

**COMPLIANCES TO THE CONDITIONS STIPULATED IN THE STAGE-I (IN PRINCIPLE)  
APPROVAL ORDER GRANTED BY THE MOEF, GOVT. OF INDIA VIDE F.NO.8-105/2006-FC DT  
17.02.2009 PERTAINING TO GANDHAMARDAN BLOCK-A IRON ORE MINES OF  
M/s ODISHA MINING CORPORATION LIMITED.**

Sl.No.	CONDITIONS STIPULATED	COMPLIANCE
1	(i) The UA shall transfer and mutate 117.9648 ha of non-forest land in favour of the State Forest Department and shall pay the cost of the Compensatory Afforestation as per the scheme to be prepared as per latest wage rate and approved by the competent authority.	An area over 117.9648 ha of non-forest land identified in village Jatra under Banspal Tahasil has been mutated in favour of State Forest Department which has been communicated by Tahasildar Banspal vide his letter No.245 dt 19.02.2013 of Tahasildar, Banspal Tahasil.
	(ii) The User Agency shall transfer the cost of Compensatory Afforestation including maintenance for 5 years to the State Forest Department.	The User Agency has deposited <b>Rs 1,55,96,000.00</b> (Rupees one crore fifty five lakh ninety six thousand) only towards the cost of Compensatory Afforestation including maintenance for 5 years, approved by Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act as per the latest wage rate, through RTGS mode in the Compensatory afforestation Fund (CAF), Odisha, SB Account No.SB01/025222 of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
	(iii) 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-29 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.	The draft notification for declaration of PF/RF over 117.9648 ha of non-forest land has been sent to Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act vide this office memo No. 1921 dt. 11.03.2013 and notified as P.F. vide Notification No. 10F(Con)-398/2012/8904/F&E dated 27.04.2013.
	(iv) Additional amount of the NPV of the diverted forest land, if any becoming due after finalization of the same by the Hon'ble Supreme Court of India shall be charged by the State Govt. from the User Agency. The User Agency shall furnish an undertaking to this effect	The User Agency has submitted an undertaking to pay the additional amount of the NPV of the diverted forest land, if any becoming due after finalization of the same by the Hon'ble Supreme Court of India.
2	Fencing, protection and regeneration of the safety zone area (7.5 meter strip all along the outer boundary of the mining lease area) shall be done at the project cost. Besides this, Afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall also be done at the project cost.	The User Agency has deposited <b>Rs 96,38,100.00</b> (Ninety six lakh thirty eight thousand and one hundred) and <b>Rs 13,55,600.00</b> (Thirteen lakh fifty five thousand and six hundred) only towards cost of fencing, protection and regeneration of the safety zone area over 3.029 ha (7.5 meter strip all along the outer boundary of the mining lease area) and cost of afforestation over degraded forest land identified in Atei RF under Ghatgaon Range, measuring 4.5435 ha towards one and half times the area under safety zone respectively through RTGS mode in the Compensatory afforestation Fund (CAF), Odisha, SB Account No.SB01/025222 of Corporation Bank, CGO

