

**Subject : Khandbandh Iron Ore Mines**

1. The State Government of Orissa vide their letter no. **10F(Con)108/2018/12189/F&E** and date **26-05-2018** submitted the above mentioned proposal to obtain prior approval of central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980.

2. Details indicated in the proposal submitted by the Government of Orissa are as below

**FACT SHEET**

1.	<b>Project Details</b>	
(i)	Proposal No	FP/OR/MIN/8707/2014
(ii)	Name of the Proposal	Khandbandh Iron Ore Mines
(iii)	Short Narrative of the proposal and Project/scheme for which the forest land is Required	The mining lease area over 366.311 ha is confined within latitudes: 210 55' 40.27579" – 210 57' 29.90066" (Between ML Boundary pillar No.1 & 16) North and Longitudes: 850 23' 12.66888" – 850 24' 45.86016" (Between ML Boundary pillar No.4 & 29) East as per the survey undertaken by ORSAC by DGPS locat
(iv)	Category	Mining
(v)	Total Area of the Forest Land (in ha.):	345.189
(vi)	Total period for which the forest land is proposed to be diverted (in years)	50
2.	<b>Location:</b>	
(i)	State	Orissa
(ii)	District	Khordha
3.	<b>Detail of user agency</b>	
(i)	Name of the user agency	ODISHA MINING CORPORATION LTD
(ii)	Shape of forest land proposed to be diverted	Non Linear
(iii)	Legal status of User Agency	State PSU

**4. Legal status of forest land proposed for diversion**

S. No.	Division	Forest Land (ha.)	Legal Status
1	Keonjhar	97.219	Revenue Forest
2	Keonjhar	209.974	District Level Committee (D.L.C.) Forest
3	Keonjhar	37.996	Non-forest land recorded as Forest as on 25.10.1980

**5. Land use plan****Component wise breakup**

S.no	Component	Forest Land (ha.)	Non-Forest Land (ha.)
1	Sub-grade dump	4.765	0
2	Dumping of OB	0.259	0
3	Mineral storage	3.998	0
4	Temporary Workshop, Garage etc.	5.276	0
5	Mines road	0.6432	0
6	Magazine & its safety zone	16.338	0
7	Tenated land	0	18.897

8	Mining	306.9908	0.84
9	Safety zone	6.919	1.385

**6. Vegetation**

(i) Species-wise and diameter class wise enumeration of trees

**Division Name : Keonjhar**

S. No.	Scientific Name	Local Name	(0-30)cm.	(31-60)cm.	(61-90)cm.	(91-120)cm.	(121-150)cm.	(>150)cm.
1	Tectona grandis	Teak	-1	3	0	1		
2	Dalbergia sisoo	Sisu	-1	2	2	0	0	0
3	Santalum album	Chandan	-1	0	1	0	0	0
4	Shorea robusta	Sal	-1	4257	898	236	50	29
5	Ougeinia ougenensis	Bandhan	-1	12	3	4	0	4
6	Gmelina arborea	Ghambhar	-1	22	11	2	1	0
7	Pterocarpus marsupium	Piasal	-1	82	54	28	9	3
8	Terminalia tomentosa	Asan	-1	431	75	25	21	35
9	Mangifera indica	Amba	-1	21	18	19	17	23
10	Syzygium cumini	Jamun	-1	167	48	25	8	5
11	Anogeissus latifolia	Dhala	-1	53	54	19	1	2
12	Bridelia retusa	Kasi	-1	55	11	1	0	0
13	Diospyros melanoxylon	Kendu	-1	747	82	15	12	16
14	Misc. Species	Misc	-1	5738	1250	569	321	446

(ii)	Density of Vegetation	S.No.	Division Name	Density	Eco Class
		1	Keonjhar	0.5	Eco 1

(iii)	Total numbers of trees to be filled	S.No.	Division Name	Total numbers of trees
		1	Keonjhar	16030

(iv)	Total Tree to be retained .	S.No.	Division Name	Less than 60(in cm.)	Greater than 60(in cm.)
		1	Keonjhar	11576	4454


7.	Vulnerability of area to soil erosion	S.No.	Division Name	Vulnerability of area
		1	Keonjhar	No

8.	Approximate distance of proposed site for diversion from boundry of forest (in Km.)	S.No.	Division Name	distance from boundry of forest(Km.)
		1	Keonjhar	3

9.	<b>Significance of the forest land proposed for diversion from wildlife point of view</b>		
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(i)	Details of wildlife present in and around the forest land proposed for diversion	S.No.	Division Name	Details of wildlife diversion
		1	Keonjhar	leopard, bear, barking deer, hyena, porcupine

(ii)	<p>Whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc.</p> <table border="1" data-bbox="403 125 1485 259"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>National park/Wildlife sanctuary/Biosphere reserve/Tiger reserve/Elephant corridor/Wildlife migration corridor</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>No</td> </tr> </tbody> </table>	S.No.	Division Name	National park/Wildlife sanctuary/Biosphere reserve/Tiger reserve/Elephant corridor/Wildlife migration corridor	1	Keonjhar	No
S.No.	Division Name	National park/Wildlife sanctuary/Biosphere reserve/Tiger reserve/Elephant corridor/Wildlife migration corridor					
1	Keonjhar	No					
(iii)	<p>Whether the forest land proposed for diversion is located within eco-sensitive zone(ESZ) of the Protected Area notified under Wildlife(Protection) Act,1972 (Note: In case, ESZ of a Protected Area is not notified,then,10kms distance from boundary of the Protected Area should be treated as ESZ)::</p> <table border="1" data-bbox="403 432 1485 517"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>Diversion is located within ESZ</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>No</td> </tr> </tbody> </table>	S.No.	Division Name	Diversion is located within ESZ	1	Keonjhar	No
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1	Keonjhar	No					
(iv)	<p>Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1 Km. from boundary of the forest land proposed for diversion :</p> <table border="1" data-bbox="403 779 1485 887"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>Location of reserve/corridor within 1 Km. from boundary of the forest land</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>No</td> </tr> </tbody> </table>	S.No.	Division Name	Location of reserve/corridor within 1 Km. from boundary of the forest land	1	Keonjhar	No
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1	Keonjhar	No					
(v)	<p>Whether any rare/endangered/unique species of flora and fauna found in the area :</p> <table border="1" data-bbox="403 1010 1485 1095"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>flora and fauna found in the area</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>No</td> </tr> </tbody> </table>	S.No.	Division Name	flora and fauna found in the area	1	Keonjhar	No
S.No.	Division Name	flora and fauna found in the area					
1	Keonjhar	No					
10.	<p>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, ifrequired.</p> <table border="1" data-bbox="403 1267 1485 1375"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>Details of with NOC from competent authority</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>No</td> </tr> </tbody> </table>	S.No.	Division Name	Details of with NOC from competent authority	1	Keonjhar	No
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1	Keonjhar	No					
11.	<p>Whether the requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project.if no,recommended area item-wise with details of alternatives examined.</p> <p>Yes</p>						
12.	<p>Whether any work in violation of the Act has been carried out(yes/No).if yes,details of the same including of the work done,action taken on erring officials. Whether work in violation is still under progress.</p> <table border="1" data-bbox="403 1850 1485 1935"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>Wildlife Point of View</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>Select</td> </tr> </tbody> </table>	S.No.	Division Name	Wildlife Point of View	1	Keonjhar	Select
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1	Keonjhar	Select					

13.	<b>Details of compensatory afforestation scheme</b>							
Patch wise details of non-forest or Revenue forest land to be provided by User Agency for CA								
<b>Patch Wise Details</b>								
(i)	<b>S.no</b>	<b>District Name</b>						
	<b>Village</b>	<b>Area(in ha.)</b>						
	1	Keonjhar						
	2	Keonjhar						
	3	Keonjhar						
	4	Kalahandi						
	5	Kalahandi						
Sikulapada 62.058								
Phulajhar 46.397								
Raidiha 51.225								
Balangi 11								
Kerapai 38.644								
(ii)	Patch wise details for Degraded Area (To be earmarked by DFO)							
No Data								
(iii)	Total Financial Outlay for C.A(lacs):	<table border="1"> <thead> <tr> <th>S.No.</th> <th>Division Name</th> <th>Total Financial Outlay for C.A(lacs)</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Keonjhar</td> <td>8.78</td> </tr> </tbody> </table>	S.No.	Division Name	Total Financial Outlay for C.A(lacs)	1	Keonjhar	8.78
S.No.	Division Name	Total Financial Outlay for C.A(lacs)						
1	Keonjhar	8.78						
(iv)	Whether the land identified by User Agency is suitable for CA and from managementpoint of view:	Yes						
14.	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.	Given and old format which required in accordance with Ministry guideline dated 03-08-2009 read with 05-07-2013						
15.	Whether the project requires environment Clearance	<b>(a). Status of the Environmental Clearance to the Project:</b> EC obtained <b>(b). Environmental Clearance File No.:</b> J-11015/1081/2007-IA.II(M) <b>Environmental Clearance</b>  <b>(d). Date of grant of Environmental Clearance to the Project:</b> NA						
16.	Catchment Area Treatment Plan	-						
17.	<b>Rehabilitaion of Outstee</b>							
(i)	Number of SC Families	0						
(ii)	Number of ST Families	0						
(iii)	Number of Backword Families	0						
(iv)	Copies of R&R Plan	-						
18.	Cost Benefit Analysis	given						
19.	Total cost of the project( in crore):	33019						

