorum of minimum 50% of members of the Gram Sabha present;
- f. Obtaining the written consent or rejection of the Gram Sabha to the proposal.
- g. A letter from the State Government certifying that the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable, have been specifically safeguarded as per section 3(1)(e) of the FRA.
- h. Any other aspect having bearing on operationalisation of the FRA.

The State/UT Governments, whose process of settlement of Rights under the FRA is yet to begin, are required to enclose evidences supporting that settlement of rights under FRA 2006 will be initiated and completed before the final approval for proposals.


This is issued with the approval of the Minister of Environment and Forests.


(C.D. Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The PMO (Kind attention: Director, PMO)
2. The Secretary, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi.
3. The Principal Chief Conservator of Forests, All States / UTs.
4. The Nodal Officer (FCA), O/o the PCCPs, All States / UTs.
5. All Regional Offices of MoEF located at Bhopal, Shillong, Bangalore, Lucknow, Bhubaneswar and Chandigarh.
6. The RO (HQ), DIGP(FP), Sr.AIGP(FC)/AIGP(FC), MoEF, New Delhi.
7. Monitoring Cell, FC Division, MoEF, New Delhi for placing the same on the website of the MoEF.
8. Guard File.


(C.D. Singh)

Sr. Assistant Inspector General of Forests

RETYPED COPY OF LETTER DATED 03/08/2009

To

The Chief Secretary/Administrator

(All State/UT Governments except J&k)

Subject; Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers(Recognition of Forest Rights) Act 2006.

Sir.

In continuation to this Ministry's letter of even number dated 30.07.2009, I am directed to invite the attention of the State Government to the operationalization of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which has become effective from 01.01.2008. It is observed that the proposals under the Forest (Conservation) Act, 1980 are being received from different states/UT Governments with the submission that the settlement of rights under Forest Rights Act, 2006 (FRA) will be completed later on. Accordingly, to formulate unconditional proposals under the Forest

(Conservation) Act, 1980, the State/UT Governments are, wherever the process of settlement of Rights under the FRA has been completed or currently under process, required to enclose evidences for having initiated and completed the above process, especially among other sections, Sections 3(1)(1), 3(1)(e) and 4(5). These enclosures of evidence shall be in the form of following:

- a. A letter from the State Government certifying that the complete process for identification and a settlement of rights under the FRA has been carried out for the entire forest area proposed for diversion, with a record of all consultations and meetings held:
- b. A letter from the State Government certifying that proposals for such diversion (with full details of the project and its implications, in vernacular/local languages) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA;
- c. A letter from each of the concerned Gram Sabhas, indicating that all formalities/processes under the FRA have been carried out, and that they

have given their consent to the proposed diversion and the compensatory and ameliorative measures if any, having understood the purposes and details of proposed diversion.

- d. A letter from the State Government certifying that the diversion of forestland for facilities managed by the Government as required under section 3(2) of the FRA have been completed and that the Gram Sabhas have consented to it.
- e. A letter from the State Government certifying that discussions and decisions on such proposals had taken place only when there was a quorum of minimum 50% of members of the Gram Sabha present:
- f. Obtaining the written consent or rejection of the Gram Sabha to the proposal.
- g. A letter from the State Government certifying that the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable, have been specifically safeguarded as per section 3(1)(e) of the FRA
- h. Any other aspect having bearing on operationalisation of the FRA

The State/UT Governments, where process of settlement of Rights under the FRA is yet to begin, are required to enclose evidences supporting that settlement of rights under FRA 2006 will be initiated and completed before the final approval for proposals.

This is issued with the approval of the Minister of-Environment and Forests.



THE SINGARENI COLLIERIES COMPANY LIMITED

(A Government Company)
BIKASH NAGAR, FCI ROAD, TURANGA,
ANGUL-759123, ODISHA



NAINI AREA

CIN: U10102TG1920SGC000571

e-mail: gm_naini@scclmines.com
scclnainiarea@gmail.com

ପତ୍ରସଂଖ୍ୟା: ନୈନିକ୍ଷେତ୍ର/ମହାପ୍ରବନ୍ଧକକାର୍ଯ୍ୟାଳୟ/ଭୁବନେଶ୍ୱର/୨୦୨୪ / ୫୧୭

ତା : ୦୮.୦୭. ୨୦୨୪

ପ୍ରାପ୍ତେଷୁ,

- ଶ୍ରୀଯୁକ୍ତ ୧) ବୃହଦାଧିକାରୀ ବେହେରା (ସଭାପତି, ଛେଣ୍ଡିପଦା ମା ହିଲ୍ସ VSS)
- ୨) ରଂଜନ କୁମାର ପ୍ରଧାନ (ସଭାପତି, କରତାବାହାଳ VSS)
- ୩) ସୁରେଶ ଚନ୍ଦ୍ର ମାଝୀ (ସଭାପତି, ମାଝୀଗୋହାପାପସି VSS)
- ୪) ରାମ ଚନ୍ଦ୍ର ସାହୁ (ସଭାପତି, ସକ୍ରରାବନ୍ଧ ମହିଷାମର୍ଦିନୀ VSS)
- ୫) କ୍ଷିତୀଶ ଚନ୍ଦ୍ର ପ୍ରଧାନ (ସଭାପତି, ଛେଣ୍ଡିପଦା ରାମଚଣ୍ଡୀ VSS)

ବିଷୟ - ଜଙ୍ଗଲ ଗଛର ଗଣତି ସମ୍ପର୍କରେ ।

ମହାଶୟ,

ଏତଦ୍ୱାରା ଆପଣଙ୍କ ଅବଗତ ନିମନ୍ତେ ଜଣାଇ ଦିଆଯାଉଅଛି, ଭାରତ ସରକାରଙ୍କ କ୍ଷମତା ପ୍ରାପ୍ତ ଅଧିକାରୀ (Ministry of Coal Govt. of India) କି ଆଦେଶ ନଂ- ୧୦୩/୨୧/୨୦୧୫/NA, ତା- ୧୩.୦୮.୨୦୧୫ ମୁତାବକ ନୈନି କୋଲ ବ୍ଲକ୍ ସିଙ୍ଗାରେଣୀ କୋଲିଏରିଜ୍ କମ୍ପାନୀ ଲିଡ(S.C.C.L) କୁ କୋଲିଆ ଉତ୍ପାଦନ ନିମନ୍ତେ ସ୍ୱିକୃତି ପ୍ରାପ୍ତ କରିଛନ୍ତି । ନୈନି କୋଲ ବ୍ଲକ୍ ଅନ୍ତର୍ଗତ ୭୪୩.୦୯୫ ହେକ୍ଟର ସମସ୍ତ ଜଙ୍ଗଲ ଜମିରେ ଗଛ ଗଣତି ଏବଂ ଗଛ କାଟିବା କାର୍ଯ୍ୟକୁ କାର୍ଯ୍ୟକାରୀ କରି କୋଲିଆ ଉତ୍ପାଦନ ପାଇଁ ସିଙ୍ଗାରେଣୀ କୋଲିଏରିଜ୍ କମ୍ପାନୀ ଲିଡ(S.C.C.L)କୁ ଅନୁମତି ଦିଆଯାଇଛି । (Memo No. 5030/65/DRP/2024, dtd. 04.07.2024)। ଏହି ପରିପ୍ରେକ୍ଷାରେ ଯଥା ଶୀଘ୍ର ଜଙ୍ଗଲ ଗଛ ଗଣତି ଏବଂ ଗଛ କାଟିବା କାର୍ଯ୍ୟକୁ ଉତ୍ତମ ଭାବେ କରାଯିବ ।

S.C.C.L କର୍ତ୍ତୃପକ୍ଷ ଶୀଘ୍ର ଖଣି କାର୍ଯ୍ୟ ଆରମ୍ଭ କରିବାକୁ ଚାହୁଁଛନ୍ତି ଏଣୁ ଉପରୋକ୍ତ ଉଦ୍ଦେଶ୍ୟ ପାଇଁ S.C.C.L ସହିତ ରାଜ୍ୟ ଜଙ୍ଗଲ ବିଭାଗ ଜଙ୍ଗଲକୁ ସଫା କରିବା ପାଇଁ ଆବଶ୍ୟକ ପଦ୍ଧତି | ଉପରୋକ୍ତ କାର୍ଯ୍ୟକୁ ସୁରୁଖୁରୁରେ ସମ୍ପାଦନା କରିବା ପାଇଁ S.C.C.L କର୍ତ୍ତୃପକ୍ଷ, ମାନ୍ୟବର ବିଧାୟକ ତଥା ସମ୍ପୃକ୍ତ ରାଜ୍ୟ ଜଙ୍ଗଲ ଅଧିକାରୀଙ୍କ ଉପସ୍ଥିତିରେ ଛେଣ୍ଡିପଦା ଠାରେ ଏକ ସଭା କରିବାକୁ ଚାହୁଁଛନ୍ତି ।

ସମ୍ପୃକ୍ତ ସଭା ଏବଂ ଚାରିଖ, ସଂପୃକ୍ତ ବ୍ୟକ୍ତିଙ୍କ ସହ ଆଲୋଚନା କରିବା ପରେ ସୂଚନା ଦିଆଯିବ | ଏଣୁ ଆପଣଙ୍କୁ ଏହି ସଭାରେ ଉପସ୍ଥିତ ରହିବାକୁ ଏବଂ ସହଯୋଗ କରିବାକୁ ଅନୁରୋଧ କରୁଅଛୁ ।

|| ଇତି ||

ଆପଣଙ୍କର ବିଶ୍ୱସ୍ତ

 ମହାପ୍ରବନ୍ଧକ, ନୈନିକ୍ଷେତ୍ର, ଅନୁଗୁଳ
General Manager

ENGLISH TRANSLATION OF ANNEXURE-5

To,

- Mr. 1) Duryodhan Behury (President, Chendipada Maa Hingula VSS)
- 2) Ranjan Kumar Pradhan (President, Karadabahal VSS)
- 3) Suresh Chandra Majhi (President, Majhigohirapsai VSS)
- 4) Ram Chandra Sahu (President, Santarabandh Mahishamardhini VSS)
- 5) Kshitish Chandra Pradhan (President, Chendipada Ramachandi VSS)

Subject - About the counting of forest trees.

