

I/6107/2021

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 11th October, 2021

To,

The Addl. Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Proposal for according permission for use of 7.94 ha. of forest land within total Mining lease area of 265.29 ha. in Dalki Iron and Manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 59 no. of boreholes of 4" dia (59 boreholes @ 0.02 ha each totalling 1.18 ha and 6.76 ha for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals.

Sir,

I am directed to refer to the Government of Odisha's letter No. 10F(Cons)-24/2018-5663/F&E dated 12.03.2018 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under section-3 of the said Act, '**in-principle**' approval was granted vide this Ministry's letter of even number dated **16.08.2018** subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Pr. Chief Conservator of Forests & Nodal Officer (FCA), State Government of Odisha vide their letters no. 13806/9F (MG)-87/2017 dated 27.07.2020 letter no. 6613/9F (MG)-87/2017 dated 24.03.2021 and letter no. 12983/9F (MG)-87/2017 dated 05.08.2021, **Stage-II/Final** approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for according permission for use of 7.94 ha. of forest land within total Mining lease area of 265.29 ha. in Dalki Iron and Manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 59 no. of boreholes of 4" dia (59 boreholes @ 0.02 ha each totalling 1.18 ha and 6.76 ha for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals subject to following conditions:

A. Conditions which need to be complied with after handing over of forest land to the user agency by the State Forest Department

- i. State Government shall ensure that the User Agency shall be restricted to exploratory drilling of a maximum of 59 bore holes of 4" diameter over 7.94 ha of forest land.

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- ii. The State Government ensure that the user agency shall complete the exploration work within 2 years.
- iii. Permission granted for prospecting under the provisions of FCA 1980, shall not confer any right of user agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.
- iv. The State Government and user agency shall ensure that existing path and roads only will be used by the user agency for the purpose of prospecting activities. In addition to existing paths and forest road, user agency is allowed to use 6.76 ha of forest land for construction of temporary path. The temporary path construction shall not involve any tree cutting and same shall be restored to original land use after the work of exploration is accomplished.
- v. The State Govt. shall ensure that compensatory afforestation shall be raised over 6.76 ha of non-forest land within three years from the date of issue of Stage-II Clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency;
- vi. The State Government ensure that the user agency shall seek permission of DFO, Keonjhar Forest Division before entering into the forest area.
- vii. The State Government and user agency shall ensure that no work shall be allowed after sunset.
- viii. Prospecting activities within the PL area shall be subject to having valid lease.
- ix. State Government shall ensure that the User agency shall not sub-lease the exploration work.
- x. The State Government and user agency shall ensure that each bore-hole shall be dug with prior permission of the DFO, Keonjhar Forest Division.
- xi. The State Government and user agency shall ensure that drilling of boreholes will be limited to 59 no. with diameter of 4" within forest land.
- xii. The State Government shall ensure that user agency shall report the progress of drilling work to the DFO, Keonjhar Forest Division and also furnish detailed report thereof on completion of the project.
- xiii. The State Government and user agency shall ensure that 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.
- xiv. The State Government and user agency shall ensure that no labour camp shall be established on the forest land and no other construction activities (temporary or permanent) shall be done by the user agency on forest land..
- xv. The State Government shall ensure that 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.
- xvi. The State Government ensure that 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.
- xvii. DFO, Keonjhar Forest Division may' impose any other condition for protection and conservation of the flora and fauna in the forest area.
- xviii. 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

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- appropriately or location of boreholes be suitably re-located.
- xix.State Government and user agency shall ensure that no fire will be kindled inside and in the vicinity of the forest area.
- xx.State Government shall ensure that the User Agency shall provide a list of authorized officials/workers engaged in exploration to the forest department before commencing the work and also provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the forest department.
- xxi.In case of violations of conditions by the user agency, the permission for prospecting of minerals shall be suspended by the DFO and enquired by the Nodal officer (FCA) of the State Government and report submitted to the Regional office for appropriate action.
- xxii.The State Government shall ensure that the samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose.
- xxiii.State Government and user agency shall ensure to minimize disturbance to the wildlife user agency shall take all possible measures to minimize noise during prospecting operations and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concerned State Forest Department.
- xxiv.The State Government and the user agency shall comply with any other condition that the concern Regional Office of this Ministry may stipulate, with the approval of competent authority, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xxv.The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order(S) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

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