20.	Employment Potential	Permanent Employee : 100 Temporary Employee : 500 Total Employee : 600																					
21.	<b>Details of Mining lease</b>	Yes																					
(i).	Whether the forest land is acquired under Coal Bearing Areas Act	No																					
(ii).	(a).Reference number of Letter of Intent for grant of mining lease: (b).Date of issue of the Letter of Intent(LOI) for grant of mining lease: (c).Total area of the mining lease(in ha.): (d).Area of forest land located in the mining lease(in ha.):	11708/MG 21 Nov 1963 366.311 345.189																					
(iii).	Details of Mining Plan	No																					
(iv).	(a).Date of approval of mining plan: (b).Approval authority: (c).Nature of mining (underground/opencast):	14 Sep 2016 IBM Opencast																					
(v).	Total area of safety zone of the mining lease in ha	No Record Found																					
(vi).	Details of safety zone of mining lease	No Record found																					
(vii).	Detail of prospecting activity under taken in the mining lease:	Detail of prospecting activity under taken in the mining lease is mentioned in Page No. 27 & 30 of the approved mining plan enclosed at Sl. no. M-2																					
(viii).	Details of bore holes drilled for prospecting :	<table border="1"> <thead> <tr> <th colspan="5">Bore holes drilled for prospecting</th> </tr> <tr> <th>S.no</th> <th>No. of Bore holes (in forest land)</th> <th>Diameters(in inch.) forest land</th> <th>No. of Bore holes (in non-forest land)</th> <th>Diameters(in inch.) non-forest land</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>781</td> <td>4</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Bore holes drilled for prospecting					S.no	No. of Bore holes (in forest land)	Diameters(in inch.) forest land	No. of Bore holes (in non-forest land)	Diameters(in inch.) non-forest land	1	781	4	0	0						
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(ix).	Estimated Reserve along with accuracy and confidence level	<table border="1"> <thead> <tr> <th colspan="7">Estimated Reserve along with accuracy and confidence level</th> </tr> <tr> <th>Minerals</th> <th>Estimated Reserve (million tones)</th> <th>% accuracy (+ -)</th> <th>% confidence level</th> <th>Estimated Reserve (million tones)</th> <th>% accuracy (+ -)</th> <th>% confidence level</th> </tr> </thead> <tbody> <tr> <td>Iron Ore</td> <td>21.032</td> <td>10</td> <td>95</td> <td>0</td> <td>0</td> <td>0</td> </tr> </tbody> </table>	Estimated Reserve along with accuracy and confidence level							Minerals	Estimated Reserve (million tones)	% accuracy (+ -)	% confidence level	Estimated Reserve (million tones)	% accuracy (+ -)	% confidence level	Iron Ore	21.032	10	95	0	0	0
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Minerals	Estimated Reserve (million tones)	% accuracy (+ -)	% confidence level	Estimated Reserve (million tones)	% accuracy (+ -)	% confidence level																	
Iron Ore	21.032	10	95	0	0	0																	
(x).	a) Details of approval under the Forest (Consevation) Act,1980 obtained for undertaking prospecting activities in the forest land located in the mining lease : b)Whether approval under the Forest (Conservation) Act, 1980 for undertaking prospecting activities in the forest land located in the mining lease have been obtained :	No <table border="1"> <thead> <tr> <th colspan="6">Details of approval under the Forest(Consevation) Act,1980</th> </tr> <tr> <th>S.no</th> <th>MoEF File No</th> <th>Date of approval</th> <th>Area of forest land diverted(in ha.)</th> <th>From Date</th> <th>To Date</th> </tr> </thead> <tbody> <tr> <td colspan="6">NA</td> </tr> </tbody> </table>	Details of approval under the Forest(Consevation) Act,1980						S.no	MoEF File No	Date of approval	Area of forest land diverted(in ha.)	From Date	To Date	NA								
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NA																							

22.	Undertaking to bear the cost of CA and NPV	Given
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## 23.District Profile

S.no	District Name	Geographical area of the district (in ha.)	Forest area of the district (in ha.)	Total forest area diverted since 1980 (in ha.)	No. of Approved Cases	Forest Land including penal C.A. (in ha.)	Progress of compensatory afforestation as on(date)	Forest land (in ha.)	Non-forest land (in ha.)	
1	Keonjhar	830300	336615.6293	10319.8016	76	6664.4855	17/12/2017	4148.92	5983.9016	
24.	Total area proposed for afforested since 1980 -		Degraded forest land -	6664.4855	Penal CA over Forest land -	4148.92	Non-Forest land -	5983.9016	Total-	16797.3071
25.	Total area afforested		Degraded forest land -	6664.4855						

since 1980 -	Penal CA over Forest land - 4148.92
	Non-Forest land - 5983.9016
	Total- 16797.3071

**26. Site Inspection Report**

Division	Circle	Site Inspection By	Date Of Visit	Brief Details of SIR at DFO
Keonjhar	Rourkela	DFO	18/12/2017	
	Rourkela	CF	10/03/2018	As per diversion proposal the Cost Benefit Ratio is 1 10.36
		Nodal Officer	11/05/2018	Recommended for diversion of 345.189 ha of forest land including 6.77 ha of Safety Zone involved in the mining lease area over 366.311 ha for mining of Iron Ore in Khandbandh Iron Ore Mines under Keonjhar Forest Division of Keonjhar District, Odisha by M/s OMC Ltd. for approval under section 2 (ii) of Forest (Conservation) Act, 1980.

**27. Recommendation with Specific conditions, (if any)****DFO/CF/PCCF/Nodal Officer**

Division	Circle	Recommendation By	Recommendation	Remarks/Conditions
Keonjhar	Rourkela	DFO	Recommended	Recommended
	Rourkela	CF	Recommended	As per diversion proposal the Cost Benefit Ratio is 1 10.36
		Nodal Officer	Recommended	Recommended for diversion of 345.189 ha of forest land including 6.77 ha of Safety Zone involved in the mining lease area over 366.311 ha for mining of Iron Ore in Khandbandh Iron Ore Mines under Keonjhar Forest Division of Keonjhar District, Odisha by M/s OMC Ltd. for approval under section 2 (ii) of Forest (Conservation) Act, 1980.

**28. Specific recommendation of the State Government**

State	Recommendation By	Recommendation	Remarks/Conditions
Orissa	State Secretary	Recommended	recommended vide letter no 12189 dated 26.05.2018

29.	Forwarding Letter for Nodal Officer	
30.	Forwarding Letter for State Government	<p>State Govt. vide their forwarding letter no. 10F(Con)108/2018/12189/F&amp; E dated 25.05.2018 provided the following information for instant proposal</p> <p><b>1) <u>Brief description</u></b></p> <p>The mining lease of Khandbandh Iron ore mine was granted over 366.311 ha vide letter No. III (A) II-9/63-11708 dated 22.11.1963 of Govt. of Odisha Mining &amp; Geology Department in favour of Orissa Mining Corporation for a period of 30 years. The said Mining lease was executed on 30.11.1963 having validity from 30.11.1963 to 29.11.1993 over an area of 366.311 ha. The 1<sup>st</sup> RML application was filed on 09.11.1992 which is one year prior to expiry of the original mining lease period over 366.311 ha. for a period of 20 years. The applied ML area of 366.311 ha. was then comprised of 98.221 ha of Revenue Forest, 207.309 ha of DLC Forest, 60.781 ha of non-forest land (Copy RML application appended at <b>page- 72-77 of DP in Vol.I</b>). The 2<sup>nd</sup> RML application was also filed in time on 06.11.2012 i.e. one year prior to expiry of applied 1<sup>st</sup> RML period of 29.11.2013 over the same extent of area of 366.311ha. for another 20 years i.e. from 30.11.2013 to 29.11.2033 (Copy 2<sup>nd</sup> RML application is appended at <b>page- 109-115 of DP in Vol.I</b>). <b>No information is however available in the DP to indicate whether the 1<sup>st</sup>/2<sup>nd</sup> RML application has been disposed and ML period has been extended by the State Government as per provisions of MMDR(Amendment) Act, 2015 along with supplementary lease deed executed.</b> In this context, the Executive Director(F&amp; E), OMC Ltd. in his letter No. 7529 dt. 21.5.2018 has appended a copy of letter No. 9570 dt. 10.11.2017 of Director of Mines, Odisha addressed to Regional Controller of Mines, IBM, Bhubaneswar which also indicates the following pertaining to approval of Mining Plan with PMCP pertaining to this mines by IBM</p> <p><i>&amp; ldquo &amp; hellip &amp; hellip 1<sup>st</sup> RML application filed by OMC Ltd, on 9.11.1992 has neither been rejected by the State Government as on date nor the lease has been declared to have lapsed under Section 4A(4) of MMDR Act, 1957 read with rule 28(1) of MC Rules, 1960. The working of the said mines has been stopped since 5.1.2010 due to want of forest clearance under FC Act, 1980 as well as Environmental clearance and</i></p>