		Complex, Lodhi Road, New Delhi-110003.  Fencing and regeneration of safety zone has not been taken up.
3	The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 82.03.2008, 25.04.2008 and 09.05.2008 in I.A. No.566 in WP(C) No.202/1995 and as per the guidelines issued by this Ministry vide letters No.5-1/1998-FC (Pt.II) dtd.18.09.2003, as well as letter No.5-2/2006-FC dated 03.10.2006 in this regard.	The User Agency has deposited Rs.17,70,46,536.00 in shape of Demand Draft bearing No. 018947 dtd 19.04.2006 and Rs.22,14,71,415.00 in shape of Demand Draft bearing No. 650824 dt. 21.07.2010 & No.650916 dtd. 23.07.2010 & Rs. 6,34,07,570.00 deposited through RTGS Mode in CAF, Odisha Account No. SB01/025222 of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
4	At the time of payment of the Net Present Value (NPV) at the present rate, the User Agency shall furnish an undertaking to pay the additional NPV, if so determined as per the final decision of Hon'ble Supreme Court of India.	The User Agency has submitted an undertaking to pay the additional amount of the NPV of the diverted forest land, if so determined as per the final decision of Hon'ble Supreme Court of India.
5	Wildlife Institute of India shall prepare a Wildlife Management Plan for the area which shall be implemented at the project area cost. The diversion of forest land for mining shall be considered only if with appropriate remedial measures the adverse impact of mining on wildlife conservation and protection is found to be containable within reasonable limits.	Wildlife Institute of India vide F. No. PMCR/ SC/ WII- Orissa / 201112 / 01 dtd. 25.11.2011 has accorded consent on the Wildlife Management Plan prepared for the area. The same has been approved by PCCF (WL), Odisha vide his office letter No.3305 dt 04.05.2012. The total financial outlay approved is Rs 629.83 lakhs out of which Rs 113.14 lakhs will be spent by the User Agency and the remaining amount Rs 516.69 lakhs has been deposited by the User Agency through RTGS mode in the Compensatory afforestation Fund (CAF), Odisha, SB Account No. <b>SB01/025222</b> of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
6	The Approval under the F.C. Act is restricted to 117.9648 ha of forest area. The possession of the balance forest area shall be taken over by the Forest Department. Before grant of the formal approval under the F.C. Act, the mining lease granted under the MMRD shall be revised so that the total forest area included in the mining lease and the forest area approved under the F.C. Act are identical.	The State Forest Department was supposed to take over the balance forest area as stipulated over 401.7824 ha. However, in compliance with the order of the Hon'ble Supreme Court of India vide IA No.3402/19.2.2012 dt 16.04.2012, diversion proposal has been submitted over 401.7824 ha vide State Serial No. 565/13 dt 04.02.2013. Therefore, in the light of the above fact, revision of area granted in the mining lease may not be insisted upon. The aforementioned diversion proposal over 401.7824 ha bearing State Sl. No. 565/13 dt 04.02.2013 has been returned to the User Agency for online submission through OS&MFCP web portal vide this office letter No. 7449 dated 12.11.2014.
7	Compensatory Afforestation charges shall be payable for the entire forest area after deducting the forest area legally broken up	Out of the total ML area of 618.576 ha, 64.7242 ha of forest area was found to be legally broken during the validity of the mining lease as on

	during the validity of the mining lease.	20.05.1993. Compensatory Afforestation scheme over 455.023 ha (519.7472 ha-64.7242ha) has been approved with financial outlay of <b>Rs 91,85,000.00</b> vide letter No.19713 dt 04.12.2012 of CCF, Forest Diversion & Nodal Officer, FC Act. The User Agency has deposited the same through RTGS mode in the Compensatory afforestation Fund (CAF), Odisha, SB Account No. <b>SB01/025222</b> of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
8	For carrying out the mining operations between 1993 to 1997 in violation of the F.C. Act, an amount equal to the NPV payable in the present case shall be imposed as a penalty on the user agency.	The User Agency has deposited an amount of <b>Rs 48, 80, 42,621.00</b> (Rupees forty eight crore eighty lakh forty two thousand six hundred twenty one) only equal to the NPV payable in the present case i.e. over <b>519.7472 ha</b> of forest land imposed as a penalty through RTGS mode in the Compensatory afforestation Fund (CAF), Odisha, SB Account No. <b>SB01/025222</b> of Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.
9	The approval under the F.C. Act shall be granted only after the environmental clearance for the project is accorded.	Ministry of Environment & Forest vide letter No. <b>J-11015/1088/2007-IA.II (M)</b> dtd. <b>16.01.2009</b> has granted Environmental clearance for production of <b>0.35</b> million tons of iron ore per annum.
10	Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the Afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.	No substantial step has been taken by the User Agency to afforest the blanks within the lease area and roads outside the lease area. No afforestation scheme as regards condition No. 10 has been submitted for approval and subsequent implementation involving local community at the project cost.
11	Wherever possible and technically feasible, the User Agency shall undertake by involving local community in Afforestation measures having suitable species during reclamation and overburden management plan.	No step has been taken by the User Agency to reclaim and stabilize O.B dump as per approved annual reclamation programme. No afforestation scheme as regards condition No. 11 has been submitted for approval and subsequent implementation involving local community at the project cost.
12	The User Agency shall start mining in phased manner after exhausting earlier diverted forest area and due care shall be taken for reclaiming earlier mined area. Concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report shall be sent to the Nodal Officer and the Regional CCF, Bhubaneswar. If it is found from the Annual Report that the annual programme mentioned in 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.	The mining activity has ceased to operate and mines is closed since 2010. No reclamation has been taken up as per annual reclamation programme mentioned in the concurrent reclamation plan.
13	All the funds received from the User Agency	The User Agency has deposited a total of <b>Rs</b>