It is hereby brought to your notice that the Ministry of Coal Govt. of India issued order 103/21/2015/NA, dated 13/08/2015, to S.C.C.L. Licensed for coal production. (Memo No. 5030/65/DRP/2024, dtd. 04.07.2024) for coal production by carrying out tree counting and felling of all 643.095 hectares of forest land under Naini coal block. In this regard, forest tree counting and tree cutting work will be expedited as soon as possible.

S.C.C.L authorities want to start mining operations soon. Hence State Forest Department along with S.C.CL is required to clear the forest for the above purpose S.C.C.L authorities would like to hold a meeting at Chendipada in the presence of Hon'ble MLAs and concerned State Forest Officers for smooth execution of the above work.

Information will be given after full meeting and consultation with concerned persons. Therefore, we request you to be present and cooperate in this meeting.

Sub: Proposal for diversion of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada & Kankurupal Reserved Forest and 140.180 ha of Village Forest land in Chhendipada Range of Angul Division for Naini Coal Block (Open Cast) under Angul District Odisha of M/s Singareni Collieries Company Ltd.

1. State Government of Odisha vide their letter No. 10F(Con)123/19-229/F&E dated 04.01.2020. submitted a proposal for diversion of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada&Kankurupal Reserved Forest and 140.180 ha of Village Forest land in Chhendipada Range of Angul Division for Naini Coal Block (Open Cast) under Angul District Odisha of M/s Singareni Collieries Company Ltd.
2. Details indicated in the proposal submitted by the Government of Madhya Pradesh dated 04.01.2020 are as below:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 783.275 ha of forest land consisting of 643.095 ha of RF in Chhendipada & Kankurupal Reserved Forest and 140.180 ha of Village Forest land in Chhendipada Range of Angul Division for Naini Coal Block (Open Cast) under Angul District Odisha of M/s Singareni Collieries Company Ltd.
2.	Location:	
(i)	State	Orissa
(ii)	District	Angul
(iii)	Category	Mining
(iv)	Total period for which the forest land is proposed to be diverted (in year).	40 years
3.	Detail of user agency	
(i)	Name of the user agency	Singareni Collieries Company Ltd.
(ii)	Nature of user agency	Central PSU
4.	Particular of Forests	
(i)	Name of Forest Division	Angul Forest Division
(ii)	Area of Forest land proposed for Diversion	783.275 Ha.
(iii)	Legal Status of Forest land	Reserved Forest = 643.095 Ha. Revenue Forest = 15.017 ha DLC Forest = 125.163 ha Total = 783.275 ha
(iv)	Density of Vegetation	Area = 783.275 Ha. Density = 0.4 Eco class = 1
5.	Maps	

i.	Differential GPS map of the area proposed for diversion	Given with the proposal
ii.	Differential GPS map of the area identified for raising CA	
iii.	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	
iv.	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	
v.	Land use plan	
vi.	Forest Cover map	
6.	Vegetation	
i.	Species-wise and diameter class wise enumeration of trees.	Details of Species – wise and diameter class wise enumeration of trees are available with the proposal.
ii.	Density	0.4
iii.	Number of trees to be felled	DFO,Angul has given a list of tree enumeration of Naini Coal Block of 106536 nos whereas RCCF,Angul in his SIR indicated that 106209 Nos. of trees have been enumerated for felling .
iv.	Working plan prescription for the forest land proposed for diversion.	Not provided with the proposal.
7.	Vulnerability of area to soil erosion	Tropical Moist Deciduous Forest
8.	Details of wildlife present in and around the forest land proposed for diversion;	Elephant, barking Deer, Indian Hare, Indian Pea Fowl, Blue Jay, Egrets, Kingfisher & Drongo etc.
9.	Approximate distance of proposed site for diversion from boundary of forest.	The proposed site is Reserve Forest & Revenue Forest.
10.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	No
11.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	<p>Details list of Floara found in the area is given and the details of of Fauna mentioned in SIR of DFO as below:</p> <p>Fauna:Elephant, Barking deer, Indian Hare.</p> <p>Birds:Indian pea fowl,Blue jay, Egerets, kingfisher, Drongo.</p> <p>It is also mentioned in SIR that the movement of elephant is noticed in northern & southern part of lease area, if the area is mined out,the surrounding villages will be impacted more.So detail Mitigation plan has to be prepared for avoiding Man-animal conflict in future and for providing safe passage of elephants</p>

12.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
13.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Unavoidable and bare minimum for the project.
14.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No
15.	Details of Compensatory Afforestation Scheme:	
i.	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	The detailed CA Scheme for CA is given and placed in file .The land identified in lieu of proposed diversion of forest land is as given below: 1.600 ha degraded forest land identify in Tikhari RF of Muribahal Range of Bolangir Division 2.2.1083 ha degraded forest land identified in Bankumundi RF-542 ha & Gouda Dei RF-641 ha of Boudh Range of Boudh Division.
ii.	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	
iii.	Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	
iv.	Total financial outlay for compensatory Afforestation scheme.	Rs. 293555090 Lakhs [Boudh Division Rs..18,20,85,000/- and Bolangir Division Rs.11,14,70,090]
v.	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	Certificates for land suitability for plantation and free from encroachment and encumbrances have been furnished by the concerned DFO, Bolangir Division and Boudh Division.
16.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	The FRA certificate for an area of 783.275 ha has been issued by the Collector, Angul and placed in file . The proceedings of the District Level Committee(DLCC),Sub-district Level Committee(SDLC) etc. are furnished and placed in file.

17.	Site Inspection Report of the Divisional Forest Officer	The site visited by the Divisional Forest Officer, Angul and placed in file.
18.	Whether the project requires environment clearance.	Yes
19.	Status of Wildlife clearance.	Not applicable.
20.	Catchment Area Treatment Plan	Not applicable.
21.	Total command area of the project	Not applicable
22.	Rehabilitation of Oustee	-No-
	Number of SC Families	
	Number of ST families	
	Number of Backward Families	
	Copies of R&R Plan	
23.	Cost Benefit Analysis	1:32.57
24.	Total Cost of the project	100000 Lakhs
25.	Employment Potential	Regular Employment = 1200 persons Temporary Employment=216000 (Number of person-days).
26.	Undertakings to bear the cost of CA and NPV	Given
27.	Profile of the District / Department / Dewas Division.	
	Geographical Area of the Dist.	637500 Ha.
	Total Forest Area	271682 Ha.
	Total area diverted since 1980	4157.67 ha. Number of case - 54
	Forest land including penal CA (in ha.)	2437.81 ha
	Progress of compensatory afforestation as on (date) 28.02.2018	
	a. Forest land (in ha.)	1339.43 ha
	b. Non-forest land (in ha.)	953.90 ha

28.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended for acceptance.
	RCCF	Recommended for acceptance subject to implementation site specific wildlife conservation plan by the user agency at project cost.
	PCCF/ Nodal Officer (FCA)	Recommended.
	State Govt.	Recommended.

3. **Site Inspection Report:** The Ministry vide its letter dated 23.01.2020 requested the concern Regional Office to carry out SIR of instant proposl. The Site Inspection Report (SIR) of this proposal was forwarded by RO,Bhubaneswar vide their letter No.5-ORA404/2020-BHU dated 21.02.2020 The SIR was carried out by Sh. R.K. Samal, Dy.Inspector General (Central), Regional Office, Bhubaneswar. The report is as reproduced below:

i. Legal status of the forest land proposed for diversion

Legal status	Area in Ha.
Revenue forest	15.017
DLC forest	125.163
Chhendipada RF	634.457
Kakurpal RF	8.638
Total	783.275

ii. Item-wise break-up details of the forest land proposed for diversion (in ha.):

S.No.	Particulars	Forest land in Ha.
1	Quarry area	645.158
2	Safe barriers including drainage, roads, transmission lines, etc.	98.057
3	CHP/Washery and service buildings	40.060
	Total area:	783.275

- iii. **Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof:** No residential Building proposed for construction on forest land. Only some service buildings are proposed to be constructed
- iv. **Total cost of the project at present rates:** The total cost of the project is Rs. 1,000 crores.
- v. **Wildlife:**

Where forest area project for diversion is important from wildlife point of view or not: The applied area does not form party of any National Park, Wildlife Sanctuary, Biosphere Reserve. Movement of wild elephants is often witnessed in the northern and southern part of lease area. So, detail mitigation plan has to be prepared for avoiding man animal conflict in future and for providing safe passage of elephants. As reported the whole area on both sides of State High Way no 63 up to Deogarh Division has coal reserves and many coalmines will come up in future. Therefore, for passage of elephants form south Athmallik/ Angul division to Deogarh an elephant under pass on SH-63 is highly required to be constructed. Otherwise this may lead to death of elephant

due to road accidents or the elephants will be confined to different areas without a good Range for their movement.

Wild fauna like Elephant, Barking Deer, Indian Hare and birds like Indian Pea Fowl, Blue Jay, Egrets, Kingfisher, Drongo, etc. are noticed in the area.

- vi. **Vegetation:** The applied area comes under Tropical Moist Deciduous forest. The said forest has been put under Eco-Value-Class-I with density 0.4. The forest comprises of Acacia (*Acacia auriculiformis*), Bahada (*Terminalia belerica*), Varavajykua (*Delbergiapaniculata*), Bheru (*Chloroxylonswietenia*), Eucalyptus (*Eucalyptushybrid*), Ghurudu (*Gardenia gummifera*), Gohira (*Acacia leucophloea*), Sal (*Shorearobusta*), Sirisa (*Aalbizziaprocera*), sunari (*Cassia fistula*), Teak (*Tectonagrandis*), Tentuli (*Tamarindusindica*), Chakunda (*Cassia siamea*), etc.

a. **Total number of trees to be felled.**

In Chhendipada RF around 1,05,092 number of trees to be felled, in Revenue forest 1087 number of trees and in non-forest area around 327 number of trees to be felled.

