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27/2007

F. No. 5-2/2006-FC
Government of India
Ministry of Environment & Forests
(E.C. Division)

Handwritten signature

Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi-110003

Mr S.K. Kumbhakar
For your ref. *shnd*

Dated : 25th January 2007

EIC (Cons)

*Stage II clearance for Bamsbari
has been issued by MEF.*

Let: Dymd: (CS) / 100 (2007)

Chenabhai

To
The Principal Secretary (Forests),
Government of Orissa,
Bhubaneswar.

Subj: Diversion of 148.326 ha of forest land in village Bamsbari, Jaribahal etc. in Keonjhar Forest Division for iron and manganese ore mining in favour of M/s TISCO Limited in Orissa.

25/1

Sir,

I am directed to refer to your letter No. 10F(Cons)/9/04/9623/F&E dated 02.07.2004 wherein the above mentioned proposal was submitted seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980, and to say that the above proposal was examined by the Forest Advisory Committee (FAC) constituted under Section-3 of the Act.

2. After careful consideration of the proposal of the State Government and on the basis of the recommendation of the above mentioned Advisory Committee, the Central Government granted in-principle approval vide letter of even no. dated 26.05.2006 subject to certain conditions. The compliance of these conditions was submitted vide letter No. 10F(Cons)/9/2004/975/F&E dated 11.01.2007. After consideration of the proposal and compliance of various conditions by the State Government, the Central Government hereby conveys its approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 148.326 ha of forest land in village Bamsbari, Jaribahal etc. in Keonjhar Forest Division for iron and manganese ore mining in favour of M/s TISCO Limited in Orissa, subject to the fulfilment of following conditions:-

- (i) Legal status of the forest land shall remain unchanged.
- (ii) Compensatory Afforestation shall be raised over equivalent non-forest land, in lieu of fresh forest land being diverted, i.e., over 60.50 Ha and shall be maintained at the project cost.
- (iii) The non-forest land identified for Compensatory Afforestation shall be declared as Reserved/Protected Forests under Indian Forest Act, 1927 or relevant State Act. The Nodal Officer shall submit compliance within six months in this regard.
- (iv) The mining lease period under the Forest (Conservation) Act, 1980 shall be co-terminus with the current lease granted under MMRD Act, 1957.
- (v) The State Government shall deposit all the above-mentioned funds, if not done already, with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in Account No. CA 1588 of Corporation Bank (A Government of India Enterprise), Block-11, Ground Floor, C.G.O. Complex, Phase-1, Lodhi Road, New Delhi-110003, as per the instructions communicated vide letter No. 5-2/2006-FC dated 20.05.2006.

- (vi) RCC pillars of 4 feet height shall be erected to demarcate the area by the user agency at the project cost and will be marked with forward and back bearings.
- (vii) The user agency shall raise, fence and maintain a safety zone around the mining area and will also raise and maintain the plantation over an area one and half times in extent of the safety zone at the project cost.
- (viii) The concurrent reclamation plan shall be executed by the user agency from the very 1st year and an annual report shall be sent to the Nodal Officer and the RCCF, Bhubaneswar. If it is found from the annual report that the concurrent reclamation plan is not being adhered to by the user agency, the mining activities shall remain suspended till such time, the annual programme is completed for that year.
- (ix) The top soil shall be protected at the project cost.
- (x) The Wildlife Management Plan for the area shall be implemented in consultation with the State Forest Department at project cost.
- (xi) The user agency shall implement a conservation plan as per the guidelines of the Chief Wild Life Warden of the State and at the project cost.
- (xii) Trees shall be felled only when it becomes necessary and that too under strict supervision of State Forest Department at the cost of the project.
- (xiii) No labour camps shall be established on the forest land.
- (xiv) All necessary measures should be taken by the user agency to protect the environment.
- (xv) Sufficient firewood shall be provided by the user agency to the labourers at the project cost after purchase from the State Forest Department/Forest Development Corporation.
- (xvi) The user agency shall ensure that there should be no damage to the available wildlife.
- (xvii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xviii) The forest land thus diverted shall be non-transferable. Whenever the forest land is not required, it shall be surrendered to the State Forest Department under intimation to this Ministry.

The State Government shall take all steps to ensure compliance of various conditions.

Yours faithfully,

(Parika) Asthana

Assistant Inspector General of Forests

Copy to :-

1. The Principal Chief Conservator of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer, Forest Department, Government of Orissa, Bhubaneswar.
3. The Chief Conservator of Forests (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Guard File.
6. Monitoring Cell of FC Section.

(Parika) Asthana

Assistant Inspector General of Forests