

**F. No. 8-27/2017-FC**  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

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

**Dated: 27<sup>th</sup> September, 2017**

To

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

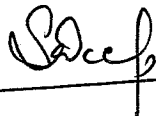
**Sub: Diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar (WL) division of Keonjhar district, Odisha for installation of mechanized facilities by OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines.**

Sir,

I am directed to refer to the State Government of Odisha's letter No. 10F (Cons) 120/2016/3815/F&E, Bhubaneswar dated 22.02.2017 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

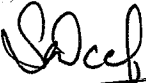
After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, **Stage-I Clearance/ In-principle** approval of the Central Government is hereby granted for diversion of forest land 106.016 ha (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF under Keonjhar (WL) division of Keonjhar district, Odisha for installation of mechanized facilities by OMC Ltd. for production and dispatch of 2.5 MTPA of Iron Ore from their Daitari Iron Ore Mines subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory Afforestation shall be done over equal non-forest land (NFL) to the forest area proposed to be diverted within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency. At least 1000 saplings per hectares shall be planted over 106.016 ha (106016 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA. 25% of the CA cost additionally will be spent towards Soil and Moisture Conservation activities in the proposed CA area as per site requirement and deposited in CAF;
- (iii) **Conveyer belt shall not be used in night time whenever directed by the State Forest Department for the safety of wild animal;**



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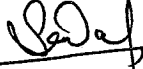
- (iv) **The height of conveyer belt from the ground level shall be more than 5-6 meters to enable free crossing of animals especially the elephants under the cable way;**
- (v) **The sound level shall be kept minimum as per permissible standard in consultation with Chief wild life warden of the state;**
- (vi) **Compensatory afforestation shall be raised over 106.016 ha of Non forest land equivalent to forest land being diverted for the project;**
- (vii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;
- (viii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance. The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;
- (ix) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (x) The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
- (xi) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (xii) Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;
- (xiii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (xiv) No labour camp shall be established on the forest land;
- (xv) The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xvi) The boundary of the diverted forest land, safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- (xvii) The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;

  
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- (xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- (xxi) No damage to the flora and fauna of the adjoining area shall be caused;
- (xxii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xxiii) The user agency will abide by the applicable recommendations of the State Government;
- (xxiv) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;
- (xxv) The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- (xxvi) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxvii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfilment on the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

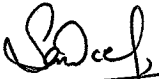
Yours faithfully,

  
(Sandeep Sharma) 27.9.17

Assistant Inspector General of Forests (FC)

**Copy to:**

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

  
(Sandeep Sharma) 27.9.17

Assistant Inspector General of Forests (FC)