Effect of removal of trees on the general ecosystem in the area:

Felling of the trees from the forest area will induce soil erosion. Tree felling should be done in a phased manner.

b. **Important species:**

The forest comprises of Acacia (*Acacia auriculiformis*), Bahada (*Terminalia belerica*), Barabakulia (*Delbergia paniculata*), Bheru (*chloroxylon swietenia*), Bhuincha (*Flacourtia jangomos*), Chara (*Buchananialanzan*), Dhaura (*Anogeissus latifolia*), Eucalyptus (*Eucalyptushybrid*), Ghurudu (*Gardenia gummifera*), Gohira (*Acacia leucophloea*), karada (*Cleistanthus collinus*), Khaira (*Acacia catechu*), Mahul (*Madhuca indica*), Mai (*Lannea coromandalica*), Neem (*Azadirachta indica*), Rohini (*Soymida febrifuga*), Sal (*Shore robusta*), Sirisa (*Aalbizzia procera*), Sunari (*Cassia fistula*), Teak (*Tectona grandis*), Tentuli (*Tamarindus indica*), Chakunda (*Cassia siamea*), etc.

Number of trees of girth below 60 cm.

74,932

Number of trees of girth above 60 cm.

31,248

- vii. **Background note on the proposal:** The Singareni Collieries Company Ltd., (SCCL) is a Govt. Company jointly owned by Govt. of Telengana and Govt. of India. The Naini Coal mine is opencast project and located in Chhendipada Tahasil of Angul District of Odisha. The total requirement of land for the project is 912.799 ha. out of which 643.095 ha. is reserved forest land and 140.180 ha. village forest land. The balance is non-forest land. The present application is for diversion of 783.275 ha. of forest land. This coalfield is south-extremity of the lower Gondwana basins within Mahanadi valley. The Naini coal block is located within latitude 21° 03' N to 21° 05' 23" N and longitude 84° 52' 56" to 84° 55' 17" E of Chhendipada Tahasil under Angul district.

The proposal for diversion of 783.275 ha. of forest land in Chhednipada Range of Angul division for Naini Coal Block (Opencast) under Angul district of Odisha involves total land of 912.799 ha. comprising of 783.275 ha. forest land.

viii. Compensatory afforestation:

MoEF&CC, Govt. of India vide letter No. 11-423/2011-FC dated 31.01.2013 has accorded status of Central Public Sector Unit to M/s SCCL for purpose of creation of compensatory afforestation in respect of the proposal seeking prior approval of Central Govt. in accordance with Section-2 of FC Act, 1980 for diversion of the forest land for coal mining and allied activities to be received by the Ministry in future.

Therefore, 1566.55 ha. (783.275 ha.X2) of degraded forest land has been proposed for diversion of 783.275 ha. of forest land. An area of 1683.00 ha of degraded forest land comprising of 1083.00 ha. of degraded forest land (Bankamundi RF 542 ha. +Goudadei RF 541.00 ha) in Boudh forest division and 600.00 ha. degraded forest land in Tikhari RF of Bolangir forest division have been identified for compensatory afforestation.

Out of two patches in Boudh Division the Goudadei patch contains 22 Ha. MDF as per DSS analysis and Tikhari RF in Bolangir Forest Division containing 35 ha of MDF, Balance areas are either open forest or non-forest Therefore more areas have been proposed for CA (requirement is 1566.55 ha but proposed is 1683.00 ha).

The three patches in both the divisions were visited and it has been observed that the areas may not require planting of 800 seedling in ANR model due to presence of existing regeneration and tree species with less canopy cover. Therefore, new degraded forest areas may be identified to plant the balance seedlings and their location, co-ordinate details may be intimated by State Forest Department to Regional Office for records.

- a. **Whether land for compensatory afforestation is suitable from plantation and management point of view or not:**Yes. Suitability certificate has been given by DFOs.
 - b. **Whether land for compensatory afforestation is free from encroachment/other encumbrances:**Yes.
 - c. **Whether land for compensatory afforestation is important from Religious/Archaeological point of view:**No.
 - d. **Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not:**3 patches, Patches are compact.
 - e. **Map with detail:**Enclosed in the proposal.
 - f. **Total financial outlay:**Cost of Compensatory afforestation over 1061.00 ha of plantable degraded forest land under Boudh Forest Division is Rs. 14,77,61500/-Cost of compensatory afforestation over 600 ha. with plantable area of 565 ha. of degraded forest and identified in Bolangir forest Division is Rs. 7,92,46,600/-
- ix. **Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:**No.
 - x. **Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:**No. The project does not involve displacement of any human habitation.
 - xi. **Reclamation plan:**Enclosed in the proposal.

Details and financials allocation:

- xii. **Details on catchment and command area under the project:**NA

Catchment area treatment plan to prevent siltation of reservoir:NA

- xiii. Cost benefit ratio:**The cost benefit ration comes to 1:32.57.
- xiv. Recommendations of the Principal Chief Conservator of Forest/State Government:**Recommended.
- xv. Recommendations of Dy. Director General of Forest (Central) along with detailed reasons:**Singereni Collieries Company Ltd. (SCCL) is a Government Company jointly owned by Govt. of Telangana and Govt. of India. MoEF&CC, Govt. of India has accorded status of Central PSU to M/s SCCL for purposed of creation of compensatory afforestation in respect of the proposal seeking prior approval of Central Govt. under Section-2 of FC Act, 1980 for diversion of the forest land for coal mining and allied activities. Naini coal block is an opencast project and located in ChhendipadaTahasil of Angul district of Odisha. Out of the total area of 912.799 ha., 783.275 ha. is forest land. The area is not a part of national park, biosphere reserve and wildlife sanctuary. The area is mostly open forest except in very small portion of plantations and banks of small streams where areas contain medium density forest. The project is site specific and cannot be shifted elsewhere. As the company has agreed to pay the dues for compensatory afforestation, NPV, site specific wildlife plan and regional wildlife management plan to compensate the ill effects of mining which can be managed to a great extent without much damage to the surrounding natural environment.

Considering the facts above the project is hereby recommended for consideration.

- xvi. Dy. Inspector General of Forests shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:** This is a mining project and it is specific.
- xvii. Utility of the project:**

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the Project:

As reported the project is likely to generate direct employment of about 1062 persons in addition to indirect employment during the mining operations.

xviii.

- a. Whether land being diverted has any socio-cultural/religious value:** No, the land being diverted has no socio-cultural/ religious value.
- b. Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion:**No, there is absence of any sacred grove or very old growth trees/forests in the areas proposed for diversion.
- c. Whether the land under diversion forms part of any unique ecosystem:**No, the land under diversion does not found part of any unique ecosystem.

xix. Situation with respect to any Protected Area:The boundary of the project is approx. 30Km from Boundary of Satkosia Tiger Reserve. Proposed Similipal-Satkosia Tiger Corridor is about 8.12 Km on the north side of the proposed project (DSS report enclosed).

xx. Any other information relating to the project:The proposed project is for mining of coal for electricity generation by a joint venture company of State and Central Government. It is site specific project. The economy of the region will improve due to the project. The proposal may be considered for diversion of forest land proposed for non-forestry purposed with safeguard conditions for mining project;

4. After examination of the proposal, Ministry vide its letter dated 17.04.2020 requested the State Government to furnish information/clarification on the certain points.
5. Now, Government of Odisha vide their letter no. 15534/9F(MG) 380/2019 Dated 04.09.2020 submitted their reply in response to Ministry letter dated 17.04.2020. Details are as under:

S. N	Observation made by MoEF&CC	Reply from the State Government								
<p>Point (i)</p>	<p>With regard to proposed CA towards instant proposal, the following observation are made:</p> <p>a. An area of 1683.00 ha of degraded forest land instead of admissible 1566.55 ha (783.275 ha X 2) of degraded forest land has been proposed in lieu of proposed diversion of 783.275 ha of forest land. Thus, an additional area of 116.45 ha (1683 ha - 1566.55 ha) degraded forest land has been indentified for CA purpose. Exact Degraded forest area should be identified and KML file of the same be submitted accordingly. However, out of total proposed degraded forest land of 1683.00 ha, 57.0 ha (22 ha in Goudadei RF, Boudh Forest Division and 35 ha in Tikhari RF, Balangir Forest Division) is MDF which is not suitable and admissible for CA purpose in accordance with guideline issued by this Ministry.</p> <p>b. RO in Site Inspection Report (SIR) mentioned that the proposed CA areas do not require planting of 800 seedlings in ANR model due to presence of existing regeneration and tree species with some canopy cover. The observation shall be analyzed and comments may be furnished accordingly.</p> <p>c. As per Google earth imagery, Plantation activities in the following area in past have been carried out in one CA patch namely Goudadei RF under Boudh Range:</p> <table border="1" data-bbox="293 1465 751 1644"> <thead> <tr> <th>Plantation location</th> <th>Approx. area (in Ha.)</th> </tr> </thead> <tbody> <tr> <td>Site-1</td> <td>6.6</td> </tr> <tr> <td>Site-2</td> <td>3.2</td> </tr> <tr> <td>Total</td> <td>9.8</td> </tr> </tbody> </table> <p>As above, Goudadei RF patch of 541.0 ha identified for CA, wherein an area of 9.8 ha is showing planted earlier. Same need to be checked and report in this regards shall be submitted.</p>	Plantation location	Approx. area (in Ha.)	Site-1	6.6	Site-2	3.2	Total	9.8	<p>In this regard, the PCCF(FD&NO,FC Act),Govt of Odisha informed that the DFO Balangir and Boudh Forest Division have reported that the MoEF & CC, Government of India vide letter F. No.11-423/2011-FC dated 31.01.2013 has accorded status of Central Public Sector Unit to M/s SCCL for the purpose of creation of Compensatory Afforestation in respect of the proposal seeking prior approval of Central Government in accordance with Section-2 of Forest (Conservation) Act, 1980 for diversion of forest land for Coal Mining and allied activities. As per Para-2.5 (i) (f) of Handbook of guideline and clarifications on the Forest (Conservation) Act, 1980 issued vide letter F.No.5-2/2017-FC dated 28.03.2019, CA shall be raised and maintained at the cost of user agency on degraded forest land twice in extent of the forest area diverted. Therefore, 1566.55 ha (783.275 ha X 2) or 1567.0 ha of degraded forest land is required in lieu of diversion of 783 .275 ha of forest land of this project.</p> <p>The proposal involves diversion of 783.275 ha of forest land in Angul Forest Division. As degraded forest land with canopy density less than 0.4 is not available in Angul Forest Division, an area of 1683.0 ha of degraded forest land comprising of 1083.0 ha of degraded forest land (Bankamundi RF 542.0 ha + Goudadei RF 541.0 ha) in Boudh Forest Division and 600.0 ha degraded forest land in Tikhari RF of Balangir Forest Division had been identified for Compensatory Afforestation for Naini Coal Block (Open Cast) under Angul District Odisha of M/s Singareni Collieries Company Ltd.</p> <p>The Government of India, MoEF & CC, New Delhi has observed that the identified CA area is more than the required area and has directed that the CA area should be the exact required area i.e., 1566.55 ha or 1567.0 ha.</p> <p>The Gol, MoEF & CC, New Delhi has observed that 35.0 ha of land is MDF out of 600.0 ha of degraded forest land identified in Tikhari RF of Balangir Forest Division. The DFO Balangir Forest Division has reported that after excluding 35.0 ha of MDF, the balance area is</p>
Plantation location	Approx. area (in Ha.)									
Site-1	6.6									
Site-2	3.2									
Total	9.8									