*Consent to Operate from SPCB, Odisha. Hence the said lease has been listed in Annexure-R2 to the report of CEC being a non-working mine. As per the order of the Hon'ble Apex Court dt.16.5.2014, the operation of mines can be allowed to resume only after obtaining all statutory clearances by the lessee followed by modification of the said order of the Apex Court. Under the circumstances, the said lease cannot be considered to be covered within the purview of Section 8A(9) of MMDR Act, 1957. Further the lessee is a State Government PSU and extension of validity of the said lease will be considered as per provision of Section 8A (8) of MMDR Act, 1957 and Rule-3(3) of Mineral(Mining by Government Company) rules,2015. Hence, approval of review of Mining Plan along with Progressive Mine Closure Plan of Khandbandh Iron ore Mines of M/s OMC Ltd. in Keonjhar district of Odisha submitted by the lessee may be considered by IBM and if found satisfactory, the same may be approved subject to a condition that the approval so accorded will not warrant entitlement of the lessee to claim for extension of lease validity under Section 8 of MMDR(Amendment) Act, 2015.*

Keeping in view of the above views of Director of Mines, Odisha relating to the present status of mining lease and also taking note of orders dt. 16.5.2014 of Hon'ble Apex Court in WP© No. 114/2014, the forest diversion proposal filed by the OMC Ltd. for Khandbandh Iron ore Mines is being processed for consideration of Government of India, MoEF& CC.

**The DFO, Keonjhar Division vide his Letter No. 7001 dtd. 23.12.2009 addressed to the RM, Khandbandh Iron Ore Mines had issued closure notice asking the lessee to stop all mining activities on the lease area both in virgin & broken up lands as the forest and non-forest land had not been demarcated in the field (Copy enclosed at Page No- 523 (xvi)/DP in Vol.I.)**

The Mining Lease area of Khandbandh Iron Ore Mines of M/s OMC Ltd lies between longitude E 85<sup>0</sup>23' & 12.66888' to 85<sup>0</sup>24' & 45.86016' and latitude N 21<sup>0</sup>55' & 40.27579' & 21<sup>0</sup>57' & 29.90066' in Survey of India topo sheet No. F 45 N 5. During 1<sup>st</sup> RML period, **the lessee had applied for diversion of 77.173 ha. of forest land which was however rejected by MoEF, GoI vide their letter F.No. 8-82/96-FC dt. 19.2.2001(Page 93 of DP in Vol.I).** Earlier the GoI, MoEF& CC vide their letter No. 8-82/96-FC dt. 29.5.1997(**page 89 of DP in Vol I**) had accorded Temporary Working Permission for a period of 9 months for already broken up area of **15.349ha.** of forest land. **The lessee again applied for diversion of 191.153 ha. of forest land in this lease which was returned by F& E Department for certain deficiencies vide letter No. 13415/F& E dt. 27.8.2007.**

As reported by PCCF, Odisha, the Khandbandha Iron ore mining lease over 366.311 ha is now comprised of 345.189 ha. of forest land (**97.217 ha of Revenue Forest, 209.973 ha of DLC forest land and 37.999 ha of sabik kisam forest** (Non-forest land recorded as Forest as on 25.10.1980) and 21.122ha. of non-forest land which also includes 18.205 ha. of private land. In the instant proposal, the lessee has filed proposal for diversion of entire extent of forest land of over 345.189 ha that also includes safety zone area over 6.919 ha of forest land under Section-2 of Forest (Conservation) Act, 1980. The status of the non-forest land as certified by Tahasildar, Barbil, indicates that 37.999 ha of non-forest land in village Khandbandh, Guruda & Jaroli in Hal record was of forest kisam as on 25.10.1980. The certificate furnished by the Tahasildar, Barbil in this regard is enclosed as Annexure- XI at Page- 116-131/DP(Vol.I). **As reported earlier by PCCF, Odisha, total forest land broken up prior to 1980 in the ML area is 129.095 ha.** The RCCF, Rourkela Circle and DFO, Keonjhar in their Site inspection reports have also reported the extent of broken up forest area to be 129.095 ha. Detailed schedule of ML area and forest land is at page 78-83/DP and 519-521/DP in Vol.I respectively.

Modified Mining Plan with Progressive Mines Closure Plan pertaining to Khandbandha Iron ore mining lease of OMC has been approved by IBM in letter No. MPM/FM/14-ORI/BHU/2015-16/1605 dt. 14.9.2016(**page 134-135/DP**). The copy of approved Modified Mining Plan with PMCP is at page **136-231/DP(Vol.I)**. The mining lease area contains a total mineable reserve of 22.574 million tonnes of Iron Ore. Considering the annual production capacity of the mine is 1.0 Million ton of iron ore, the estimated life period of the mine is around 22 years.

The proposed lease area does not fall within any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve. No archaeological monument or protected defence establishment is located inside the applied area. In Part-I of application, it has been indicated by the user agency that this project will generate direct and indirect employment for more than 100 and 500 persons respectively. **Total cost of the project is Rs.330.19 crores.** The project does not involve displacement of human habitation.

**2) Maps** The User Agency has submitted several maps duly authenticated by concerned authority.

**3) Forest land** Khandbandha Iron ore mining lease over 366.311 ha is comprised of 345.189 ha. of forest land (97.217 ha of Revenue Forest, 209.973 ha of DLC forest land and 37.999 ha of sabik kisam forest (Non-forest land recorded as Forest as on 25.10.1980) and 21.122ha. of non-forest land which also includes 18.205ha. of private land. Forest land also includes 6.919 ha. within the safety zone. As reported earlier by PCCF, Odisha, total forest land broken up prior to 1980 in the ML area is 129.095 ha. It has also been reported by PCCF, Odisha that 25.328ha. of non-forest land recorded as forest as on 25.10.1980 has also been broken. The purpose wise break-up of ML area is given as under.

**Table & ndash 1**

Purpose wise breakup &amp; proposed Land use of ML area of 366.311ha.

Sl. No.	Purpose of Utilization	Forest land in ha	Non-forest land in ha.	Grand Total (ha)					
Revenue Forest	Forest as per DLC	Non-forest land recorded as forest as on 25.10.1980 (Sabik forest)	Total	Govt. Land	Private land	Total			
I	Mining	93.598	183.504	29.8888	306.9908	0.840	-	0.840	307.8308
	Sub-grade dump	1.397	2.5030	0.865	4.765	-	-	-	4.765
	Dumping of OB	0.0000	0.2590	-	0.259	-	-	-	0.259
	Mineral storage	0.00	1.4950	2.5030	3.998	-	-	-	3.998
	Infrastructure (Workshop, administrative building, site services, garage, etc.)	0.00	2.2990	2.977	5.276	-	-	-	5.276
	Mines road	0.00	-	0.6432	0.6432	-	-	-	0.6432
	Magazine & its safety zone (228 m radius).	-	16.3380	-	16.3380	-	-	-	16.3380



Safety zone area	7.5 m along ML boundary	2.2220	3.4720	1.076	6.7700	0.283	0.840	1.123	7.8930
10 m on either side of the road	0.00	0.1030	0.0460	0.1490	0.027	0.235	0.262	0.411	
<b>Total</b>	<b>97.2170</b>	<b>209.973</b>	<b>37.999</b>	<b>345.189</b>	<b>1.150</b>	<b>1.075</b>	<b>2.225</b>	<b>347.414</b>	
II	Tenanted land	-	-	-	-	1.767	17.130	18.897	18.897
<b>Grand Total</b>	<b>97.2170</b>	<b>209.973</b>	<b>37.999</b>	<b>345.189</b>	<b>2.917</b>	<b>18.205</b>	<b>21.122</b>	<b>366.311</b>	

\*7.318 ha of forest land for mining & 2.144 ha of forest land for sub-grade dump (Total 9.462 ha) out of 16.338 ha earmarked for magazine & its safety zone area will be utilized at the conceptual stage.

