

## Agenda No. 5

F. No. 8-41/2018-FC

**Sub: Proposal for according permission for use of 6.699 ha. of forest land within total Mining lease area of 104.86 ha. in Parulipada Manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 97 no. of boreholes of 4” dia (97 boreholes @ 0.02 ha each totalling 1.94 ha and 4.759 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals: OSFMCP- Proposal No: FP/OR/MRL/17/2014.**

The State Government of Odisha vide their letter no. 10F(Cons)-166/2015-3791/F&E dated 16.02.2018 submitted the above mentioned proposal seeking prior approval of the Central Government under Sectin-2 of the Forest (Conservation) Act, 1980.

2. Details indicated in the proposal submitted by the Government of Odisha are as below:-

### FACT SHEET

<b>1.</b>	Name of the proposal	Proposal for according permission for use of 6.699 ha. of forest land within total Mining lease area of 104.86 ha. in Parulipada Manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 97 no. of boreholes of 4” dia (97 boreholes @ 0.02 ha each totalling 1.94 ha and 4.759 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals: OSFMCP- Proposal No: FP/OR/MRL/17/2014.
<b>2.</b>	Location: - (i) State (ii) District	Odisha. Keonjhar.
<b>3.</b>	Particulars of Forests:- (i) Name of forest Division (ii) Forest area involved  (iii) Legal Status / Sy. No.  (iv) Maps	Keonjhar Forest Division 6.699 ha.( 1.94 ha.-97 No.s of bore holes: 4” dia @ 0.02 ha. Per bore hole + 4.135 ha. For construction of road+ 0.624 for existing road) Reserved Forest, Revenue Forest & Non-forest land recorded as Forest as on 25.10.1980. Pg No.149-150/c & 158/c.
<b>4.</b>	(i) Vegetation  (ii) Density	3C/C2e(iii) Moist Peninsular Valley Sal and 5B/C2 Northern Dry Mixed Deciduous Forest under Champion and Seth classification. 0.6-0.7 karo RF 0.4-0.5
<b>5.</b>	Species-wise local/(Scientific names) and girth-wise enumeration of trees at FRL.	There are 316 nos. of sound, 76 Nos. of unsound trees and 2874 Nos. of poles below 30 cm girth enumerated over 6.699 ha forest land, located within the mining

		lease, proposed for prospecting operation. The species wise and diameter class wise abstract of enumerated trees in respect of the applied forest land in separate sheets is enclosed at <b>Pg. No.140/c</b> .
6.	Brief note on vulnerability of the forest area to erosion.	This site falls under the physiographic Joda Barbil plateau extending from Chamakpur to the boarder of Singhbhum of Jharkhand in north and boarder of Bonai in the west. This region is very largely an extension southwards of Singhbhum rocks. This group of rocks comprising trap, tuffites, shale, quartzite, phullite, banded hematite jasper and banded haematite quartzite from high hill ranges with narrow deep valley in between. In this area massive deposit of iron and manganese are associated with B.H.J and shales respectively. The undulating hilly slopes is prone to soil erosion.
7.	Approximate distance of the proposed site for diversion from boundary of forest	The proposed prospecting site within the mining lease is situated in Karo Reserved Forest flanked with Revenue Forest.
8.	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)	The proposed site does not form pate of National Park, Wild life Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor. <b>However, the site falls in elephant habitat zone-2 as per report of ORSAC, Bhubaneswar.</b>
9.	Details of wildlife present in and around the forest land proposed for diversion.	The wildlife present in and around the forest land proposed to be utilized for prospection arc Sambar, Spotted deer, Barking deer, Jackal, Hyena, Sloth Bear, Wild Dogs, Leopard, Mongoose, Peacock, Cuckoo, Grey Jungle Fowl, Blue jay, Owl, Bluelegged bustard, Golden-backed Woodpecker, Python, Krait, Cobra, Russell's Viper, Blind snake, Monitor & Chamelion.
10.	Whether any rare / endangered unique species of flora and fauna found in the area. If so, details thereof.	No
11.	Whether any protected archaeological / heritage site / Defence establishment or any other important monument is located in the area.	No
12.	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	No

