

Government of India
Ministry of Environment Forests & Climate Change
(FC Division)

Indira Paryavaran Bhawan
Aliganj, Jor Bagh Road
New Delhi-110003
Dated: 16th March
2020

To,

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

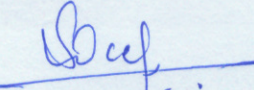
Sub.: Proposal for diversion of 1243.270 ha of forest land involve in the mining lease area over 1322.019 ha of Dubna-Sakradihi Iron and Manganese Ore Mines of M/s OMC Ltd in Keonjhar District, Odisha.

Sir,

I am directed to refer to the State Government of Odisha's letter No. 10F (Cons) 77/19-17138/F&E dated 06.09.2019 submitted above subject proposal seeking prior approval of Government of India, under Section 2 of Forest (Conservation) Act. 1980. The proposal with SIR was placed before FAC in its meeting held on 23.01.2020 and the minutes of the said meeting are available in www.parivesh.nic.in.

2. FAC inter-alia recommended that the State Government shall submit following information for further consideration of the proposal by FAC:

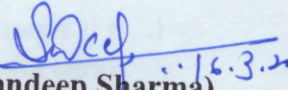
- i. It is reported that movement of wild elephants is often witnessed in the lease area. The forest area within the lease area falls under Elephant Habitat Zone 2 as mentioned by ORSAC, Bhubaneswar. In this regard, MoEF&CC shall seek comments from the Project Elephant division of the Ministry.
- ii. The area proposed for diversion is highly undulating. Iron ore mining has direct detrimental effect on the quality of water. Catchment Area treatment (CAT) Plan shall be prepared for the area. It is further recommended that same shall be prepared by the expert agency of national repute in hydrology such as IIT Kharagpur / IIT Bhubaneswar/Jadavpur University etc. The cost for preparation of plan shall be borne by user agency.
- iii. Form the documents submitted by the State Government it is learnt that the user agency has paid compensation for violations from 1994-95 to 2006-07. On perusal of record it is not clear whether violation of the provision of FCA 1980 was considered in WP (Civil) 114, Common Cause vs Union of India judgment passed by Hon'ble Supreme Court in 2017. Clarification in this regard may be submitted
- iv. On analysis of facts submitted by the State Government, it is clear that violation of provision of FCA 1980 started from 1989 and 1991 in Sakradihi Iron mining lease over 564 ha and Dubna Manganese mining lease over 1135.419 ha, respectively. However, in the proposal it has been mentioned that violation was considered from 1994-95 to 2006-07. Specific comments shall be submitted in this regards.
- v. Very dense patches within the lease area shall be reassessed. Revised shape files of such areas, after proper analysis through DSS at state level, shall be submitted.


16.3.20

- vi. In a representation received from the villagers around the mining lease area, it has been informed that there are numbers of families residing within the lease area. The habitation has also been verified through DSS. State Government may provide specific clarification on the rehabilitation plan status.
- vii. DSS analysis of the area reveals that there are many working mines adjoining to the proposed mining project. Extraction of iron ore from these mines are being done through roads. State Government may explore the possibility of establishing a common overhead conveyor system to extract the mineral with minimum biodiversity loss from the area.
- viii. As per land use plan submitted with the proposal, 1012.32 ha (out of 1243.27 of forest area) is proposed for core mining activity. This area will be mined out in small land parcels in years to come. Most of the area will be unutilized till it is required to be mined as per approved mining plan. It is proposed that user agency, in consultation with the State Government, may explore the possibility of plantation of fast growing, short rotation trees in the mine able area till the specific land parcel is required breaking and felling of trees for extraction of mineral. As and when any area is required than trees can be removed. This activity will have two pronounced effects. On one hand it will help in carbon sequestration and on the other it will earn extra revenue from the harvest of fast growing short rotation trees. State Government may submit its comments on modalities and practicability for smooth implementation of this proposal.

In view of above, the State Government is requested to submit documents/information/ clarification (on points ii to viii) as indicated above for further consideration of the proposal in this Ministry.

Yours faithfully,


(Sandeep Sharma) 16.3.22

Assistant Inspector General of Forests

Copy to:

1. The PCCF, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, Office of the PCCF, Govt. of Odisha, Bhubaneswar.
3. The Dy. Director General (Central) Regional Office, Bhubaneswar.
4. **IGF(PE), MoEF&CC, New Delhi: It is requested to kindly furnish your comments as per recommendation of FAC as mentioned at para 2(i) above.**
5. User Agency
6. Monitoring Cell of FC Division, MoEF&CC.
7. Guard file.