**Table -2**

**Existing land use in respect of 129.095 ha pre-1980 broken up forest land along with broken Non-Forest land involved in the project**

Sl. No.	Pattern of Utilization	Forest Area (in Ha)	Non-Forest Area (in Ha)	G.Total					
R.F.	Revenue Forest	As per DLC	Total	Govt. land	Pvt. Land	Total			
1	(a)Mining (Quarry and float work)		10.833 *9.303	84.921	95.754 *9.303	9.303	-	9.303	105.057
	(b)Ore stacking and dressing.	0.210 *0.276	2.157	2.367 *0.276	0.276	-	0.276	2.643	

<b>Sub-total</b>	-	<b>11.043</b> <b>*9.579</b>	<b>87.078</b>	<b>98.121</b> <b>*9.579</b>	<b>9.579</b>	-	<b>9.579</b>	<b>107.700</b>	
2	Dump	-	2.266 *8.178	17.223	19.489 *8.178	8.870	-	8.870	28.359
3	Workshop, power station, dispensary, site services, garage, admin. office, statutory staff quarters etc.	-	*4.937	4.536	4.536 *4.937	4.937	-	-	9.473
4	Mines road	-	2.040 *2.634	4.334	6.374 *2.634	2.634	-	2.634	9.008
5	Magazine	-	-	0.575	0.575	-	-	-	0.575
<b>Total</b>	-	<b>15.349</b> <b>*25.328</b>	<b>113.746</b>	<b>129.095</b> <b>*25.328</b>	<b>26.020</b>	-	<b>26.020</b>	<b>155.115</b>	
<b>* Non-forest area broken but recorded as forest as on 25.10.1980 is 25.328 ha.</b>									

**4) Flora & fauna** As per the Site inspection report of the DFO, Keonjhar Division, the forest land applied for diversion is located contiguous to Baitarani RF and has been depicted as & lsquo dense jungle mainly Sal& rdquo . As such condition of vegetation has been treated at par with the adjoining Baitarani RF i.e. under group 3C/3C2e(iii) Moist Peninsular Valley Sal. The prevailing vegetation consists of Sal and its associates. The principal associates of Sal include *Terminalia alata*, *Lagerstroemia perviflora*, *Anogeissus latifolia*, *Terminalia belerica*, *Syzygium cumini*, *Mangifera indica*, *Schleichera oleosa*, *Adina cordifolia*, *Pterocarpus marsupium*, *Bombax ceiba*, *Bridelia retusa*, *Madhuca indica*. The middle story is represented by *Ougeinia ougenensis*, *Careya arborea*, *Treema orientalis*, *Embllica officinalis*, *Cassia fistula* etc. The shrubs and undergrowth are characterized by *Indigofera pulchella*, *Ardisia solenacea*, *Flemingia chhapar*, *Helicteres ixora* and *Clerodendron viscosum* etc. The prevailing climbers include *Bauhinia vahlii*, *Combretum decandrum* and *Beutia parviflora*. The grasses over the forest floor include *Chrysopogon aciculatus*, *Imperata cylindrica*, *Dicanthium carricosum*, *Cynodon dactylon* etc. **The canopy density is reported to be 0.5 and Eco value class I .** As reported by the DFO, Keonjhar Division, movement of wild elephants is often witnessed in applied forest land and adjoining Forest land. **The applied site falls under elephant habitat zone- 2 as mentioned by ORSAC, Bhubaneswar.**

**5) Tree enumeration** As reported by the DFO, Keonjhar Division, there are 8,639 nos. of sound, 12,843 nos. of unsound trees of above 30 cm girth in the virgin forest land over 216.094 ha and 2,241 nos. of sound, 9,530 nos. of unsound trees of above 30 cm girth in the broken up forest land over 129.095 ha. Hence in all, **33,253 no. of trees of above 30 cm girth have been enumerated** over 345.189 ha of forest land involved in the Mining Lease. The species wise and diameter class wise abstract of enumerated trees in respect of virgin and broken up land in separate sheets is enclosed as **Annexure- XXXVII at Page- 523 (viii)/DP.**

**6) Wildlife Management Plan**

As reported by the PCCF, Odisha, the Site Specific Wildlife Conservation Plan has been approved by the PCCF (Wildlife) & CWLW, Odisha vide memo No. 6000/1WL (C) SSP-314/2011 dt 06.09.2011 with a financial outlay of Rs. 216.00 Lakh which includes Rs. 46.00 Lakh for implementing the components of Plan within the project area by User Agency and Rs. 170.00 Lakhs to be spent for executing the components of the Plan in the project impact area to be implemented by DFO, Keonjhar. **The demand notice has been issued to the User Agency to deposit of approved financial outlay of Rs. 170.00 lakh vide letter No. 1070 dated 07.02.2013 of DFO, Keonjhar Division and subsequent reminder has been issued vide his letter No. 3187 dated 24.04.2013. The user agency has not deposited the said amount till date.** Since the SSWLCP has been approved in the year 2011, the approved cost of the Plan needs to be revisited as per current wage rate and accordingly the **modified cost needs to be realised from the user agency upon having Stage-I forest clearance.** Further the user agency is also required to deposit the proportionate cost of Regional Wildlife Management Plan at the latest rate fixed by State Government on ML area basis. The user agency has submitted an undertaking to pay the cost of Regional Wildlife Management Plan & Site Specific Wildlife Conservation Plan as per demand of State Forest Department.

**7) Compensatory Afforestation**

I	Total Mining Lease area	-	366.311 ha
II	Forest area involved in the ML	-	345.189 ha
III	Forest area already diverted	-	Nil
IV	Forest area covered under safety zone	-	6.919 ha
V	Forest land to be kept un-diverted	-	--
VI	Forest area applied for diversion	-	345.189 ha
VII	Total broken forest prior to 1980 in the mining lease	-	129.095 ha
VII	<b>Land required for Compensatory Afforestation(II-IV-VII)</b>	-	<b>209.175 ha</b>

In view of above, non-forest land to the extent 209.324 ha. has been identified/allotted in Keonjhar and Kalahandi districts for the purpose of raising compensatory afforestation as per details of land given below

Sl.No	Dist/Forest Division	Tahasil	Revenue village	Khata No.	Plot No.	Area in ha
1	Kalahandi/ Kalahandi South	Thuamul Rampur	Kerapai	51-AAA	307	10.886
311	8.106					
365	5.354					
366	9.543					

367	4.755						
<b>Total</b>				<b>38.644</b>			
2	Kalahandi/ South	Kalahandi	Thuamul Rampur	Balangi	122- AAA	196	11.000
<b>Total</b>				<b>11.000</b>			
3	Keonjhar/Keonjhar		Bansapal	Sikulapada	51	10	16.000
11(P)	11.700						
317(P)	17.100						
176(P)	17.258						
<b>Total</b>				<b>62.058</b>			
4	Keonjhar/Keonjhar		Bansapal	Phuljhar	154	1836(P)	3.833
1945	10.086						
1946	15.598						
1969	12.344						
1970	4.536						
<b>Total</b>				<b>46.397</b>			
5	Keonjhar/Keonjhar		Bansapal	Raidiha	35	136(P)	9.2310
137	15.2000						
138(P)	15.7472						
139(P)	6.6602						
295(P)	4.3866						
<b>Total</b>				<b>51.2250</b>			
<b>Grand Total</b>			<b>209.324</b>				

**The concerned Tahasildars have certified that identified/allotted non-forest land are free from encroachment and encumbrance.** It has also been certified that identified non-forest land are not part of DLC report of the districts of Keonjhar and Kalahandi. As per MoEF& CC guidelines bearing F.No. 11-423/2011-FC dt. 8.11.2017, 1000 no. of plants are to be raised for every hectare of forest land being diverted. In the instant proposal, 209.175ha. of virgin forest land (excluding forest land in safety zone and pre-1980 broken up forest land) is being diverted which necessitates raising of 2,09,175 no. of plants (209.175 ha. x 1000) in all. As reported by PCCF, Odisha, the non-forest land identified in village Kerapai over 38.644 ha. in Kalahandi district as mentioned above is suitable for Bald hill plantation @ 1600 plants/ha over 36.492 ha. and remaining 2.152 ha. is suitable for ANR mode of plantation @600 plants/ha. Similarly the non-forest land identified in village Balangi over 11 ha. in Kalahandi district as mentioned above is suitable for Bald hill plantation @ 1600 plants/ha over 10.877 ha. and remaining 0.123 ha. is suitable for ANR mode of plantation @600 plants/ha. Further the non-forest land of 159.680 ha. identified/allotted in village Sikulpada, Phuljhar and Raidiha under Bansapal Tahasil of Keonjhar district is suitable for ANR Gap plantation @ 800 plants/ha over 62.058ha. and remaining 97.622ha. @ 400 plants per ha. Thus the non-forest land identified/allotted in this project can accommodate 1,65,850 no. of plants in all. Hence (209175-165850) 43,325 no. of more plants are required to be raised against this diversion proposal as per GoI guidelines dt. 8.11.2017. In view of this, the DFO, Keonjhar has identified additional degraded forest land of 206 ha. in Baitarani RF (Near village Mukundapur-156.00 ha & Mirgisingha- 50.00 ha) under Champua Range for raising the balance no. of seedlings in ANR model @400 plants/ha. As such, four no. of site specific CA schemes have been prepared by the DFOs concerned which have been approved by PCCF, Odisha. Details of the CA schemes are as under

(A) 159.680 ha of non-forest Government land has been identified for compensatory afforestation in village Sikulpada(62.058ha.), Phuljhar(46.397ha.) and Raidiha(51.2250ha.) under Bansapal Tahasil of Keonjhar district. The compensatory afforestation area has been jointly verified by the Forest and Revenue officials and has been found to be free from encroachment and encumbrances and suitable for ANR mode of plantation over 62.058ha. @ 800 plants per ha. and.@ 400 plants per ha. over 97.622ha. The CA area shown in the Sol topomap is attached to CA scheme. The revenue map showing compensatory afforestation land is enclosed in the DP . The DFO, Keonjhar Division has prepared a site specific Compensatory Afforestation accordingly. The species selected for planting are Jamun, Kuruma, Dhaura, Khair, Sissoo, Neem, Gambhar, Bahada, Harida, Karanja, Amla etc. It also includes provision of barbed wire fencing over 13.35 KM and other soil conservation measures. CA scheme has been technically approved by the PCCF , Odisha with a total financial forecast of Rs.2,70,35,700/- including maintenance cost of 10 years. Copy of duly approved Compensatory Afforestation scheme along with financial outlay is appended to the DP in Vol.I. The User Agency has furnished an undertaking to pay the cost of raising Compensatory Afforestation.

