

F. No. 8-15/2016-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi – 110003

Dated: 16th May, 2018

To,

The Principal Secretary (Forests),
Dept. of Environment & Forests,
Government of Orissa,
Bhubaneswar

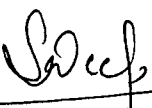
Sub: Diversion of balance 330.972 ha of Sabik Kisam forest land as on 25.10.1980 in addition to already diverted forest land of 73.697 ha for Chromite mining in their Sukinda Chromite mine in Jajpur District under Cuttack Forest Division by M/s TATA STEEL LIMITED.

Sir,

I am directed to refer to the State Government's letter no. 10F (Cons) 73/2014-11975F&E, Bhubaneswar, dated 28.06.2016 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under Section-3 of the said Act, *In-principle* approval was granted vide this Ministry's letter of even number dated 04.07.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

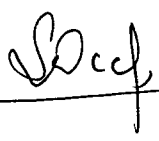
In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Pr. Chief Conservation of Forests & Nodal Officer (FCA), State Government of Odisha vide their letter No. 4142/9F(MG)/323/2016 dated 28.02.2018, **Stage-II/Final approval** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of balance 330.972 ha of Sabik Kisam forest land as on 25.10.1980 in addition to already diverted forest land of 73.697 ha for Chromite mining in their Sukinda Chromite mine in Jajpur District under Cuttack Forest Division by M/s TATA STEEL LIMITED subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation is exempted in light of submission of documentary evidences submitted by state government that the area is broken prior to 1980.
- (iii) The State Govt. shall ensure that the Safety zone shall be afforested and maintained in accordance with **approved scheme of Rs. Rs.90,84,737/-** at the cost of user agency in consultation with State Forest Department on the following area:
 - a. 9.26 ha with in the mining lease area
 - b. 15 ha (on south east and south west corner of the lease boundary) outside mining lease area in side Mahagiri DPF.
- (iv) The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (v) 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;



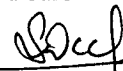
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- (vi) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (vii) The State Govt. shall ensure that no labour camp shall be established on the forest land;
- (viii) The State Govt. shall ensure that 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;
- (ix) The State Govt. shall ensure that the boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- (x) The State Govt. shall ensure that the User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the 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;
- (xi) The State Govt. shall ensure that the layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- (xii) The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- (xiii) The State Govt. shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- (xiv) The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- (xv) The State Govt. 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;
- (xvi) The State Govt. shall ensure that the following activities shall be undertaken by the User Agency under the supervision of the State Forest Department:
- a) The **approved scheme of Rs. 28,73,097/-** for mitigative measures to minimize soil erosion and choking of stream shall be implemented **at the cost of user agency** in consultation with State Forest Department.
- b) The **approved scheme of Rs.28,075/-** for planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion shall be implemented **at the cost of user agency** in consultation with State Forest Department;
- c) Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;


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- d) The **approved scheme of Rs. 24,07,469/-** for stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28^o, shall be implemented **at the cost of user agency** in consultation with State Forest Department; and
- e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- (xvii) The State Govt. shall ensure that the State Forest Department will implement the approved scheme for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40) located in the area within 100 m. from outer perimeter of the mining lease **from the funds of Rs. 64,06,921/- deposited in Ad-hoc CAMPA account** by the user agency;
- (xviii) The State Govt. shall ensure that the user agency will implement scheme for de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies in accordance with **approved scheme of Rs. 33,96,800/- at the cost of user agency** in consultation with State Forest Department;
- (xix) The State Govt. shall ensure that the User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- (xx) The State Govt. shall ensure that any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxi) The State Govt. shall ensure that the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully,



(Sandeep Sharma) 18.5.18

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.



(Sandeep Sharma) 18.5.18

Assistant Inspector General of Forests (FC)