

PART-II

[To be filled by the concerned Deputy Conservator of Forest]
Proposal No.FP/OR/Others/14546/2015

7.Location of the Project/ Scheme.		
i)	State/Union Territory	:- Odisha
ii)	District	:- Sundargarh
iii)	Forest Division	:- Bonai Division
iv)	Area of Forest land proposed for diversion (in Ha.)	:- 11.912 ha.
v)	Legal status of Forest	:- RF 0.941 ha. PRF 10.971 ha. Total :- 11.912 ha.
vi)	Density of vegetation	:- 0.3 (Zero point three) (Eco Value Class-I)
vii)	Species wise (Scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation/hydel projects enumeration of FRL, FRL 2 meter & FRL-4 meter also to be enclosed.).	:- Species wise and diameter Class wise abstract of trees is enclosed vide Annexure-XIX .
viii)	Brief note on vulnerability of the forest area to erosion.	:- No
ix)	Approximate distance of proposed site for diversion from boundary of forest.	:- The proposed site for diversion is situated within the Khandadhar RF and Khandadhar PRF of Bonai Division.
x)	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, the details of the area and comments of the Chief Wildlife warden to be annexed).	:- The applied area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve or Elephant Corridor.
xi)	Whether any rare/ endangered/ unique species of flora and fauna is found in the area if so details thereof	:- No rare / endangered / unique species of flora and fauna is found in the applied area.
xii)	Whether any protected archeological structure / heritage site/ defence establishment or any other important monument is located in the area, If so details thereof – with NOC from competent authority, if required.	:- No protected archeological structure / heritage site/ defence establishment or any other important monument is located in the applied area
8.	Whether the requirement of forest land as proposed by the User Agency in Col.2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item wise with details of alternatives examined.	:- The requirement of forest land as proposed by the User Agency in Part-I is unavoidable and barest minimum for the project.

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9.	<p>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 erring Officials. Whether work in violation is still in progress.</p>	:-	<p>The applied area of 11.912 ha. comes under Silgoda Mining Lease. Silgoda ML over an area of 922.0334 ha. was granted in favour of M/s OMC Ltd. on 2.1.1964 for a term of 20 years (Page-323/DP). It appears from Note dt.21.4.1987 appended to the diversion proposal on Page-73 that the Senior Mining Officer, Koira Circle took over possession of the surrendered mining lease at Silgoda in pursuance of Govt. Order No.11303/MG dt.11.10.1983, from which it is concluded that the Silgoda Mining Lease of M/s OMC Ltd. was surrendered vide Order dt.11.10.1983 of the Mining & Geology Department alluded to in the above Note (Page-73/DP).</p> <p>It has been stated by the User Agency on Page-2/DP that the infrastructures were developed during the validity of the lease period of Silgoda ML. In other words, the infrastructures have been constructed after 2.1.1964 and within lease period of 20 years. Though the Note dt.21.4.1987 on Page-73/DP reveals that possession has been taken over by the Senior Mining Officer, but, it appears on inspection of the site on 11.12.2015 and 17.12.2015 that the structures still exist, and user agency also mentioned in the diversion proposal that the forest area of 11.912 ha. is under use (Page-5/DP).</p> <p>Use of the applied area by User Agency even after passing of Order of surrender of the Mining Lease by the Mining & Geology Deptt. on 11.10.1983 without obtaining prior approval of the Central Government is a violation of the Forest (Conservation) Act'1980.</p>
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The following persons were in-charge of the applied area during the period from 11.10.1983 to till date.