Based on the above observations, the State Government is requested to review the proposed sites for CA towards instant proposal and to exclude 57.0 ha MDF and 9.8 ha of earlier planted area from proposed CA. The revised admissible CA land, alongwith a certificate from the state Government that no afforestation work has been taken up in the proposed CA site under any scheme/plan in the past, may be furnished to this Ministry for further action.

now coming under open forest category as per DSS analysis and 800 plants per ha can be accommodated in the area. Therefore, the revised admissible CA area identified in Tikhari RF of Balangir Division is 565.0 ha (600.0 ha - 35.0 ha MDF).

The CA map duly authenticated by DFO Balangir Division and the KML/Shape file of CA land in CD form are given.

The DFO Balangir Forest Division has furnished a certificate that no plantation has been carried out in the past over the identified area. The copy of the certificate at Point (C) of memo No.2447 dated 19.06.2020 of DFO Balangir Forest Division is enclosed as **Annexure-3**(Pg.1049-1050/ToC).

The compensatory afforestation scheme has been prepared by DFO Balangir Division for taking up ANR with gap plantation@ 800 plants per ha over 565.0 ha of degraded forest land identified in Tikhari RF of Balangir Forest Division with 10 years maintenance alongwith provision of vegetative fencing around the plantation which is enclosed as **Annexure-4**.

The revised financial outlay of compensatory afforestation scheme over 565.0 ha of degraded forest land identified in Tikhari RF in Balangir Forest Division has been technically approved by PCCF (FD & NO, FC Act) for Rs.8,05,47,500/- at the current wage rate of Rs.303.40 per MD which is enclosed as **Annexure-4A**.

Further, the Gol, MoEF & CC, New Delhi has observed that 541.0 ha of CA land identified earlier in Goudadei RF under **Boudh Forest Division** contains 22.0 ha MDF which is not suitable and admissible for compensatory afforestation in accordance with guidelines issued by Gol, MoEF & CC, New Delhi and plantation activities has been carried out over a patch of 9.8 ha within 541.0 ha identified for CA in Goudadei RF.

As reported by DFO Boudh Forest Division after excluding 22.0 ha MDF area and 9.8 ha of plantation area from 541.0 ha of CA land identified earlier in Goudadei RF and taking into consideration

about presence of existing regeneration and tree species with some canopy cover, an area of 460.0 ha in Goudadei RF is included in the compensatory afforestation area which can accommodate 800 Plants/ ha. Therefore, the total revised admissible CA area identified in Boudh Forest Division is 1002.0 ha (Bankamundi RF 542.0 ha + Goudadei RF 460.0 ha). The CA area of 1002.0 ha is now coming under open forest category as per DSS analysis.

The geo-referenced digitized map of CA area over 542.0 ha degraded forest land in Bankamundi RF of Boudh Forest Division duly authenticated by DFO Boudh Forest Division and the KML / Shape file of CA land in CD form are given.

The geo-referenced digital map of CA area over 460.0 ha of degraded forest land in Goudadei RF of Boudh Forest Division duly authenticated by DFO Boudh Forest Division and the KML/ Shape file of CA land are provided.

The DFO Boudh Forest Division has furnished a certificate that no plantation has been carried out in the past over the revised identified area. The copy of the certificate at Point (C) of memo No.2939 dated 08.07.2020 of DFO Boudh Forest Division is enclosed as **Annexure-8**.

A compensatory afforestation scheme has been prepared by DFO Boudh Forest Division for taking up ANR with gap plantation @ 800 plants per ha over 1002.0 ha (542.0 ha in Bankamundi RF + 460.0 ha in Goudadei RF) of degraded forest land with 10 years maintenance alongwith vegetative fencing around the plantation and provision of soil conservation measures like LBCD (Loose Boulder Check Dam) & staggered trenches which is enclosed as **Annexure-9**

The financial outlay of the compensatory afforestation scheme over 1002.0 ha of degraded forest land identified in Bankamundi RF (542.0 ha) & Goudadei RF (460.0 ha) under Boudh Forest Division has been technically approved by PCCF (FD & NO, FC Act) for Rs.15,24,42,700/- at the current wage rate of Rs.303.40 per manday which is enclosed as **Annexure-10**.

		<p>Hence, the total revised admissible CA land identified is 1567.0 ha comprising of 1002.0 ha of degraded forest land (Bankamundi RF 542.0 ha + Goudadei RF 460.0 ha) in Boudh Forest Division and 565.0 ha of degraded forest land in Tikhari RF of Balangir Forest Division for diversion of 783.275 ha of forest land for Naini Coal Block (Open Cast) under Angul District Odisha of M/s Singareni Collieries Company Ltd. (SCCL).</p>
<p>Point (ii)</p>	<p>It is also observed that the whole area on both sides of State Highway No.63 upto Deogarh Division has coal reserves and many coal mines may come up in future and movement of wild elephants is often witnessed in the northern and southern part of lease area, as reported. In this regards, the comments of CWLW of State may be furnished.</p>	<p>In this regard, the PCCF(FD&NO,FC Act),Govt of Odisha informed that the comments of PCCF (WL & CWLW), Odisha furnished vide letter No.5850 dated 16.07.2020 (copy enclosed as Annexure-11: is furnished below:</p> <p>The elephant-rich Angul Forest Division has witnessed many man-animal conflicts due to fragmentation of dense forests owing to mining, industrialization and rapid urbanization. No mitigative measures are full proof enough to guarantee zero casualty to wild animals and collateral damage to human life and property.</p> <p>The DFO, Angul Forest Division in the Site Inspection Report has reported about the movement of elephants in northern and southern part of lease area apprehending man-animal conflicts in adjoining villages.</p> <p>To scale down the impact locally, the DFO, Angul Forest Division has recommended for implementation of a mitigative plan addressing the issues of minimizing the man-animal conflict and providing safe passage for elephants. The Regional CCF, Angul Circle in his memo No.2229 dated 13.07.2020 (copy enclosed as Annexure-12: has also endorsed the views of the DFO, Angul Forest Division.</p> <p>Besides this, as a large area of Chhendipada Range falls under coal bearing zone which would invite number of miner in future it would be better if Wildlife Institute of India/ Indian Institute of Science or some National Level Institute is asked to prepare a Comprehensive Elephant Management Plan to mitigate adverse impacts of coal mining on elephant population, their movements etc. for entire coal bearing belt encompassing areas of</p>

	Chhendipada, Kaniha, Jarpada Ranges of Angul Forest Division and Reamal Range of Deogarh Forest Division alongwith adjoining continuous forest areas. The cost of such plan can be apportioned among the coal mines as and when allotted in the area.
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4. The revised CA sites have been analysed by DSS Cell of FC Division and their report may kindly be seen at [Pg.1107-1111/ToC](#) . The major observation are as given below:

- i. After examination of revised KML files of CA site through GIS-DSS tool, it is learnt that the State Govt. of Odisha proposed the revised CA patches at the same locations and only altered the boundaries of earlier CA sites with a view to exclude the MDF and Plantation sites. However, still approx 3.66 Ha area of plantation site is included in the revised KML of Goud-Dei RF which is now proposed for CA.
- ii. Now as per DSS, the total area of revised CA land is found 1569 Ha which is twice in extent to the forest land proposed to be diverted.
- iii. Out of total 1569 ha area proposed for CA, 1276 ha. of land is having the canopy density of Open Forest and remaining 293 ha of land as Non-Forest (land devoid of tree cover) in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- iv. It is imperative to mention here that, the State Govt. of Odisha did not furnished their comments on the observation made by this Ministry at point No. i (b) vide it's letter of even number dated 17.04.2020 wherein *"the Regional office, Bhubaneswar in Site Inspection Report (SIR) mentioned that the proposed CA areas do not require planting of 800 seedlings in ANR model due to presence of existing regeneration and tree species with some canopy cover"*.

It is proposed that the above facts of the proposal may be placed before FAC in its forthcoming meeting scheduled to be held on 21.09.2020 for examination and appropriate recommendation please.