	under the project shall be transferred to in Account No. 3449011010070128 of Union Bank of India, Sunder Nagar, New Delhi-110003.	106,40,10,610.00 (Rupees one hundred six crore forty lakh ten thousand six hundred and ten) only as per demand as detailed below-		
		<b>Item of activity</b>	<b>Amount (in Rs)</b>	<b>Mode of deposit.</b>
		NPV	177046536	Demand Draft bearing No.018947 dated 19.04.2006.
		NPV	284878985	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		Penal NPV	488042621	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		CA	15596000	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		Addl. CA	9185000	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		Safety Zone	9638100	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		1.5 time Safety Zone	1355600	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		RWLMP	12371520	Through Bank Draft bearing No.285648 dt 14.02.2013 which has subsequently been transferred through RTGS to Union Bank of India, Sunder Nagar, New Delhi
		RWLMP	14227248	RTGS, Union Bank of India, Sunder Nagar, New Delhi
14	The period of diversion under this approval shall be twenty (20) years subject to possession of valid lease by the User Agency under the MMDR Act, 1957.	SSWLCP	51669000	RTGS, Corporation Bank, CGO Complex, Lodhi Road
		<b>Total</b>	<b>1064010610</b>	
		The 1 <sup>st</sup> RML has expired dated 19.05.2013.		

15	The User Agency will bear the proportionate cost of comprehensive wildlife management plan to be prepared in consultation with state forest department at the user agency's cost.	The User Agency has deposited <b>Rs 1,23,71,520.00</b> (Rupees one crore twenty three lakh seventy one thousand five hundred twenty) only towards the proportionate cost of comprehensive wildlife management plan in shape of Demand Draft bearing No.285648 dt 14.02.2013 which has subsequently been transferred to Ad-Hoc CAMPA account as aforementioned and <b>Rs. 1,42,27,248.00</b> (Rupees one crore forty two lakh twenty seven thousand two hundred forty eight) only through RTGS, Union Bank of India, Sunder Nagar, New Delhi.
16	After receipt of the compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.	Final approval under section- 2 of the Forest (Conservation) Act, 1980 may be considered on the strength of the facts mentioned against the stipulated condition.
17	All other conditions including standard conditions applicable to the proposals under Forest (Conservation) Act, 1980 and under different rules, regulations and guidelines including environmental clearance shall be complied with before transfer of forest land.	Final approval under section- 2 of the Forest (Conservation) Act, 1980 is awaited.
18	The user agency shall comply to all other conditions imposed by the Hon'ble Supreme Court in its decision dated 03.10.2008.	The lessee has complied "a, c, d & e" as imposed vide I.A No. 170 in W.P. (C) No. 460/2004 dated 03.10.2008. <b>Condition No. "b" has not been complied by the lessee for the reasons stated in compliance with condition No. 6 of the in-principle approval order.</b>

  
 Divisional Forest Officer,  
 Keonjhar Division.