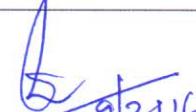
Sl. No.	Name of the General Manager / Regional Manager/ Mines Manager	Period of work done		Area of forest land involved in violation (in ha.)	Designation & Address of the persons responsible for violation	Remark
		From	To			
1	2	3	4	5	6	7
1.	Sri P. Vanjo	11.10.1983	31.5.1986	11.912 ha.	GM, M/s OMC Ltd., At/Po-Koira, Dist-Sundargarh (Odisha)	The infrastructures were being used without FC Clearance even after surrender of Mining Lease, which constitutes violation under the F.C. Act'1980.
2.	Sri P.K. Nanda	31.5.1986	30.7.1986	-do-	-do-	
3.	Sri D.C. Mahanta	30.7.1986	8.9.1987	-do-	-do-	
4.	Sri P.K. Ratha	8.9.1987	31.7.1990	-do-	-do-	
5.	Sri G.D. Das	31.7.1990	9.8.1990	-do-	-do-	
6.	Sri S.N. Mishra	9.8.1990	31.3.1993	-do-	-do-	
7.	Sri P.K. Ratha	31.3.1993	27.5.1993	-do-	-do-	
8.	Sri H. Sahu	27.5.1993	12.7.1996	-do-	-do-	
9.	Sri G.C. Mishra	12.7.1996	26.8.1997	-do-	-do-	
10.	Sri D.C. Mahanta	26.8.1997	31.7.1999	-do-	-do-	
11.	Sri G.C. Mishra	31.7.1999	2.8.2000	-do-	-do-	
12.	Sri G.D. Das	2.8.2000	28.5.2001	-do-	-do-	
13.	Sri P.K. Bhattacharya	28.5.2001	27.6.2003	-do-	-do-	
14.	Sri M. Maharathi	27.6.2003	16.10.2006 (Upto 31.5.2006	-do-	The violation is continuing.	
15.	Sri Nabakishore Sahoo	1.6.2004	17.6.2005	RM, M/s OMC Ltd., At/Po-Koira, Dist-Sundargarh (Odisha)	-do-	
16.	Sri Gobinda Ch. Behera	18.6.2005	10.2.2006	-do-	-do-	
17.	Sri Bijay Kumar Nayak	11.2.2006	24.10.2006	-do-	-do-	
18.	Sri Dillip Ku. Mohanty	25.10.2006	15.7.2009	-do-	-do-	
19.	Sri Laxmi Narayan Ghana	16.7.2009	28.2.2011	-do-	-do-	
20.	Sri Abhiram Sahu	1.3.2011	31.1.2014	-do-	-do-	
21.	Sri Shyama Sundar Barik	31.1.2014	3.12.2014	-do-	-do-	
22.	Sri Prasaana Kumar Swain	3.12.2014	Continuing	-do-	-do-	
23.	Sri D.C. Biswal	11.10.1983	29.6.1985	Mines Manager, Kurmitar Mines, M/s OMC Ltd., At/PO-Koira, Dist-Sundargarh (Odisha)	-do-	
24.	Sri R.C. Panda	5.7.1985	31.7.1989	-do-	-do-	
25.	Sri G.C. Behera	26.7.1989	1.1.1991	-do-	-do-	
26.	Sri K.K. Mishra	23.1.1991	28.5.1993	-do-	-do-	
27.	Sri D.C. Biswal	7.7.1993	20.7.1994	-do-	-do-	
28.	Sri K.R.C. Rao	20.7.1994	4.9.1996	-do-	-do-	
29.	Sri S.C. Patra	3.9.1996	10.4.2000	-do-	-do-	
30.	Sri Gangadhar Nayak	8.12.2003	10.6.2008	-do-	-do-	
31.	Sri Gouranga Ch. Rout	1.6.2008	16.1.2012	-do-	-do-	
32.	Sri Prasanna Kumar Swain	1.2.2012	3.12.2014	-do-	-do-	
33.	Sri Kathi Pradhan	10.12.2014	Continuing	-do-	-do-	

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The Range Officer, Barsuan Range was directed vide this office Memo No.8714 dt.12.12.2015 to issue show cause notice for the irregularities in the present Project. Further, he was directed vide this office Memo No.8864 dt.18.12.2015 to stop further use of the infrastructures in violation of Forest (Conservation) Act'1980, and Orissa Forest Act'1972. The Range Officer, Barsuan Range has issued show cause notice to the User Agency (Regional Manager, M/s OMC Ltd., Koirala) vide Letter No.35 dt.16.1.2016 for the above irregularities / violations. The Range Officer, Barsuan Range was directed vide this office Memo No.1121 dt.9.2.2016 to issue show cause notice to other staff of M/s OMC Ltd. who were prima facie responsible for the violation. Besides, the Range Officer, Barsuan Range has been directed vide this office Memo No.1122 dt.9.2.2016 to initiate necessary action against the persons responsible for the violation as per provisions of the Orissa Forest Act'1972.

10. Details of compensatory afforestation scheme :			
(i)	Details of non-forest area/ degraded forest area identified for compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.	:-	The Scheme for Comp. Affn. over 11.912 ha. of non-forest land identified in village Barkaudi under Thuamul-Rampur Tehsil of Kalahandi District has been prepared by the Divisional Forest Officer, Kalahandi South Forest Division and enclosed vide Annexure-XVII .
(ii)	Map showing non-forest / degraded forest area identified for compensatory afforestation and adjoining forest boundaries.	:-	Enclosed with the Diversion Proposal vide Plate No.VI .
(iii)	Detailed compensatory afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	:-	Details have been furnished in the Comp. Affn. Scheme.
(iv)	Total financial outlay for Compensatory Afforestation scheme.	:-	Comp. Affn. Scheme:- ₹ 18,86,800/-
(v)	Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	:-	Suitability certificate of the competent authorities has been furnished in the Comp. Affn. Scheme.
11.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in Col.7 (xi, xii) 8 and 9 above.	:-	Enclosed vide Annexure No.XX .
12.	Division/District profile.	:-	
(i)	Geographical area of the district/ Division	:-	9712.00 sq. km.
(ii)	Forest area of the District	:-	4957.32 sq. km.
(iii)	Total forest area diverted in the Division/ District since 1980 with number of cases	:-	Nos. of cases
			Area diverted in ha.
		40	2965.169

(iv)	Total compensatory afforestation stipulated in the District/Division since 1980 as on dt.1.1.2014.		
	(a) Forest land including penal compensatory afforestation	:-	7288.664 Ha.
	(b) Non-forest land	:-	1693.624 Ha.
(v)	Progress of compensatory afforestation as on dt.1.1.2014		
	(a) Forest land	:-	4108.856 Ha.
	(b) Non-forest land	:-	1488.304 Ha.
13.	Specific recommendations of the DCF for acceptance or other wise of the proposal with reasons.	:-	<p>Diversion of 11.912 ha. of forest land is required for infrastructure Project of M/s OMC Ltd. to facilitate Mining operation at Kurmitar and Rantha ML.</p> <p>The Diversion of forest land may be made operational subject to grant and execution of valid Mining Lease by the Govt. for the present infrastructure project.</p> <p>Hence, the proposal for diversion of 11.912 ha. of forest land in favour of the User Agency may be considered keeping in view the above violations.</p>


 Divisional Forest Officer,
 Bonai Division.