ଛେଷ୍ଟିପଦା ଗ୍ରାମ୍ୟ କମିଟି, ଛେଷ୍ଟିପଦା, ଓଡ଼ିଶା

ଗ୍ରାମ/ପୋ/ଥାନା-ଛେଷ୍ଟିପଦା, ଜିଲ୍ଲା-ଅନୁଗୋଳ, ପୋନ୍- ୯୭୭୭୯୫୭୦୭୯

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ଶ୍ରୀଯୁକ୍ତ ପ୍ରଧାନ ମୁଖ୍ୟ ବନ ସଂରକ୍ଷକ (HoFF)

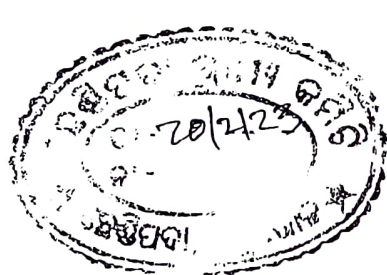
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ଭୁବନେଶ୍ୱର, ଓଡ଼ିଶା

Ref no – OSD-cum- Special Secretary to Government (FE & CC, Odisha)

Letter No FE-DIV-FLD-0026-2021-1184/FE &CC Date- 20.01.2023

ବିଷୟ - ଅନୁଗୋଳ ଜିଲ୍ଲାର ଛେଷ୍ଟିପଦା ବ୍ଲକ୍ ଅନ୍ତର୍ଗତ ୭୮୩ ହେକ୍ଟର ଜଙ୍ଗଲ ଜମି (ଛେଷ୍ଟିପଦା ଓ କଙ୍କୁରପାଳ ସଂରକ୍ଷିତ ଏବଂ ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ) କୁ ଛେଷ୍ଟିପଦା ଗ୍ରାମବାସୀ ଓ ଦଶନ୍ଧିରୁ ଅଧିକ ହେବ ଠେକାପାଳି କରି ସୁରକ୍ଷା ଦେଇ ଆସୁଥିବା ଜଙ୍ଗଲକୁ ଜଙ୍ଗଲ ଅଧିକାର ଆଇନ୍-୨୦୦୭ ବଳରେ ଗୋଷିଗତ ଜଙ୍ଗଲ ଅଧିକାର ସ୍ୱୀକୃତି ଦେବା ପରିଚର୍ତ୍ତେ ଗ୍ରାମବାସୀଙ୍କର ବାରମ୍ବାର ଦାବା,ଆପତ୍ତି ଓ ଅଭିଯୋଗକୁ ଆଗ୍ରାହ୍ୟ କରି ଏକ ଘରୋଇ କୋଇଲା ଖଣି ନୈନୀ କୋଲ ବ୍ଲକ୍ ପାଇଁ ସିଙ୍ଗାରେଣା କୋଲିୟାରା କମ୍ପାନୀ ଲିଡ଼ କୁ ଜଙ୍ଗଲ ସଂରକ୍ଷଣ ଆଇନ୍- ୧୯୮୦ ର ଆଳ ଦେଖାଇ ବେଆଇନ୍ ଭାବେ ହସ୍ତାନ୍ତର କରାଯାଇଥିବାରୁ ଗତ ତା ୧୫.୦୨.୨୦୨୩ ରିଖରେ ଏକ ଶାନ୍ତିପୂର୍ଣ୍ଣ ଜନ ଆନ୍ଦୋଳନ ପୂର୍ବକ ସ୍ଥାନକ ପତ୍ର ତହସିଲଦାର ଛେଷ୍ଟିପଦା, ଜିଲ୍ଲାପାଳ ଓ ଜିଲ୍ଲା ମାଜିଷ୍ଟ୍ରେଟ୍ ଅନୁଗୋଳ ଏବଂ ବନଖଣ୍ଡ ଅଧିକାରୀ ଅନୁଗୋଳକୁ ପ୍ରଦାନ କରାଯାଇଥିଲା । କୋଇଲା ଖଣି କର୍ତ୍ତୃପକ୍ଷଙ୍କର (ସିଙ୍ଗାରେଣା କମ୍ପାନୀ)ର ପ୍ରବଳ ଚାପ ଦ୍ୱାରା ଏହି ଜଙ୍ଗଲ ନଷ୍ଟ ହେବାର ଯଥେଷ୍ଟ ସମ୍ଭାବନା ଥିବାରୁ ଆମେ ଗ୍ରାମବାସୀଙ୍କ ପକ୍ଷରୁ ଗୋଷିଗତ ଜଙ୍ଗଲକୁ ଏହା ଉପରେ ତଦନ୍ତ କରି ବିଚାର କରିବାକୁ ନିବେଦନ କରୁଅଛୁ ।



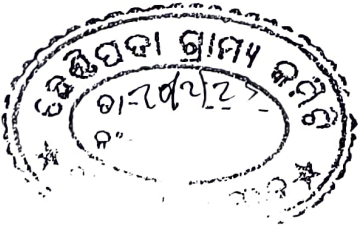
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Chandramani Pradhan, 20/2/23

ସଭାପତି
ଛେଷ୍ଟିପଦା ଗ୍ରାମ୍ୟ କମିଟି, ଅନୁଗୋଳ

ଆମେ ଛେଡ଼ିପଦା ଏବଂ ଆଖପାଖ ପ୍ରଭାବିତ ଗ୍ରାମବାସୀଙ୍କୁ ପକ୍ଷରୁ ଏହି କମିଟି ମାଧ୍ୟମରେ ଆପଣଙ୍କୁ ନିମ୍ନମତେ ଆମର ଅଭିଯୋଗ ଉପସ୍ଥାପନ କରୁଅଛୁ ।

- (୧) ଆମେ ଛେଡ଼ିପଦା ଗ୍ରାମବାସୀ ଆମ ଗ୍ରାମ ନିକଟବର୍ତ୍ତୀ ଥିବା ଛେଡ଼ିପଦା ଓ କଙ୍କୁରପାଳ ସଂରକ୍ଷିତ ଜଙ୍ଗଲ ଏବଂ ରାଜସ୍ୱ ବିଭାଗ ଅଧିନସ୍ତ ଥିବା ଖେସଡା ଜଙ୍ଗଲକୁ ଦୀର୍ଘ ୫ ଦଶନ୍ଧିରୁ ଅଧିକ ହେବ ଠେଙ୍ଗାପାଳି କରି ପାରମ୍ପରିକ ପଦ୍ଧତିରେ ସୁରକ୍ଷା କରି ଆସୁଅଛୁ । ଏହି ଜଙ୍ଗଲ ଏକଦା ପଦା ହୋଇଥିଲା, ମାତ୍ର ଆମ ଗ୍ରାମବାସୀଙ୍କର ସାମୂହିକ ଆନ୍ତରିକ ଉଦ୍ୟମରେ ବର୍ତ୍ତମାନ ଏକ ପୂର୍ଣ୍ଣାଙ୍ଗ ଜଙ୍ଗଲରେ ପରିଣତି ହୋଇଛି ।
- (୨) ଗ୍ରାମବାସୀଙ୍କ ଦ୍ୱାରା ସୁରକ୍ଷା ଦିଆଯାଇଥିବା ଜଙ୍ଗଲକୁ ବନ ବିଭାଗ ଯୁଗ୍ମ ଜଙ୍ଗଲ ପରିଚାଳନା ନୀତିରେ ପ୍ରଥମେ ଗ୍ରାମ୍ୟ ଜଙ୍ଗଲ ସୁରକ୍ଷା ସମିତି (VFPC) ଏବଂ ପରବର୍ତ୍ତୀ ସମୟରେ ବନ ସୁରକ୍ଷା ସମିତି (VSS) ଗଠନ କରି ଜାପାନ ଆର୍ଥିକ ଅନୁଦାନରେ ଏବଂ ଆମ ଜଙ୍ଗଲ ଯୋଜନା ଅନୁଦାନରେ ଜଙ୍ଗଲର ଅଭିବୃଦ୍ଧି ନେଇ ଉତ୍ତମ ବୈଷୟିକ ଓ ବିଜ୍ଞାନ ସମ୍ମତ ବିଭିନ୍ନ କାର୍ଯ୍ୟକ୍ରମ ମାଧ୍ୟମରେ କୋଟିକୋଟି ଟଙ୍କା ଖର୍ଚ୍ଚ କରାଯାଇଅଛି । ଆମ ଗ୍ରାମବାସୀ ଜେଏଫଏମ୍ କାର୍ଯ୍ୟଧାରାରେ ପ୍ରକୃତି ମିତ ପୁରସ୍କାର ରାଜ୍ୟ ସରକାରଙ୍କ ପାଖରୁ ପାଇଅଛୁ ଏବଂ ସମସ୍ତ କାର୍ଯ୍ୟକ୍ରମ ରେ ଗ୍ରାମବାସୀଙ୍କର ପ୍ରତ୍ୟେକ ଅଞ୍ଚଳରେ ରହିଛି ।
- (୩) ଛେଡ଼ିପଦା ଗ୍ରାମବାସୀଙ୍କର ଏହି ଜଙ୍ଗଲ ହେଉଛି ସର୍ବସ୍ୱ ଏବଂ ଜୀବନ । ଜଙ୍ଗଲ ସୁରକ୍ଷା ରେ ଗ୍ରାମର ପ୍ରତ୍ୟେକ ପରିବାରଙ୍କର ବଂଶାନୁକ୍ରମିକ ଠେଙ୍ଗାପାଳି ଏବଂ ସହଯୋଗ ରହି ଆସୁଛି । ଅନ୍ୟପକ୍ଷରେ ବନ ବିଭାଗ ଦ୍ୱାରା ଯୁଗ୍ମ ଜଙ୍ଗଲ ପରିଚାଳନା ନୀତିରେ ମଧ୍ୟ ପଞ୍ଜୀକୃତ ହୋଇଛି । ବନ ସୁରକ୍ଷା ସମିତି ଜଙ୍ଗଲ ଅଧିକାର ଆଇନର ଥିବା ଗ୍ରାମସଭାର ଏକ ଉପ କମିଟି ଭାବେ କାର୍ଯ୍ୟ କରୁଅଛି ।
- (୪) ଜଙ୍ଗଲ ଅଧିକାର ଆଇନ - ୨୦୦୬ ବଳରେ ଗ୍ରାମବାସୀ ବୁହୁବାର ବନ ବିଭାଗ, ଜିଲ୍ଲା ପ୍ରଶାସନକୁ ଗୋଷ୍ଠିଗତ ଜଙ୍ଗଲ ଅଧିକାରର ସ୍ୱୀକୃତି ଦେବା ପାଇଁ ଦାବି କରିଆସୁଛନ୍ତି । ମାତ୍ର ଏସବୁ କ୍ଷେତ୍ରରେ ଆମର ବାରମ୍ବାର ଅଭିଯୋଗ ଓ ଆବେଦନକୁ କର୍ତ୍ତୃପାତ କରାଯାଇନାହିଁ ।
- (୫) ଏହି ଜଙ୍ଗଲ ବୃଦ୍ଧି ପାଇବା ଦ୍ୱାରା ଆମର ଜୈବ ବିବିଧତାର ସୁରକ୍ଷା ଏବଂ ଜୈବ ସମ୍ପଦର ଉତ୍ପାଦନ ବୃଦ୍ଧି ପାଇଛି । ଜଙ୍ଗଲ ଉପରେ ପ୍ରତ୍ୟକ୍ଷ ନିର୍ଭରଶୀଳ ଗ୍ରାମବାସୀଙ୍କର ଜୀବନ ଜୀବିକାରେ ଉନ୍ନତି ଆସିଛି । ପରୋକ୍ଷ ଭାବରେ ଆମର କୃଷି ଜମିର ଉର୍ବରତା ବୃଦ୍ଧି ପାଇବା ସହିତ ଜଙ୍ଗଲ ଦେଇ ପ୍ରଭାବିତ ନଳି, ନାଳ, ଝରଣାରେ ପାଣିର ସ୍ରୋତ ବୃଦ୍ଧି ପାଇଛି । ବିଶେଷ କରି ଆମର ପରିବେଶ ଅନୁକୂଳ ହୋଇଛି । ଅନ୍ୟପକ୍ଷରେ ବନ୍ୟଜନ୍ତୁଙ୍କର ଆବାସସୁଳୀ ନିରାପଦ ଯୋଗୁଁ ବନ୍ୟଜନ୍ତୁ ସଂଖ୍ୟା ବୃଦ୍ଧି ପାଇଛି । ହାତୀ ମାନଙ୍କର ଆବାସସୁଳୀ ଓ ଯାତାୟତ ପଥର ନିରାପଦ ହୋଇଛି ।
- (୬) ଏଭଳି ଏକ ଗୁରୁତ୍ୱପୂର୍ଣ୍ଣ ଏବଂ ପରିପୂର୍ଣ୍ଣ ଥିବା ଜୈବବିବିଧତାର ଜଙ୍ଗଲ ଭୂମିରୂପକୁ କୋଇଲା ଖଣି ପାଇଁ ଏକ ଘରୋଇ କମ୍ପାନୀକୁ ହସ୍ତାନ୍ତର କରାଯାଉଥିବାକୁ ଆମେ ପ୍ରାରମ୍ଭରୁ ବିରୋଧ କରିଆସୁଅଛୁ । ମାତ୍ର