(B) 38.644 ha of non-forest Government land has been identified for compensatory afforestation in village Kerapai under Thuamul Rampur Tahasil of Kalahandi district. The compensatory afforestation area has been jointly verified by the Forest and Revenue officials and has been found to be free from encroachment and encumbrances and suitable for Bald hill plantation over 36.492ha. @ 1600 plants per ha. and.@ 600 plants per ha. over 2.152ha. The CA area shown in the Sol topomap is attached to CA scheme. The revenue map showing compensatory afforestation land is enclosed in the DP . The DFO, Kalahandi(South) Division has prepared a site specific Compensatory Afforestation accordingly. The species selected for planting are Neem, Karanja, Sissoo, Neem, Gambhar, Bahada, Harida, Karanja, Amla etc. It also includes provision of barbed wire fencing over 2.152 KM and other soil conservation measures. CA scheme has been technically approved by the PCCF , Odisha with a total financial forecast of Rs.1,32,87,800/- including maintenance cost of 10 years. Copy of duly approved Compensatory Afforestation scheme along with financial outlay is appended to the DP in Vol.I. The User Agency has furnished an undertaking to pay the cost of raising Compensatory Afforestation.

(C) 11 ha of non-forest Government land has been identified for compensatory afforestation in village Balangi under Thuamul Rampur Tahasil of Kalahandi district. The compensatory afforestation area has been jointly verified by the Forest and Revenue officials and has been found to be free from encroachment and encumbrances and suitable for bald hill plantation over 10.877ha. @ 1600 plants per ha. and.@ 600 plants per ha. over 0.123ha. The CA area shown in the Sol topomap is attached to CA scheme. The revenue map showing compensatory afforestation land is enclosed in the DP. The DFO, Kalahandi(South) Division has prepared a site specific Compensatory Afforestation accordingly. The species selected for planting are Neem, Karanja, Amla, Harida, Bahada, Sissoo etc. It also includes provision of barbed wire fencing over 0.599 KM. CA scheme has been technically approved by the PCCF , Odisha with a total financial forecast of Rs.38,94,400/- including maintenance cost of 10 years. Copy of duly approved Compensatory Afforestation scheme along with financial outlay is appended to the DP in Vol.I. The User Agency has furnished an undertaking to pay the cost of raising Compensatory Afforestation.

(D) In order to accommodate the differential no. of plants under this project as per GoI guidelines dt. 8.11.2017, 206 ha of degraded forest land has been identified for compensatory afforestation in Baitarani RF(near Makundapur village 156ha. and Mirgisingha 50ha.) under Champua Range of Keonjhar Forest Division of Keonjhar district. The identified degraded forest land is suitable for ANR mode plantation @ 400 plants per ha. The CA area shown in the Sol topomap is attached to CA scheme. The DFO, Keonjhar Division has prepared a site specific Compensatory Afforestation accordingly. The species selected for planting are Jamu, Kuruma, Dhaura, Khair, Sissoo, Neem, Gambhar, Bahada, Harida, Karanja, Amla etc. It also includes provision of soil conservation measures. CA scheme has been technically approved by the PCCF , Odisha with a total financial forecast of Rs.2,04,75,900/- including maintenance cost of 10 years. Copy of duly approved Compensatory Afforestation scheme along with financial outlay is appended to the DP in Vol.I. The User Agency has furnished an undertaking to pay the cost of raising Compensatory Afforestation.

#### 8) Cost benefit analysis.

The Cost Benefit analysis has been worked out as per the guide lines of Forest (Conservation) Act, 1980 and enclosed in the proposal as **Annexure- XV(B)(page 234/DP)(Vol.I).** As per this analysis, total cost owing to

this project comes to Rs. 61.58 Cr whereas total benefits to be accrued from this mining project is estimated at Rs. 638.23cr. As such, the **Cost Benefit ratio is 1 10.36**.

**9) Safety Zone**

Total safety zone area in this mining lease is 8.304 ha. Out of this, the total forest land including non-forest land recorded as forest as on 25.10.1980 located in the safety zone of 7.5 mtr strip all along the inner side of the M.L. Boundary of the mining lease and 10 mtr width on either side of village road is 6.919 ha. The details of forest and non-forest land located in the safety zone are furnished below

Sl. No.	Particulars	Revenue Forest (ha)	Forest as per DLC (ha)	Sabik Kisam Forest	Total (ha)	Non-Forest (ha)	Total (ha)
1	7.5 mtr strip all along the inner side of the M.L. Boundary (Length 10.52 km X 7.5 mtr).	2.222	3.472	1.076	6.770	1.123	7.893
2	10 mtr width on either side of the village road (Length 0.41 km X 10 mtr).	0.00	0.103	0.046	0.149	0.262	0.411
<b>TOTAL</b>	<b>2.222</b>	<b>3.575</b>	<b>1.122</b>	<b>6.919</b>	<b>1.385</b>	<b>8.304</b>	

The safety zone area will be suitably fenced, planted, protected by the User Agency at their cost. The User Agency shall maintain the safety zone as well as will bear the cost of afforestation over 1.5 times of forest area of the safety zone in degraded forest area elsewhere.

**10) Environmental Clearance**

User Agency has obtained Environmental Clearance vide letter No. J-11015/1081/2007-IA.II (M) dt 15.12.2008 of Govt. of India, MoEF for production of 1.0 Million ton of Iron ore per annum. The copy of the Environmental Clearance is enclosed as **Annexure- XXVII at Page-485-493/DP(Vol. I)**

The State Pollution Control Board, Odisha has granted Consent to operate vide letter No. 20359/Ind-I-Con-243 dt 24.09.2012 which was valid up to 31.03.2013. The Copy of the Consent to Operate Order is enclosed as **Annexure& ndash XXIX at Page-498-505/DP(Vol.I)**. The lessee is therefore required to have valid CTO of SPCB for this mining project before commencement of mining operation.

**11) Phased Reclamation Plan**

The calendar showing Reclamation and Plantation proposed to be undertaken in this lease is furnished (**Page-235/DP(Vol.I)**). The Phased Reclamation Scheme has been enclosed at **Page-236-242/DP(Vol.I)**. The user agency has furnished an undertaking to execute this work (**Page-243/DP(Vol.I)**).

**12) Re-settlement and Rehabilitation.**

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The project does not warrant displacement of any human habitation and therefore the resettlement and rehabilitation plan is not required.

**13) Mining Plan/ Mining Scheme**

Modified Mining Plan with Progressive Mines Closure Plan pertaining to Khandbandha Iron ore mining lease of OMC has been approved by IBM in letter No. MPM/FM/14-ORI/BHU/2015-16/1605 dt. 14.9.2016(page 134-135/DP). The copy of approved Modified Mining Plan with PMCP is at page 136-231/DP(Vol.I). The mining lease area contains a total mineable reserve of 22.574 million tonnes of Iron Ore. Considering the annual production capacity of the mine is 1.0 Million ton of iron ore, the estimated life period of the mine is around 22 years.

#### 14) Lease Profile

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The User Agency has furnished the lease profile at **Page 506/DP(Vol.I)**.

#### 15) Violation

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As per the report of the DFO, Keonjhar Division, there was illegal production of Iron ore during the period from 1994-95 to 2009-10 in respect of Revenue Forest, Village Forest and DLC Forest. Therefore he has requested the Collector, Keonjhar to take legal action as deemed proper as per prevailing Act & Rules vide his letter No 8434 dt 11.12.2014. In this regard action taken report from the Collector Keonjhar is reported to be awaited.

It has also been reported that a case is pending in the Court of JMFC, Barbil, for having committed violation of working in the mine without Environmental Clearance. Report is enclosed herewith as **Annexure & ndash XXXV<sup>(A)</sup> at Page- 523 (II- IV) (Vol.I)**.

**The DFO, Keonjhar Division vide his Memo No. 1434 Dtd.8.3.2018 has mentioned the following points under & ldquo Shah Commission Observations& rdquo pertaining to this mine**

- TWP sanctioned for one year from 10.07.1995 to 09.07.1996.
- **There have been continuous production from 2001 onwards without EC from the Non-forest area** (as claimed by UA)
- Google imagery shows mining has been done in DLC area. Forest department to verify in the field.

The DFO, Keonjhar Division has not referred to any specific report of the Shah Commission while mentioning the above points.

It has been reported by PCCF, Odisha that as per First Report of illegal mining of Iron and Manganese Ores in the State of Odisha of Justice M.B. Shah Commission of Inquiry, Khandbandh Iron Ore Mines (366.311 ha.) of M/s OMC Ltd finds place at Sl. No. 34 of **Annexure-IVA (i.e. Details of the mining leases having production without obtaining approval under FC Act, 1980 at all during subsisting lease period and deemed extension period but leases were allowed to operate illegally)**. In this report, it is mentioned that there was **illegal production of Iron Ore for the period from 1994-95 to 2009-10**.

