

F. No. 8-49/98-FC (pt.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003
Dated: 8th October, 2014

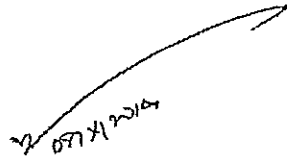
To,
The Principal Secretary (Forests),
Government of Orissa,
Bhubaneswar

Sub: Diversion of 342.602 ha. of forest land (excluding 26.990 ha. of forest land of the lease acquired for Daitari-Bansapani Rail-link from within total 369.592 ha. of forest land in the lease) for mining & allied activities including 65.108 ha. of safety zone in Mining lease area of 456.100 ha of Jilling Langalota Iron & Manganese Mines by M/s. Essel Mining & Industries Ltd. in Keonjhar district, Orissa in 2nd RML.

Sir,

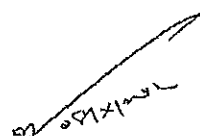
I am directed to refer to Government of Orissa's letter No. 10 F (Cons.) 473/2011-16960/ F & E dated 15th September 2011 on the above mentioned subject, wherein prior approval of the Central Government for the diversion 342.602 ha. of forest land (excluding 26.990 ha. of forest land of the lease acquired for Daitari-Bansapani Rail-link from within total 369.592 ha. of forest land in the lease) for mining & allied activities including 65.108 ha. of safety zone in Mining lease area of 456.100 ha of Jilling Langalota Iron & Manganese Mines by M/s Essel Mining & Industries Ltd. in Keonjhar district, Orissa in 2nd RML, was sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under section 3 of the said Act, in-principle approval for the said diversion was granted vide this Ministry's letter of even number dated 13th January, 2014, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle 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 State Government of Orissa vide their letter No. 10F (Cons)-86/2013-8852/ F & E dated 13th May 2014, approval of the Central Government is hereby granted under section 2 of the Forest (Conservation) Act, 1980 for diversion of 342.602 ha. of forest land (excluding 26.990 ha. of forest land of the lease acquired for Daitari-Bansapani Rail-link from within total 369.592 ha. of forest land in the lease) for mining & allied activities including


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65.108 ha. of safety zone in Mining lease area of 456.100 ha of Jilling Langalota Iron & Manganese Mines by M/s Essel Mining & Industries Ltd. in Keonjhar district, Orissa in 2nd RML, subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) State Government shall raise and maintain from funds realised from the user agency compensatory afforestation over the 46.0818 ha. non-forest land equal in extent to the virgin forest land being diverted during the 2nd renewal of mining lease transferred and mutated in favour of the State Forest Department;
- (iii) State Government shall create and maintain penal compensatory afforestation over the degraded forest land double in extent to forest land used in violation (*i.e.* $2 \times 11.0477 = 22.0954$ ha.) from funds already realised from the user agency;
- (iv) Following activities shall be undertaken by the user agency at the project cost:
 - (a) Implementation of scheme containing appropriate mitigative measures to minimize soil erosion and choking of streams duly approved by the Regional Chief Conservator of Forests, Rourkela Circle;
 - (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle to arrest soil erosion;
 - (c) Construction of check dams, retention /toe walls as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle to arrest sliding down of the excavated material along the contour;
 - (d) Stabilize the overburden dumps by appropriate grading/benching as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle so as to ensure that that angles of repose at any given place is less than 28°; and
 - (e) Strict adherence to the prescribed top soil management as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle.
- (v) The State Government shall realise from the user agency the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to Ad-hoc CAMPA under intimation to this Ministry;
- (vi) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;



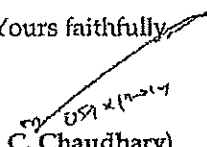
- (vii) State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining), from funds realised from the user agency;
- (viii) The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease to be renewed under the Mines and Minerals (Development and Regulation) Act, 1957, or Rules framed there under, subject to a maximum period of 20 years. This approval shall be valid subject to possession of a valid mining lease in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and Rules framed there-under;
- (ix) User agency either shall undertake gap planting and soil & moisture conservation activities as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- (x) The user agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary as per the scheme duly approved by the Regional Chief Conservator of Forests, Rourkela Circle so as to mitigate the impact of siltation of such tanks/water bodies, whenever required;
- (xi) The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Orissa and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Eastern Zone), Bhubaneswar. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xii) No labour camp shall be established on the forest land;
- (xiii) The user agency shall provide alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xiv) The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars,

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each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;

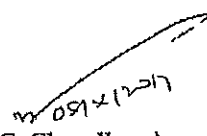
- (xv) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xvi) Any other condition that concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xvii) User agency shall submit annual report on compliance to conditions stipulated in this approval to the State Government and concerned Regional Office of this Ministry;
- (xviii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,


(H. C. Chaudhary)
Director

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, the Forest (Conservation) Act, 1980, Government of Odisha, Bhubaneswar.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. The User Agency.
5. The Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(H. C. Chaudhary)
Director