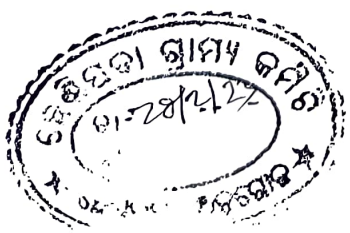


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Chandramani Pradhan,
20/11/23

ଆମର ଅଭିଯୋଗ ଓ ବିରୋଧକୁ କର୍ତ୍ତୃପାତ କରାଯାଇନାହିଁ , ବରଂ ଏକ ସୁଚିତ୍ରିତ ଭାବେ ଆମ ମାନକୁ ଅଣଦେଖା କରି ଜଙ୍ଗଲ ଜମିର ଅନୁମତି ଦିଆଯାଇଥିବା ଶୁଣିବାକୁ ପାଇଛୁ ।

- (୭) ନୈନା କୋଇଲା ଖଣି ନିମିତ୍ତ ସିଙ୍ଗାରେଣା କୋଲିୟରା କମ୍ପାନୀ ଲିଃ ଜଙ୍ଗଲ ଜମିର ବ୍ୟବହାର ପାଇଁ ବ୍ୟାବହାରିକ ସଂସ୍ଥା (User Agency) ଭାବରେ ଛାଂମା ହେକ୍ଟର ଜଙ୍ଗଲ ଜମି ଅଣଜଙ୍ଗଲ ବ୍ୟବହାର ଅର୍ଥାତ୍ କୋଇଲା ଖଣି ପାଇଁ ପ୍ରସ୍ତାବ ଆବେଦନ କରିଅଛି । ମାତ୍ର ୧୩୦ ହେକ୍ଟର ଘରୋଇ ଓ ଅନ୍ୟାନ୍ୟ ସରକାରୀ ଜମି ବ୍ୟବହାର ପାଇଁ ପ୍ରସ୍ତାବରେ ରହିଅଛି ।
- (୮) ସିଙ୍ଗାରେଣା କମ୍ପାନୀ ତାର ନୈନା କୋଇଲା ଖଣି ନିମିତ୍ତ ବ୍ୟାବହାରିକ ସଂସ୍ଥା (User Agency) ଭାବରେ ଆବେଦନ ପ୍ରସ୍ତାବରେ ସଠିକ୍ ତଥ୍ୟ ପ୍ରଦାନ କରିନାହିଁ । ପ୍ରସ୍ତାବିତ ଜଙ୍ଗଲ ଅଂଚଳର ରହିଥିବା ଜୈବବିବିଧତା, ପ୍ରାକୃତିକ ସମ୍ପଦ, ଜୈବ ସମ୍ପଦର ତଥ୍ୟକୁ ଲୁଚାଇ ଅଛି । ଏହି ପ୍ରସ୍ତାବିତ ଅଂଚଳରେ ଥିବା ବନ୍ୟଜୀବ ମାନଙ୍କର ଆବାସସ୍ଥଳି , ଚଳାପଥ ଏବଂ ତାଙ୍କର ଉପସ୍ଥିତିରେ ସଠିକ୍ ତଥ୍ୟ ପ୍ରଦାନ କରିନାହିଁ । ପ୍ରସ୍ତାବିତ ଜଙ୍ଗଲରେ ଥିବା ନଳ, ନାଳ, ଝରଣାର ସ୍ଥିତିବସ୍ତୁକୁ ସଠିକ୍ ଭାବେ ତଥ୍ୟ ପ୍ରସ୍ତାବରେ ଦିଆଯାଇନାହିଁ ।
- (୯) ପ୍ରସ୍ତାବିତ ଜଙ୍ଗଲ ଏରିଆକୁ ଦୀର୍ଘ ୫ ଦଶନ୍ଧିରୁ ଅଧିକ କାଳ ହେବ ଗ୍ରାମବାସୀ ସୁରକ୍ଷା ଦେଉଥିବା ବିଷୟକୁ ଏବଂ ଯୁଗ୍ମ ଜଙ୍ଗଲ ପରିଚାଳନା ନୀତିରେ VFPC ଓ VSS କାର୍ଯ୍ୟଧାରା ଉପରେ ଆଦୌ ପ୍ରସ୍ତାବରେ ସଠିକ୍ ଭାବେ ତଥ୍ୟ ଦେଇନାହିଁ । ଜଙ୍ଗଲ ଅଧିକାର ଆଇନ ବଳରେ VSS ଏକ ଗ୍ରାମସଭାର ଉପ କମିଟି , ମାତ୍ର କମ୍ପାନୀ ତାର ପ୍ରସ୍ତାବରେ ଉପସ୍ଥାପନ କରିନାହିଁ କି VSS ସମକ୍ଷୀୟ ତଥ୍ୟ ଦେଇନାହିଁ
- (୧୦) ଅନୁରୂପ ଭାବରେ ସିଙ୍ଗାରେଣା କମ୍ପାନୀ ଲିଃ ର ନୈନା କୋଇଲା ଖଣି ପାଇଁ ଜଙ୍ଗଲ ଜମି ବ୍ୟବହାର ପ୍ରସ୍ତାବ ଆବେଦନ ଉପରେ ବନ ବିଭାଗ ପକ୍ଷରୁ ତର୍ଜମା କରାଯାଇନାହିଁ । ପ୍ରତ୍ୟେକ ସୋପାନରେ କ୍ଷେତ୍ର ପରିଦର୍ଶନ କରାଯାଇ ବ୍ୟାବହାରିକ ସଂସ୍ଥାର ପ୍ରସ୍ତାବକୁ ତର୍ଜମା କରାଯାଇନାହିଁ । କମ୍ପାନୀକୁ ସୁହାଇଲା ଭଳି ଅଧିକାରୀ ମାନେ ନିଜସ୍ୱ ମତାମତ ପୋଷଣ କରିଅଛନ୍ତି । ଜଙ୍ଗଲ ବିଭାଗକ ଜଙ୍ଗଲ ସୁରକ୍ଷାକୁ ଗୁରୁତ୍ୱ ନ ଦେଇ କମ୍ପାନୀ ପ୍ରତି ଅହେତୁକ ଅନୁକମ୍ପା ପ୍ରଦର୍ଶନ କରିଅଛି ।
- (୧୧) ଜଙ୍ଗଲ ଅଧିକାର ଆଇନ ୨୦୦୬ ବଳରେ ଗ୍ରାମସଭାର ଅନୁମୋଦନକୁ ଜାଲିଆତି କରାଯାଇଅଛି ।
- (୧୨) ସିଙ୍ଗାରେଣା କମ୍ପାନୀ ଲିଃ ର ନୈନା କୋଇଲା ଖଣି ପାଇଁ ପରିବେଶୀୟ ଅନୁମତି ପାଇଁ ପ୍ରସ୍ତୁତି କରାଯାଇଥିବା Executive summary ରେ ଭୁଲ୍ ତଥ୍ୟ ଦିଆଯାଇଅଛି । ହାତୀ ଓ ଅନ୍ୟାନ୍ୟ ବନ୍ୟଜୀବ ଏବଂ ଜୈବ ବିବିଧତାର ସଠିକ୍ ତଥ୍ୟ ଦିଆଯାଇନାହିଁ ।
- (୧୩) ସିଙ୍ଗାରେଣା କମ୍ପାନୀ ଲିଃ ନୈନା କୋଇଲା ଖଣି ପାଇଁ ସମୁଦାୟ ଆବଶ୍ୟକତା ଥିବା ଜମିରୁ ୮୦ ପ୍ରତିଶତରୁ ଅଧିକ ଜଙ୍ଗଲ ଜମି ଅଟେ । ସମୁଦାୟ ଜମିରୁ ଛାଂମା ହେକ୍ଟର ଜଙ୍ଗଲ ଜମି ଏବଂ କେବଳ ୧୩୦ ହେକ୍ଟର ଘରୋଇ ଜମି ଅଟେ । ଘରୋଇ ଜମି ଉପରେ କୋଇଲା ମହଜୁତ୍ ଥିବାବେଳେ କମ୍ପାନୀ ଅଧିକାଂଶ ଜଙ୍ଗଲ