#### 16) Others.

Net Present Value is applicable to this project. The mining lease over 366.311 ha involves 345.189 ha of forest land. It has been reported by PCCF, Odisha that NPV has been deposited in respect of 294.53 ha of forest land included in the mining lease as per details under

Sl No.	Forest Area in ha	Eco Value Class	Canopy Density	The then applicable Rate per ha. in Rs.	NPV Deposited in Rs.
1	Total broken land involved in the mining lease- 129.095 ha.	I	0.1	580000/-	74875100.00
	Virgin land involved in the				

2	Right land involved in the mining lease- 165.435 ha	I	0.3	730000/-	120767550.00
	<b>Total- 294.53 ha</b>				<b>195642650.00</b>

**NPV is also required to be deposited for the balance forest area of 50.659 ha (345.189 ha & ndash 294.53 ha).** Besides, differential amount of NPV, if due pertaining to 294.53ha. of forest land shall also be deposited by the user agency. The user agency has undertaken to deposit the balance NPV as per applicable rate which is enclosed at **page No- 243 /DP**. The user agency has also submitted an undertaking for payment of Addl. amount of NPV which is enclosed at **page No-243 /DP**. The Basic information of Keonjhar Forest Division, District profile of Keonjhar and State Profile have been furnished at **Page No.523XXI to 523XXIII/DP(Vol.I)**. The site inspection report of DFO, Keonjhar and RCCF, Rourkela are appended at page 523v to 523vii/DP and page 18H-18L/DP (Vol.I) respectively.

#### 17) Geo-referenced map of forest area proposed for diversion

In compliance to the circular No. F. No- 11-9/98- FC dated 08.07.2011 of Ministry of Environment and Forests, Government of India, to ensure accurate delineation of the forest area proposed to be diverted for non-forestry purpose under Section-2 of Forest (Conservation) Act, 1980, the required digital geo-referenced (DGPS) map incorporating co-ordinates of latitude and longitude of forest area therein ,duly verified by ORSAC and authenticated by DFO, Keonjhar is enclosed (**Plate-X & XI**). The shape file in CD form is also appended to the DP. The forest area as per land schedule vis-à -vis that of DGPS survey map 1 is produced below -

Sl No.	Category of Forest Land	Area applied for as per land schedule (in ha)	Area as per DGPS Map (in ha)	Difference
1	Revenue Forest land	97.219	97.179	0.04
2	DLC Forest land	209.974	210.016	0.042
3	Non-forest land recorded as Forest as on 25.10.1980.	37.996	37.873	0.123
	<b>Total</b>	<b>345.189</b>	<b>345.068</b>	

#### 18) Certificate under Forest Rights Act guidelines of MoEF& CC

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As per GoI, MoEF& CC guidelines dt.03.08.2009 and subsequent guidelines issued thereafter, the Collector, Keonjhar has issued requisite certificate under FRA-2006 for entire forest land proposed for diversion in prescribed format in two phases. **The Collector, Keonjhar had issued the required certificate for 294.53 ha of forest land vide Memo No 234/Rev dt 18.1.2013 as per the old format prevailing then**(Page 247/DP) (Vol.I). Gram sabha resolution dt. 21.8.2011 held in village Khandbandh over 268.987ha. of forest land, resolution dt. 22.8.2011 held in village Guruda over 1.770ha. of forest land, resolution dt. 28.8.2011 held in village Jalahari over 10.720ha. of forest land, resolution dt. 28.8.2011 held in village Jaroli over 12.383ha of forest land, Gram sabha resolution dt. 23.8.2011 held in village Jajanga over 0.710ha. of forest land in Odia language duly signed by the members present in the Gram sabhas along with English version thereof are enclosed at page 248-410/DP(Vol.I).

Subsequently Collector, Keonjhar has also issued certificate for remaining forest land of 50.866 ha vide Memo No 263 dt 22.02.2017 in the newly prescribed format by Government of India, MoEF & CC in Form No-I . Detailed compliances like the certificate issued, copies of DLC(10.2.2017)/SDLC(28.1.2017), Gram sabhas held in village Khandbandh on 19.12.2016 for 40.454ha. of forest land, in village Jalahari on 20.12.2016 over 2.904ha. of forest land, in village Jaroli on 21.12.2016 over 2.386ha. of forest land and in village Guruda on 21.12.2016 over 5.122ha. of forest land in Odia language along with English version thereof are enclosed in a separate volume(II). Hence total FRA compliance has been made for forest area of 345.396 ha against 345.189 of forest land proposed to be diverted under this project.



As reported by the DFO, Keonjhar Division, the Tahasildar, Barbil has intimated vide his letter No. 799 dtd. 12.02.2018 that 11 persons in Village Khandabandh & 7 persons in Village Guruda have encroached within the mining lease area of Khandabandh Iron & Manganese Mines of OMC Ltd. OMC Ltd has furnished an under taking to compensate them suitably as per prevailing Acts & Rules which is enclosed at Page No-523 (XV).

The detailed list of encroachers along with area & Kissam is furnished here under -

Sl. No.	Name of the Encroachers	Name of the Village	Area in ha.	Kissam	Remarks
1.	Sudarsan Sinku, S/o- Saron Sinku	Khandabandh	0.0323	Bajephasal-II	Sabik Kissam Jungel
2.	Champia Munda, S/o-Routa Munda	-do-	0.0809	-do-	-do-
3.	Raibari Hembram, W/o- Late- Pandu Munda	-do-	0.0728	-do-	-do-
4.	Sunia Munda, S/o- Routa Munda	-do-	0.0323	-do-	-do-
5.	Trilochan Munda, S/o Samlal Munda	-do-	0.0364	-do-	-do-
6.	Budhuram Champia, S/o- Kanhu Champia	-do-	0.0283	-do-	-do-
7.	Mangra Oram	-do-	0.0161	Rasta	-do-
8.	Surendra Mohan Sahu	-do-	0.0242	-do-	-do-
9.	Dabara Munda, S/o-Sutara Munda	-do-	0.0161	Bajephasal-II	-do-
10.	PrabhuSahay Hesa, S/o-Mistar Hesa	-do-	0.0242	Sarada-II	-do-
11.	Suklal Munda, S/o- Sutar Munda	-do-	0.0242	Sarada-II	-do-
12.	Sunia Munda, S/o- Bansi Munda	Guruda	0.0161	Gramya Jungle	-do-
13.	Dagi Munda,	-do-	0.0242	-do-	-do-

	S/o-Budhuram Munda				
14.	Tulasi Munda, W/o Late-Kalia Munda	-do-	0.0202	-do-	-do-
15.	Dagi Munda, S/o-Rout Munda	-do-	0.0242	-do-	-do-
16.	Kandrapa Naik	-do-	0.0080	-do-	-do-
17.	M.G.Mohanty	-do-	0.2428	Taila-I	-do-
18.	Sriram Munda, S/o- Machia Munda	-do-	0.0242	-do-	-do-
		<b>Total Area</b>	<b>0.7475</b>		

Further, as reported by the DFO, Keonjhar Division, title (patta) over an area of 0.12 decimal of DLC forest land in Khata No. 40, Plot No. 64/3 & 64/9 has been settled under FRA, 2006 by the Competent Authority in favour of Sankari Munda, W/o Late Lakhan Munda of Khandabandh within the lease hold area of Khandbandh iron & Manganese Mines of M/s. OMC Ltd. The lessee has furnished an undertaking to take proper ameliorative measures for the individuals in whose favour rights has been settled under FRA, 2006, if the forest land over 1.08 Acs under possession of FRA beneficiary will be used by OMC for mining and ancillary operation within the Khandabandh Iron ore mines which is enclosed at **Page- 523 (XIV)/DP(Vol.I)**.

The Principal Chief Conservator of Forests, Odisha has recommended the proposal.

State Govt. is requested to consider this proposal for diversion of 345.189 ha forest land including 6.919ha. in safety zone within the total mining lease area over 366.311 ha of Khandbandh Iron Ore Mines of M/s OMC Ltd in Keonjhar district, Odisha subject to the following stipulation

- A) The User Agency shall pay towards cost of removal of trees enumerated before commencement of work on Stage-II approval and tree felling should be taken up in phases strictly as per requirement under the supervision of the Divisional Forest Officer, Keonjhar Forest Division.
- B) Claims settled under FRA pertaining to forest land within the leasehold area, shall be compensated suitably before taking possession of such forest land by the lessee for mining operation.
- C) NPV is also required to be deposited for the balance forest area of 50.659 ha (345.189 ha & ndash 294.53 ha). Besides, differential amount of NPV, if due pertaining to 294.53ha. of forest land shall also be deposited by the user agency.
- D) Penal measures as would be imposed by MoEF& CC for the violations committed, shall be complied with by the lessee.
- E) Phased Reclamation Plan shall be executed by the lessee at their cost.
- F) The lessee shall have valid Consent to Operate order from SPCB, Odisha before commencement of mining operation.
- G) The User Agency shall pay the proportionate cost for implementation of Regional Wildlife Management Plan as per revised cost norm. Since the SSWLCP has been approved in the year 2011, the approved cost of the Plan needs to be revisited as per current wage rate and accordingly the modified cost needs to be realized from the user agency upon having Stage-I forest clearance..)
- H) 8.304ha of forest land is to be maintained as safety zone and in no circumstances, it shall be used for mining and other allied activities. The safety zone area will be suitably fenced, planted, protected by the User Agency at their cost. The User Agency shall maintain the safety zone as well as will bear the cost of afforestation over 1.5 times of forest area of the safety zone in degraded forest area elsewhere.
- I) The user agency shall undertake demarcation of the lease area on the ground posting four feet high cement concrete pillars embedded two feet inside the soil with serial number, forward and backward bearings, and distance from pillar to pillar. The user agency shall also submit the map of lease area showing different kinds of forest land using DGPS survey datas and latitude and longitude of each pillar to the Divisional Forest

Officer, Keonjhar for his reference before commencement of work on final forest clearance.