	erring officials. Whether work in violation is still in progress.	
<b>13.</b>	Compensatory Afforestation	Not Applicable
<b>(i)</b>	Details of non-forest area/degraded forest area identified for CA, its distance from adjoining forest, number of patches, size of each patches.	<p>It is mentioned by DFO, Keonjhar that the proposed prospecting operation through drilling of bore holes in forest land within the Parulipada Manganese Mines on OMC Ltd. has been envisaged to bring temporary change in land use plan. Therefore, in the light of the guideline issued by MoEF &amp; CC, Govt. of India vide F.No. 11-96/2009-FC dated 04.07.2014 on special provision for prospecting of minerals if forest areas, the requirement of Compensatory Afforestation stands exempted.(Pg. No. 27/c)</p>
<b>(ii)</b>	Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	
<b>(iii)</b>	Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	
<b>(iv)</b>	Total financial outlay for CA	
<b>(v)</b>	Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	
<b>14.</b>	<b>Total period for which the forest land is proposed to be utilized for prospecting (in years)</b>	<b>05 year</b>
<b>15.</b>	Reclamation Plan	Not applicable
<b>16.</b>	CAT Plan	
<b>17.</b>	Rehabilitation of Oustees	
<b>18.</b>	Employment Potential Permanent / Temporary.	Not applicable
<b>19.</b>	Whether clearance under the Environment (protection) Act, 1986 is required?	Mineral prospecting is exempted from having environmental clearance.
<b>20.</b>	Total period for which the forest land is proposed to be diversion (In years).	Not applicable
<b>21.</b>	Cost Benefit analysis.	It is mentioned in forwarding letter of State Government dated 16.02.2018 that it is not case of diversion, Cost: Benefit Analysis for this exploration project is not required.
<b>22.</b>	Total Cost of the Project (Rupees in lakhs)	Rs 722.48 Lakhs.(Pg. No. 35/c)
<b>23.</b>	Specific recommendation of the Divisional Forest Officer.	The proposed forest diversion proposal on prospecting operation will be exercised through drilling of boreholes within the granted mining lease with temporary change in land use. Therefore, the proposal on prospecting

		operation over 6.699 ha in forest land within the mining lease is recommended for acceptance.
<b>24.</b>	Recommendations:	-
	<b>(i)</b> DFO	Recommended (PG. 44/c)
	<b>(ii)</b> RCCF	May be consider (pg. 45/c)
	<b>(iii)</b> PCCF / Nodal Officer	Recommended (Pg.46 /c)
	<b>(iv)</b> State Government	Recommended (pg. 47/c)
<b>25.</b>	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.	Not given.
<b>(i)</b>	District Profile,	Not given.
<b>(ii)</b>	Total Geographical area (in Ha.)	
<b>(iii)</b>	Total forest area (in Ha.)	
<b>(iv)</b>	Total area diverted since 1980	
<b>(v)</b>	Total area proposed for afforested since 1980 <b>(a)</b> Forest land including penal Compensatory Afforestation <b>(b)</b> Non-forest land.	Not given.
<b>(vi)</b>	Total area afforested since 1980 27.04.17 <b>(a)</b> Forest land <b>(b)</b> Non-forest land	Not given.

3. The State Govt. recommended that the Ministry of Environment and Forests & Climate Change, Government of India may kindly consider the proposal for according permission for use of 6.699 ha. of forest land within total Mining lease area of 104.86 ha. in Parulipada manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 97 no. of boreholes of 4” dia (97 boreholes @ 0.02 ha. each totalling 1.94 ha and 4.759 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals and convey their approval under Section-2 of Forest (Conservation) Act, 1980 in favour of M/s OMC Ltd. with the following conditions

- (i)** User agency shall seek permission of DFO, Keonjhar Forest Division before entering into the forest area.
- (ii)** Each bore-hole shall be dug with prior permission of the DFO, Keonjhar Forest Division.
- (iii)** Proper plugging of boreholes shall be made after exploration activities are complete.

- (iv) No tree felling shall be undertaken for exploration activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
- (v) **Existing path and roads only will be used by the user agency for the purpose of prospecting activities in addition to 4.759 ha. of forest land to be used for this purpose in the ML area.**
- (vi) Drilling of boreholes will be limited to 97 no. with diameter of 4" within forest land.
- (vii) No labour camp shall be established on the forest land.
- (viii) No work shall be allowed after sunset.No other construction activities shall be done by the user agency on forest land.
- (ix) User agency shall report the progress of drilling work to the DFO, Keonjhar and also furnish detailed report thereof on completion of the project.
- (x) Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the DFO, Keonjhar.
- (xi) The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the DFO, Keonjhar.
- (xii) Instant permission of Govt. of India for prospecting in forest area, if accorded, would not confer any rights on the user agency to obtain diversion of forest land for mining of chromite from this area in future.
- (xiii) In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.
- (xiv) DFO, Keonjhar Forest Division may impose any other condition for protection and conservation of the flora and fauna in the forest area.
- (xv) Mining/Prospecting activities within the ML area shall be subject to having valid lease and other statutory clearances.
- (xvi) **CA scheme shall be implemented departmentally at project cost.**