3

Chandra nand tripathi
 28/2/23
 ସଭାପତି
 ନୈନା କୋଇଲା ଖଣି

ଜମି ଅଧିଗ୍ରହଣ କରିବାର ଏକ ସୁଚିତ୍ରିତ ଚାଲ ଅଟେ । ଘରୋଇ ଜମି ପାଇଁ କମ୍ପାନୀ ୧ ହେକ୍ଟର ପାଇଁ ପ୍ରାୟ ୨ କୋଟି ଟଙ୍କା କ୍ଷତିପୂରଣ ଓ ଅନ୍ୟାନ୍ୟ କ୍ଷତିପୂରଣ ବାବଦରେ ସରକାରୀ ବ୍ୟବସ୍ଥା ରହିଛି । ଅନ୍ୟପକ୍ଷରେ ଜଙ୍ଗଲ ଜମିର କ୍ଷତିପୂରଣ ଓ ଅନ୍ୟାନ୍ୟ ସରକାରୀ ବ୍ୟବସ୍ଥାରେ ଆକାଶ ପାତଳ ପୃଥକ ରହିଛି । କମ୍ପାନୀ କର୍ତ୍ତୃପକ୍ଷ ଜାଣିଶୁଣି ଜଙ୍ଗଲ ଜମିକୁ ଅଧିଗ୍ରହଣ କରିବାରେ ଏକ ସୁଚିତ୍ରିତ ଚାଲ ଅଟେ ।

(୧୪) ଛେଣ୍ଡିପଦା ଗ୍ରାମ ଏବଂ ଆକପାଖ ଗ୍ରାମ ଗୁଡିକ ଏକ ଜନ ବହୁଳ ଅଞ୍ଚଳ ଅଟେ । ଏହି ଅଞ୍ଚଳରୁ ଜଙ୍ଗଲ ଜମି କୋଇଲା ଖଣି ପାଇଁ ବ୍ୟବହାର କରାଗଲେ ତାହାର କୁପ୍ରଭାବ ପରିବେଶ, କୃଷି, ଜୀବନଜୀବିକା , ସ୍ଵାସ୍ଥ୍ୟଗତକ୍ଷୟ ଘୋର ପ୍ରଭାବିତ କରିବ ।

(୧୫) ସିଙ୍ଗାରେଣୀ କମ୍ପାନୀ ଲିଃ ନୈନୀ କୋଇଲା ଖଣି ପାଇଁ ପ୍ରସାବିତ ଜଙ୍ଗଲ ଜମି ହେଉଛି ହାତୀ ମାନଙ୍କର ଆବାସସ୍ଥଳୀ ଏବଂ ଅନ୍ୟାନ୍ୟ ବିରଳ ବନ୍ୟଜୀବ ମାନଙ୍କର ବାସସ୍ଥଳୀ ଅଟେ । ଏପରିକି ବନ୍ୟଜୀବ ଆଇନ ବଳରେ ରହିଥିବା ତତ୍ପଂସିଲଭୁକ୍ତ ବନ୍ୟଜୀବ ମାନଙ୍କ ମଧ୍ୟରେ କଳରାପତରିଆ ବାଘ, ଅଜଗର ସାପ,ଭାଲୁ, ପ୍ରଭୃତି ତତ୍ପଂସିଲଭୁକ୍ତ-୧ ପ୍ରଜାତିର ଜୀବ ଅଛନ୍ତି । ସରକାରୀସ୍ତରରେ ଏହି ପ୍ରସାବିତ ଜଙ୍ଗଲ ଏରିଆରେ ହାତୀମୃତ୍ୟୁ ହୋଇଥିଲା, ଅନ୍ୟାନ୍ୟ ବନ୍ୟଜନ୍ତୁ ଦେଖା ଯାଇଥିବା , ବନ୍ୟଜନ୍ତୁ ଜନିତ କ୍ଷତିପୂରଣ ବନ ବିଭାଗ ଦେଇଥିବାର ସମସ୍ତ ପ୍ରମାଣ ରହିଛି । କମ୍ପାନୀ କର୍ତ୍ତୃପକ୍ଷ User Agency ଭାବରେ ଏହି ସବୁ ତଥ୍ୟ ବନ ବିଭାଗ ପାଖରେ ଥିଲେ ମଧ୍ୟ ଜାଣିଶୁଣି ତାର ପ୍ରସାବରେ ଉପସ୍ଥାପନ କରିନାହିଁ ।

(୧୬) ଛେଣ୍ଡିପଦା ଅଞ୍ଚଳର ୯୦ ଭାଗ ଜନ ସାଧାରଣଙ୍କର ଜୀବନ ଜୀବିକାର ଉତ୍ସ ହେଉଛି କୃଷି ଓ ଜଙ୍ଗଲ । ପ୍ରସାବିତ କୋଇଲା ଖଣି ଦ୍ଵାରା ପାଣିର ଅଭାବ ହେବ, ନିକ, ନାଳ,ଝରଣା,କୂଅ,ଗାଡିଆ,ପୋଖରୀ ସୁଖୁଯିବ ଏବଂ କୃଷି ଉପରେ ଘୋର ପ୍ରତିକୂଳ ପ୍ରଭାବ ପଡିବ । ଭୂମିହୀନ ଓ ଅତ୍ୟନ୍ତ ଗରିବ ଶ୍ରେଣୀର ଲୋକମାନଙ୍କର ଜଙ୍ଗଲଜାତ ଉତ୍ପାଦ ଅଭାବ ଯୋଗୁଁ ଜୀବନ ଜୀବିକା ବିପନ୍ନ ହେବ ।

ଏଣି ବିନୀତ ପ୍ରାର୍ଥନା ମହାମହିମଙ୍କ ନିକଟରେ କରୁକି, ଏହାର ବାସ୍ତବ ତତ୍ତ୍ଵ କରି ଆମ ମାନଙ୍କର ନ୍ୟାୟ ପ୍ରଦାନ କରିବା ସହିତ କୋଇଲା ଖଣି ପାଇଁ ଜଙ୍ଗଲ ଅନୁମତି ଦିଆଯାଇଥିବା ୭୮୩ ହେକ୍ଟର ଜଙ୍ଗଲ ଜମିର ଅନୁମତି ପତ୍ରକୁ ବାତିଲ କରାଯାଉ ।

॥ ଇତି ॥

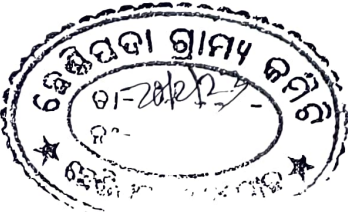
ଆପଣଙ୍କର ବିଶ୍ଵସ୍ତ

Chandramani Pradhan
20/2/23
ସଭାପତି

ଛେଣ୍ଡିପଦା ଗ୍ରାମ୍ୟ କମିଟି
ସଭାପତି

ଛେଣ୍ଡିପଦା ଗ୍ରାମ୍ୟ କମିଟି, ଅନୁଲୋକ

ଏହା ସହିତ କୋଇଲା ଖଣି ସଂପର୍କିତ
କାର୍ଯ୍ୟପତ୍ର ନକଲ ସଂଲଗ୍ନ କରାଗଲା ।



ENGLISH TRANSLATION OF ANNEXURE-7

Chhendipada Village Committee, Chhendipada,

Village/Po/Ps -Chhesdipadi, District Angul, Odisha Phone 977795207

Letter No.-134/2023

Date-20/02/2023

To,

Mr. Principal Chief Conservator of Forests (HoFF)

Aranya Bhawan, Chandrasekharpur Bhubaneswar, Odisha

Ref no-OSD-cum- Special Secretary to Government (FE & CC, Odisha)

Letter No FE-DIV-FLD-0026-2021-1184/FE &CC Date-20.01.2023

Subject- Chhendipada villagers have protected 783 hectares of forest land (Chhendipada and Kankurpal reserved and rural forests) under the Chhendipada block of Angul district for more than 5 decades, instead of recognizing the collective forest rights under the Forest Rights Act-2006, the villagers repeatedly demanded even after accepting the complaint no action has been taken by the authorities, a peaceful mass movement was started on 15.02.2023 by a peaceful mass movement to the Singareni Colliery Company for the Neini Coal Block to the Singareni Colliery Company in violation of the Forest Protection Act-1980. An appeal was also given to the District Magistrates Angul, Forest Range Officer Angul and Tahasildar Chhendipada. As there is a high possibility of destruction of this forest due to heavy pressure of Singareni Company of Coal Mining Authority, we request on behalf of the villagers to investigate and consider the matter.