J) Since the DFO has reported that soil erosion is likely to increase in the area, the user agency shall take appropriate steps to control erosion in the applied area.

K) Present status of mining lease shall be indicated with specific reference to whether the ML period has been extended as per MMDR Amendment Act, 2015 and if so, whether supplementary lease deed has been executed for the extended period.

#### Brief detail of SIR by RO

**SITE INSPECTION REPORT** The site inspection for the above project was carried out on 30-31 October, 2018 by Shri RK Samal, CF(Central), RO, Bhubaneswer along with DFO, Keonjhar Forest Division, Range Officer(Champua), Forester(Joda) and others from user agency. The SIR is reproduced below

#### 1. Legal status of the forest land proposed for diversion

Legal status	Area in Ha.
Revenue forest land	97.2170
DLC forest land	209.9730
Non-forest land (recorded as forest as on 25.10.1980)	37.9990
<b>Total</b>	<b>345.189</b>

#### 2.

Purpose of utilization	Revenue forest in Ha.	Forest as per DLC in Ha.	Non-forest land recorded as forest as on 25.10.1980 (Sabile forest) in Ha.	Total in Ha.
Mining	93.598	183.504	29.8888	306.9908
Sub-grade dump	1.397	2.5030	0.865	4.765
Dumping of OB	0.00	0.2590	0.00	0.259
Mineral storage	0.00	1.4950	2.5030	3.998
Infrastructure (workshop, administrative building, site services, garage, etc.)	0.00	2.299	2.977	5.276
Mines road	0.00	0.00	0.6432	0.6432
Magazine & its safety zone (228 m radius)	0.00	163380	0.00	16.3380 *

Safety zone area (7.5 m along ML boundary)	2.2220	3.4720	1.076	6.7700
Safety zone area (10 m on either side of the road)	0.00	0.1030	0.0460	0.1490
<b>Total</b>	<b>97.217</b>	<b>209.973</b>	<b>37.999</b>	<b>345.189</b>

(7.318 ha. of forest land will be utilized for mining & 2.144 ha of forest land will be utilized for storage of sub-grade dump, out of 16.338 ha earmarked for magazine & its safety zone during the course of time till the conceptual stage.)

**3. Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof**

Yes. As reported above. As the project is an old one, it has existence of administrative building as well as residential accommodation for the staff within the leasehold area.

**4. Total cost of the project at present rates Rs. 330.19 crore**

**5. Wildlife**

**Whether forest area proposed for diversion is important from wildlife point of view or not**

As reported by DFO, Keonjhar movement of wild elephants is often witnessed in applied

forest land and adjoining forest land. The applied site falls under Elephant Habitat Zone-2 as mentioned by ORSAC, Bhubaneswar.

**6. Vegetation**

The forest land applied for diversion is situated in contiguous with Baitarani RF and has been depicted as "dense jungle mainly Sal" on concerned Toposheet. As such the condition of vegetation has been treated at par with adjoining Baitarani RF i.e. under group 3C/C2e(iii) Moist Peninsular Valley Sal. The prevailing vegetation consists of Sal and its associates. The canopy density is about 0.5 and Eco value class -I.

**(a) Total number of frees to be felled.**

As reported by DFO, Keonjhar there are 8,639 number of sound, 12,843 number of unsound trees of above 30 cm girth in the virgin forest land over 216.094 ha. There are more unsound trees. 2,241 number of sound and 9,530 number of unsound trees of above 30 cm girth in the broken up forest land over 129.095 ha. Hence, in all 33,253 number of trees above 30 cm girth have been enumerated over 345.189 ha of forest land involved in the mining lease.

**Effect of removal of frees on the general ecosystem in the area**

Felling of such large number of trees if taken at a single point of time can damage to the environment of the area. Therefore, as far as possible the trees should be cut as and when required in phased manner.

**(b) Important species**

The vegetation consists of Sal and its associates. The principal associates of Sal includes

*Terminalia alata, Laagerstroemia parviflora, Anogeissus Terminalia belerica Syzygium cumini, Mangifera indica, Schleicheria oleosa, Adina cordifolia, Pterocarpus marsupium, Bombax ceiba, Bridelia retusa, Madhuca indica.*

The middle story is represented by *Syzygium cumini, Ougeinia ougenensis, Careya arborea, Treama orientalis, Emblica officinalis, Cassia fistula*, etc. The shrubs and undergrowth are characterized by *Indigofera pulchella, Ardisia solanacea, Flemingia chhappar, Helicteres ixora, Clerodendron viscosum*, etc. The prevailing climbers include *Bauhinia vahlii, Combretum decarzdrum, Beutia parviflora*. The grasses over the forest floor include *Chrysopogon aciculatus, Imperata cylindrical, Dicanthium carricosum, Cynodon dactylon*, etc.

**Number of trees of girth below 60 cm. 20,968**

**Number of trees of girth above 60 cm. 12,285**

**7. Background note on the proposal**

The mining lease of Khandbandh iron ore mine was granted over 366.311 ha vide letter No.III (A)11-9/63-11708 dated 22.11.1963 of Govt. of Odisha, Mining & Geology Department in favour of Orissa Mining Corporation for a period of 30 years. The said mining lease was executed on 30.11.1963 having validity from 30.11.1963 to 29.11.1993 over an area of 366.311 ha. The first RML application was filed on 09.11.1992 which is one year prior to expiry of the original mining lease period over 366.311 ha for a period of 20 years. The applied ML area of 366.311 ha was then comprised of 98.221 ha of Revenue Forest, 207.309 ha of DLC forest, 60.781 ha of non forest land. The 2<sup>nd</sup> RML application was also filed in time on 06.11.2012 i.e. one year prior to expiry of applied 1<sup>st</sup> RML period of 29.11.2013 over the same extent area of 366.311 ha. for another 20 years i.e. from 30.11.2013 to 29.11.2033. No forest diversion was obtained during the first and the second RML period till date. The subsequent letter of the Special Secretary, Forest & Env't. Department, Odisha, vide letter No.10F (Cons)108/2018/15854/F & E-Bhubaneswar dated 20.07.2018 has enclosed the extension of validity period of this mining lease of OMC Ltd under Rule 3(2) (3) of the Mineral (Mining by Govt. Company) Rules, 2015 by Govt. of Odisha, Steel & Mines Department till 29.11.2033 (a copy of the letter is enclosed). The user agency has continued mining from 1994 to 2010 without any forest clearance.

Khandbandh iron ore mining lease area of M/s OMC Ltd. lies between longitude E 85° 23 12" to 85° 24 45.86016" and latitude N 21° 55 40.27579" to 21° 57 29.90066" in survey of India toposheet No.F 45 N 5. Khandbandha iron ore mining lease over 366.311 ha has been verified with revenue records and is now comprised of 345.189 ha. (97.217 ha of Revenue Forest, 209.973 ha. of DLC forest land and 37.999 ha of Sabik KISSAM forest land) and 21.122 ha of non-forest land which also includes 18205 ha. of private land. In the instant proposal the lessee has filed for diversion of entire extent of forest land over 345.189 ha that also includes safety zone area over 6.919 ha of forest land under Section-2 of FC Act, 1980.

<b>8. Compensatory afforestation</b>		
Total mining lease area	366.311 ha	
Forest area involved in the ML	345.189 ha	
Forest area already diverted	Nil	
Forest area covered under safety zone	6.77 ha	
Forest area to be kept un-diverted	Nil	
Forest area applied for diversion	345.189 ha	
Broken up forest land prior to 1980	129.095 ha.	
Land required for CA (24-7)	209.324 ha	

Non forest land to the extent of 209.324 ha. has been identified/allotted in Keonjhar and Kalahandi districts for the purpose of raising compensatory afforestation.

159.680 ha of non forest Government land has been identified for compensatory afforestation in village Sikulpada (62.058 ha), Phuljhar (46.397ha ) and Raidiha (51.2250 ha) under Bansapal Tahasil of Keonjhar district.

38.644 ha of non forest Government land has been identified for compensatory afforestation in village Kerapai under Thuamul Rampur Tahasil of Kalahandi district. 11.00 ha. of non forest Government has been identified for compensatory afforestation in village Balangi under Thuamul Rampur Tahasil of Kalahandi district.