4. It is also imperative to mention here that the Ministry vide its letter no. 5-3/2007-FC dated 09.05.2018 issued a guideline for stipulating the norms for Survey and Investigation (Prospecting of ores) on forest land with direction that exempting large scale non-forest activities, such as drilling of 15 – 20 bore-holes / sq. km. for prospecting of minerals in forest areas, from the requirement of obtaining prior approval under the Forest (Conservation) Act, 1980 is not acceptable. The guideline dated 09.05.2018 further conveyed that:

- i. The prospecting of minerals by drilling bore holes for collecting seismic waves and collecting mineral samples constitutes non forestry activities for the purpose of Forest Conservation Act.
- ii. The user agency shall apply online for diversion of forest area as per the procedure laid down by MoEF&CC from time to time.
- iii. General approval may be accorded to the state government by the MoEF&CC for prospecting of minerals in forest land having average weighted crown density up to 40 % as per the latest FSI report.
- iv. In case of coal, lignite and metallic ores - test drilling up to 20 boreholes of maximum 8" dia per 1.0 sq km and in case of non-metallic ores excluding coal & lignite - test drilling up to 16 boreholes of maximum 6.6" dia per 1.0 sq km for prospecting exploration or reconnaissance operations,

without felling of trees, may be allowed by state government. In all other cases involving more number of drilling of bore holes, prior permission of Central Government under the Act would be required.

- v. In case of seismic survey for exploration of hydro carbon the user agency shall pay NPV @ of 2.0 per cent of the total prospecting lease area in which exploration/prospecting /survey is proposed. The amount shall be deposited online in the Adhoc CAMPAs. State government shall get the amount verified from Adhoc CAMPAs prior to allowing actual work on ground.
  - vi. In case of survey for coal, lignite, ferrous and non-ferrous minerals using core drilling technology in forestland having crown density upto 40%,the prospecting agency shall pay NPV @ of 5.0 per cent of the total prospecting lease area in which exploration/prospecting /survey is proposed. The amount shall be deposited online in the Adhoc CAMPAs. State government shall get the amount verified from Adhoc CAMPAs prior to allowing actual work on ground.
  - vii. In case of survey for coal, lignite, ferrous and non-ferrous minerals using core drilling technology in forestland having crown density between 40 to 70 percent, the State Government shall forward the application to the Regional Office of the Ministry for consideration. The proposal will be considered in the REC and if recommended then the approval will be granted with mandatory condition *inter alia* that user agency will pay NPV @ of 10.0 per cent of the total prospecting lease area in which exploration/prospecting /survey is proposed.
  - viii. The NPV deposited for prospecting will not be adjusted against the diversion proposal of forest land under section 2 of FCA 1980.The amount will be non-refundable as well non-adjustable.
  - ix. User agency shall submit complete plan of operation for prospecting in the entire forest area in the mining block prior to start of work to the Nodal officer of the state.
  - x. User agency shall prepare a plan to plant 20 tall trees per bore-hole area. The cost of preparation of plan and plantation shall be borne by the user agency. State government shall ensure that the plants are planted on abandoned bore-hole area and degraded forest land as per prescription of working plan in a contiguous patch.
  - xi. The user agency shall engage ICFRE to conduct study on the impact numbers of bore holes for prospecting over forest and wild life of the area and suggest mitigation measures. The design of study shall be approved by MoEF&CC.
  - xii. Prospecting in protected areas such as national parks, wildlife sanctuaries, biosphere reserve, Tiger reserves, corridors, pristine forests identified by State and Central Government etc. shall not be allowed.
  - xiii. The delegation of power to grant permission for prospecting by the state government shall be valid for 5 years only and will be reviewed after expiry of five years.
5. The instant proposal for Prospecting of Manganese has also been analyzed by the DSS cell of this division and their report may kindly see at **Pg. 179-182/c**. The major observation are as under:
- i. No WLS/NP/Tiger Reserve/Tiger Corridor situated within the 10KM radius of proposed area for diversion.
  - ii. Proposed area for **prospecting classified as inviolate area** based on Decision Rule No. 1 due to presence of Very Dense forest inside Mining lease area & also based on Decision Rule No. 2, out of total 5 grids (1X1 sq km) 3 grids have the average score above 70 thus, the Mining lease area is Inviolate.
  - iii. Out of total Mining lease area, 32 ha of land having the **canopy density of Very Dense Forest**, 32 ha. of land as Moderately dense forest, 1 ha. of land classified as open forest Category and 4 ha.

of land as Non Forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

In view of the above facts related to the proposal, it is proposed that proposal may be placed before FAC for its consideration in its forthcoming meeting scheduled to be held on 19.06.2018.

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