We present our complaint to you through this committee on behalf of the affected villagers in and around Chhendipada.

(1) We Chhendipada villagers have been protecting Chhendipada and Kankurpal protected forest near our village and Khesda forest which is under the Revenue Department for more than 5 decades in traditional way. This forest was once a plain area, but due to the collective sincere efforts of our villagers, it has now been transformed into a dense forest.

(2) To safeguard the forests, the Forest Department has first formed the Village Forest Protection Committee (VFPC) and later the Forest Protection Committee (VSS) under the joint forest management policy, with both technical and scientific support for the growth of forests under Japanese financial assistance and under our Forest Plan grant. Crores of rupees have been spent through the programme. Under the JFM activities our villagers have received the Prakruti Mitra award from the state government for their efforts and the villagers are directly involved in all the programs.

(3) This forest is all and life Chhendipada villagers. Every family in the village has a hereditary bond and cooperation in forest protection. On the other hand, joint forest management policy has also been registered by the forest department. Van Suraskhya Samiti is functioning as a sub-committee of the village under the Forest Rights Act.

(4) Under the Forest Conservation Act - 2006, the villagers have been demanding that the Forest Department, District Administration to grant permission for collective forest conservation. But in these cases, our repeated complaints and requests have not been seized.

(5) The growth of these anchors has increased the protection of our bio-diversity and the production of biological resources. The livelihood of the villagers directly dependent on the forest has improved. Indirectly, along with the increase in the elevation of our agricultural land, the flow of water in streams, branches and streams through the forest has increased. Finally, our environment

has been adapted. On the other hand, due to the safety the number of wild animals has increased in this forest. This forest also became the regular pathway of elephants and also the habitation.

(6) We have been opposed from the very beginning to a private company being allowed to mine an important and equally biodiversity forest land, but no one considered our prayers and protests, instead of taking care of our demands now we are hearing that the forest land has been given to a private company.

(7) Singareni Colliery Company of Naini Coal Mine has submitted a proposal for the non-forest use of 783 hectares of forest land, i.e. coal mining, as a User Agency. Only 130 hectares of private and other government land remains under proposal for use.

8) Singareni Company has not provided correct information in the application proposal as User Agency of its Neini coal mine. The remaining biodiversity, natural resources, biological resources of the proposed forest area have been hidden. The user agency has not provided accurate information on wildlife habitats, routes and presence in this protected area. The information about the status of streams, canals and springs in the proposed forest has not been properly given in the proposal.

(9) The proposed forest area has been protected by the villagers for more than 5 decades and the VFPC and VSS have not given proper information in the joint forest management policy. VSS is a gram sabha sub-committee under the Forestry Act, but the company has not submitted any information regarding VSS in its proposal.

(10) Correspondingly, the forest department has not evaluated the application for the use of forest land for the Neini coal mine of Singareni Company. Field visits to each phase have not been carried out to evaluate practical reform proposals. Officials have nurtured their views as it suits the company. The forest

department has shown immense favor to the company without giving priority to forest protection.

(11) The approval of Gram Sabha under the Forest Extent Act, 2006 has been tampered with.

(12) Wrong information has been given in the Executive summary prepared for environmental clearance for Naini Kola Mine of Singareni Company. Accurate data on elephants and other wildlife and biodiversity is not provided.

(13) More than 80 percent of the land required for Jaini coal mining by Singareni Company is forest land. Out of the total land, 783 hectares are forested and only 130 hectares are private land. While coal is dominant on private land, the company owns most of the forest Land acquisition is a deliberate process. There is a government system for compensation of about Rs 2 crore per hectare and other compensation for the company's waste land. On the other hand, compensation for forest land and other government systems are separate. Company authorities are a well-known dabbler in unwitting acquisition of forest land.

(14) Chendipada village and surrounding villages are a densely populated area. If the forest land from this area is used for coal mining, its adverse effects will severely affect the environment, agriculture, livelihood health.

(15) The forest land proposed for the Singareni Company Dr. Neini coal mine is a habitat for elephants and other rare wildlife. Even among the scheduled wildlife under the Wildlife Act, there are scheduled-1 species of animals such as tigers, pythons, bears, etc. In the proposed forest area has seen diebacks, other wild life sightings, and there is evidence that the forest department has paid compensation to the wildlife. As the authority of the company as User Agency, all these data were with the forest department, but they deliberately did not present it on its website.

(16) Agriculture and forest are the sources of livelihood of 90 parts of Chendipada region. The proposed coal mine will cause scarcity of water, damming of streams, canals, springs, wells, carts, ponds and will have severe adverse impact on agriculture. Livelihoods of the homeless and the very poor will suffer due to lack of forest produce.

Therefore we pray to your good office to conduct a real investigation and give us justice and if forest permission for coal mining is given, then the permission of 783 hectares of forest land should be revoked

VAKALAT NAMA

IN THE COURT OF NATIONAL GREEN TRIBUNAL, KOLKATA

Case No. : _____ of 2024

Between - Jharcana Dehury and others Applicant / Petitioner / Plaintiff / Complaint
Vrs

Union of India and Others Respondent / Opp. Party, Defendant, Accused
Know all men by these presents, by this VAKALATNAMA

I/We Jharcana Dehury, Bidesi Pradhan, Tukuna -
Munda, Hadi Pradhan, applicant no. 1-4 in the
above mentioned OA are the residents of Chhendipa,
Dist - Angul, pin - 759124, State - Orissa
Applicant / Respondent / Petitioner / Opposite Party the aforesaid Revision / Appeal case to hereby
appoint and retain Sri SANKAR PRASAD PAUL, ASHWOSEY PADIY
PRASANNA KV BEHERA.

Advocate (s) to appear for me / us in the above case and to conduct and prosecute (or defend
the same and all proceedings that may be taken in respect of any applications connected with
the same or any decree or order passed therein including all applications for return of documents
or receipts of any money that may be payable to me / us in the said case and also in applications
for review, appeals under Orissa High Court Order and in application for Leave to appeal to
Supreme Court. I/We authorise my / our advocate (s) to admit any compromise lawfully entered
in the said case.

Dated the 4th day of October 2024

Received from the Executant (s)
Satisfied and accepted as hold
no brief for the other side.

S. Paul
Advocate
Accepted as above
A. Pradhan
Advocate
Accepted as above

Jharcana Dehury

BIDESI PRADHAN

Signature of the Executant (s)

TUKUNA MUNDA

Signature of the Executant (s)

P.K. Mishra
Advocate
Accepted as above
D-1406/1996
Advocate

P.K. Mishra
Stamp Vender, Angul.

THUMB IMPRESSION OF
HADIBANDHU PRADHAN



VAKALAT NAMA

IN THE COURT OF NATIONAL GREEN TRIBUNAL, KOLKATA

Case No. : _____ of 2024

Between Jharna Dehury and Others Applicant / Petitioner / Plaintiff / Complaint

VRS

Union of India and others Respondent / Opp. Party, Defendant, Accused
now all men by these presents, by this VAKALATNAMA

I/We Basant Kumar Sethi, Sunil Behera, Udayanath Behera, Padmanabha Behera, Bidyashan Sahoo, Applicant no 5-9 are residents of Chandnipada, Dist - Angul, Pin - 759124, State - Odisha

Applicant / Respondent / Petitioner / Opposite Party the aforesaid Revision / Appeal case to hereby

appoint and retain Sri Sankar Prasad Pani, Ashutosh Pasly, Praganna Kumar Behera.

Advocate (s) to appear for me / us in the above case and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any applications connected with the same or any decree or order passed therein including all applications for return of documents or receipts of any money that may be payable to me / us in the said case and also in applications for review, appeals under Orissa High Court Order and in application for Leave to appeal to Supreme Court. I / We authorise my / our advocate (s) to admit any compromise lawfully entered in the said case.

Dated the 4th day of October 2024

Received from the Executant (s)
Satisfied and accepted as hold
no brief for the other side.

Pani
Advocate

Accepted as above

Pasly
Advocate

Accepted as above

Basanta Kumar Sethi

SUNIL BEHERA [Signature]

Udayanath Behera
Signature of the executant (s)

Mishra
Advocate

En. P.K. Mishra
Advocate
0-1906/1996

P.K. Mishra
Stamp Vender, Angul.

PADMANABHA BEHERA [Signature]

Bidyashan Sahoo

AUTHORISATION

We, Jharana Dehury, aged about 39 years, Bidesi Pradhan, S/o- Adhikari Pradhan, aged about 43 years, Tukuna Munda, S/o- Baru Munda, aged about 30 years, Hadi Pradhan, S/o- Adhikari Pradhan, aged about 55 years, Basant Kumar Sethi, S/o- Arakshit Sethi, aged about 25 years, Sunil Behera, aged about 27 years, Udayanath Behera, aged about- 64 years, S/o-Nityananda Behera, Padmanav Behera, aged about 56 years, S/o-Nityananda Behera, applicant No. 1-8 all are residents of Chhendipada, Dist- Angul, pin-759124, authorize Bidyadhar Sahoo, S/o- Brundaban Sahoo, aged about 64 years, At/po- Chhendipada, Dist-Angul, pin-759124 the applicant No 9, to swear the affidavit on behalf of us for filing the original application.

Date- 04/10/2024

SIGNATURE

1. Jharana Dehury Jharana Dehury
2. Bidesi Pradhan Bidesi Pradhan
3. Tukuna Munda Tukuna Munda
4. Hadi Pradhan Hadi Pradhan
5. Basant Kumar Sethi Basant Kumar Sethi
6. Sunil Behera Sunil Behera
7. Udayanath Behera Udayanath Behera
8. Padmanav Behera Padmanav Behera