In order to accommodate the differential number of plants under this project as per Govt. of India guidelines dated 08.11.2017, 206 ha of degraded forest land has been identified for compensatory afforestation in Baitarani RF (near Mukundapur village 156 ha. and Mirgisingha 50.00 ha) under Champua Range of Keonjhar Forest Division of Keonjhar district.

The CA area at Sikulpada in Keonjhar district was visited by the undersigned along with DFO, Keonjhar and officials of OMC. The 62.058 ha. of area will accommodate 800 plants/hectare in the blank areas. However, it is very near to habitation and is being used by people for various purposes including raising vegetables. However, watch and ward would be required for survival of planted seedlings.

Other CA areas were seen on DSS and appears to be free from encroachment and seems suitable for plantations as proposed.

**(a) Whether land for compensatory afforestation is suitable from plantation and management point of view or not**

Yes. Suability certificate given by Revenue and Forest authority.

**(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**

Not reported.

**(d) Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not**

The land identified for compensatory afforestation are Ten patches. The patches are compact.

**(e) Map with details**

Enclosed in the diversion proposal. **(1) Total financial outlay**

**Rs. 2,70,35,700/- for 159.680 ha Govt. Non-forest land in Keonjhar Forest Division. Rs.1,32,87,800/- for 38.644 ha Govt. Non-forest land in Kalahandi (S) Forest Division. Rs.38,94,400/- for 11.00 ha Govt. Non-forest land in Kalahandi (S) Forest Division. Rs.2,04,75,900/- for 206.00 ha for planting balance seeding in degraded forest land to achieve the tree to tree equality in Keonjhar Forest Division.**

Total Rs.6,46,93,800/-.

**9. 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**

As per DFO, Keonjhar there was illegal production of iron ore during the period from 1994-95 to 2009-10 on Revenue Forest, on DLC Forest since 1998-99 to 2009-10 and on

Sabik Kissam Forest land since the establishment of existence of such irregularities in revenue records.

Therefore, DFO Keonjhar has requested the Collector, Keonjhar to take legal action as deemed proper as per prevailing Act & Rule vide his letter No.8434 dated 11.12.2014 in respect of Revenue and DLC land. In this regard action taken report from the Collector Keonjhar is awaited. Which may be pursued positively.

It has also been reported that a case is pending in the court of JMFC, Barbil for having committed violation of working in the mine without Environmental Clearance. In pursuance of the order of Hon ble Supreme Court dated 02.08.4)17 in the matter of WP (C ) 114/2014 (Common Cause) the lessee has paid the compensation of Rs.27,39,18,597/- demanded in respect of Khandbandh iron ore mine for violation of

Environment (Protection) Act, 1986 within the due time i.e. 31<sup>st</sup> December, 2017.

**10. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not**

**No. As on date the user agency is not going** to displace the inhabitants of Khandbandh village and agriculture land, though they are within the lease. As per the user agency if at all they go for the displacement of the people from this village then they will take

appropriate rehabilitation measures as per existing norms.

**11. Reclamation plan**

Enclosed in the proposal.

**Details and financial allocation**

**12. Details on catchment and command area under the project**

Not applicable.

**Catchment area treatment plan to prevent siltation of reservoir**

Not applicable.

**13. Cost benefit ratio**

1 10.36

**14. Recommendations of the Principal Chief Conservator of Forests/State Government**

Yes. Recommended.

**15. Recommendations of Addl. Principal Chief Conservator of Forests (Central) along with detailed reasons**

Annexed separately.

**16. Conservator of Forests shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land**

It is site specific and it cannot be shifted to any other forest or non forest land.

**17. Utility of the project**

The annual production target is envisaged to be around 10,00,000 MT which would cater the need of the sponge iron plants and forthcoming steel plants inside and outside the State of Odisha. This demands continuation and expansion of mining operation on a

large scale in these mines. The forest area proposed for mining is required for exploitation of the resources over 22 years at the rate of 1.0 mtpa. The continuation and expansion of the mining operations, as proposed, is going to enhance the revenue

earnings both for the State and the Central Govt. This project will also be a major source of earnings for the local tribal community.

**Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project**

Existing worker strength is 100 including statutory persons. About 1,000 persons will be benefited by indirect and self employment.

**18.**

(a) **Whether land being diverted has any socio-cultural religious value** Not reported.

(b) **Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion**

Presence of sacred grove has not been reported. However, old growth trees exist at some localities of the proposed land.

(c) **Whether the land under diversion forms part of any unique eco-system**

The applied area does not form part of any national Park, Wildlife Sanctuary, Biosphere, Tiger reserve, Elephant Corridor, etc. Occasional movement of wild elephants is used to

be witnessed in the applied forest land and adjoining RF. The applied site falls under elephant habitat zone-2 as mentioned by ORSAC, Bhubaneswar

be witnessed in the applied forest lands and adjoining RL. The applied sites falls under elephant habitat zone 2 as mentioned by CRFAC, Bhubaneswar.

**19. Situation with respect to any Protected Area** There is no protected area nearby.

**20. Any other information relating to the project**

The lease is surrounded on all sides by other mining leases like Kalinga Mining Corporation in north, ESSEL Mining Industries Ltd. (Aditya Birla Group) in east, Tiring Pahad Iron ore of Tata in south, Joribara iron ore mine of Tata in south-east, Gonua iron ore and manganese mine of P K Ahluwalia in south-west, Totabeta iron ore mine of MGM in west, Khandbandh iron ore and manganese mine of Tata in north-west, etc. The lease is about 6.24 km from Karo-Karpada elephant corridor and elephants visit the area during cropping season. As gathered from the discussion with the user agency, the private land of residents of Khandbandh village including their homestead land will not be used by the user agency for the time being. So no rehabilitation of the people is required as on date.

The user agency has not taken approval under Section-2 of the FC Act for diversion of the forest area during first RML period since 30.11.1993 and continued the mining and allied activities in the broken up area 129.095 ha. This broken up area consist of 15.349 ha. of revenue forest, 113.746 ha. of DLC forest (since submission of the report of DLC forest land in Odisha in the year 06.01.1998). Besides this 25.328 ha. of non-forest land (out of 60.781 ha. originally identified) has been found to be Sabik Kissam forest land (land recorded as forest as on 25.10.1980) which was broken prior to 1980 and the user agency also continued mining and allied activities on this. As per guideline of Ministry No. 11-42/2017-FC dated 29.01.2018 for penalty the existence of Sabik Kissam forest land was detected in the year 2015 and the fault may not be attributed to that of user agency as Revenue Department had recorded it as non-forest land.

The compensatory afforestation as selected are non-forest Government land and there are spaces for accommodation of the requisite number of trees for gap plantation as suggested by the DFO.

As per the discussion with the DFO and forest field officials present the following is suggested for easy movement of elephants in the heavily fragmented forest due to lot of mines

- Elephants visit the area (an elephant corridor Karo-Karpada is not very far, 6.24 km away), and using these parts to migrate to Baitarni RF in the eastern part of the mining lease. Therefore, it is proposed that the safety zone plantation areas may not be fenced with barbed wire fencing and live hedge fencing/bamboo fencing may be used instead so that the elephants do not get entangled with the barbed wire during their movement as it is observed that they even break the RCC pillars when it comes on their way.

- The user agency may have to have solar fencing around the mining pits so that elephant do not fall into the mining pits during their movement. These may be taken up as a part of site specific wildlife plan implementations.

The area may be considered for diversion for the betterment of the local economy as many tribal people residing there will be employed and will improve the local economy and economy of the state also.

**RECOMMENDATION OF THE ADDL. PRINCIPAL CHIEF CONSERVATOR OF FORESTS CENTRAL** The above said mining proposal is for diversion of 345.189 ha. of forest land including 6.919 ha. in safety zone within the total mining lease area over 366.311 ha of Khandbandh Iron ore Mines of M/s OMC Ltd. in Keonjhar district, Odisha. Considering the facts submitted in DP, site inspection report by CF (Central) and other details, the salient issues of this proposal, that may need to, be brought to the notice for consideration by the FAC and the Ministry, are the following -

1. The proposed diversion area is surrounded by mines from all sides and the natural forest, though stated to be of canopy density of about 0.5 but the quality of the site and the vegetation on the virgin forest land is poor, which may also be realized from the proportion of sound unound trees enumerated above 30 cm girth, which is 1 1.5 respectively. Hence, non-forestry use of this !mid may not impose any notable impact on forest and environment.

2. Though the said forest area sometimes visited by elephants but the estimated migratory route " Karo-Karpada" is more than 6 km away. However, as suggested by CF (Central), the mining area should not be fenced by barbed wire but

the mining pits may be solar fenced helping the wildlife and elephants using the vegetation but not falling into the pits.

3. As recorded in the diversion proposal, actions has been instituted against illegal

mining on DLC and Revenue forest land which is pending in JMFC Court, may be actively pursued by the State Government.

**Comments of Additional Information By :**

**i. TO Remarks**

The facts related to the above proposal may be placed before FAC in its meeting scheduled to be held on 19.12.2018 for their examination and appropriate recommendation.