



Letter No. ¹²¹⁶¹...../OMC/F&E/2017
19th August, 2017

To

**The Divisional Forest Officer,
Keonjhar Forest Division**

Sub.: Diversion over 345.189 ha of forest land of Khandbandh Iron Ore Mines of M/s OMC Ltd.

Ref: Your letter no. 1937/Mining dt. 22.03.2017.

Sir

In inviting a reference to the letter cited above the point wise compliance to the observations made by DFO, Keonjhar is given as under:

Undertakings/ Certificates to be furnished		
Sl No.	Observations made by DFO	Compliance by OMC
1	Payment towards Additional NPV, if so determined as per final decision of Hon'ble Supreme Court of India.	An undertaking by OMC has been submitted at Annexure-XVIII of the Forest Diversion Proposal (FDP).
2	Certificate towards payment of NPV in respect of all other mines/projects of the lessee situated in Keonjhar District and State of Odisha.	Details of payment of NPV made by OMC in respect of all other mines/project is enclosed herewith as Annexure-I .
3	Certificate under FRA-2006 in respect of forest land.	The copy of the FRA certificate issued by the Collector, Keonjhar is enclosed herewith as Annexure-II .
4	Compliance as regards violation committed during ML, if applicable.	There is no violation committed during ML. Therefore, compliance may not be required.
5	Certificate as regards Status of land (Forest and Non-forest) as on 25.10.1980. (N.B.- The status certificate should be correct and complete in respect of all plots involved in the Mining Lease).	Copy of the certified land schedule as on 25.10.1980 has been submitted as Annexure-XI of the FDP.
6	Pending Court Matters, if any.	A case is pending in the court of the J.M.F.C, Barbil for producing minerals without prior Environmental Clearance. The detail is enclosed as Annexure-III .
Authenticated Maps and documents to be furnished		
1	SOI Topo Sheet (1:50000) showing forest land required for diversion	SOI Topo Sheet (1:50000) showing forest land required for diversion and boundary of

The Odisha Mining Corporation Ltd.

(A Gold Category State PSU)

Registered Office : OMC House, Bhubaneswar-751001, India
Tel: 0674-2377400/2377401, Fax: 0674-2396889, 2391629, www.omcltd.in

CIN : U13100OR1956SGC000313

	and boundary of adjoining forest land.	adjoining forest land is appended as Plate-I with the FDP.
2	Original lease plan.	Original lease plan is appended as Plate-II with the FDP.
3	Lease plan as per RML application.	Lease plan as per RML application is appended as Plate-III with the FDP.
4	Approval land use plan under FC Act, 1980, if any.	No approval has been obtained under FC Act, 1980. The proposal is submitted for first time.
5	Present land use plan.	Present land use plan is appended as Plate-IV with the FDP.
6	Proposed land use plan in respect of applied forest land.	Proposed land use plan is appended as Plate-V with the FDP.
7	DGPS map showing Patch wise DGPS coordinates of the forest land under different category involved in the mining lease proposed for diversion and DGPS coordinates of all patches of forest land involved in the ML.	DGPS map showing Patch wise DGPS coordinates of the forest land under different category involved in the mining lease proposed for diversion and DGPS coordinates of all patches of forest land involved in the ML is appended as plate-XI with the FDP.
8	Cost benefit analysis of the project.	Cost benefit analysis is appended as Annexure-XV with FDP.
9	Village wise break up of forest land proposed for diversion.	Village wise break up of forest land proposed for diversion has been described in the page no. 5 of the part-I. Further the village wise break up of forest land proposed for diversion is enclosed as Annexure-XI of the FDP which may kindly be authenticated.
10	Details of approvals obtained/sought for under the Act in respect of the project.	No approval has been obtained under Act in respect of the project.
11	Correct status report as regards area of non-forest land as on 25.10.1980 involved in the instant proposal.	Copy of the certified land schedule as on 25.10.1980 is appended as Annexure-XI with the FDP.
12	Separate land schedule of forest land applied for diversion in the instant proposal.	Village wise break up of forest land proposed for diversion has been described in the page no. 5 of the part-I. Further the village wise break up of forest land proposed for diversion is enclosed as Annexure-XI of the FDP which may kindly be authenticated.
13	Details of land identified for CA with GPS coordinates of the identified site.	CA scheme alongwith GPS coordinates of the identified site is enclosed as Annexure-XXIII, XXIV (A) and XXIV (B).
14	Check list in the prescribed format along with specific information.	Check list in the prescribed format along with specific information is appended with the FDP.
15	Revised proposed forest land use	Not Applicable.

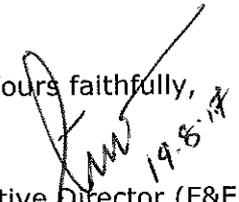
	plan in compliance with para-4.5 of FC Act Guideline.	
16	Submission of documents in original or photo copy of the same, in case original document is lost, duly authenticated from the record by the issuing authority with signature and official seal.	All the required documents has been appended with the FDP.

It is therefore requested to kindly consider the above compliance and forward the diversion proposal to higher quarter for grant of Stage-I approval.

An early action is solicited.

Encls.: As above.

Yours faithfully,


Executive Director (F&E)

Memo No...../OMC/F&E/2017, dt. 19th August, 2017

Copy to the Regional Manager, Barbil/Manager (Min), Khandabandha Iron Ore Mines. He is requested to keep in touch with DFO, Keonjhar for early completion of the work.


Executive Director (F&E)

NPV PAYMENT DETAILS OF FOREST DUES AS ON 01.07.2017

I. No.	Name of the lease	PAYMENT OF NPV		
		DFO Letter No/Date	Amount (in)	Mode
1	Gandhamardhan-A	1756/28.03.2006	17,70,46,536.00	DD (018947/19.04.2006)
		297/05.07.2010	22,14,71,415.00	DD (650824 & 650916/21.07.10 & 23.7.10)
		6204/24.08.2012 (PNPV)	48,80,42,621.00	Trans. No.: 0275/0001 dt. 14.02.2013
		1946/11.03.2013	6,34,07,570.00	RTGS (UTR No.SBI NH-13075323527 dt.16.03.2013)
		3209/29.04.2016 (PNPV)	1,94,98,592.00	Challan No. S59353233,Dt. 21.06.2016
		96,94,66,734.00		
2	Gandhamardhan-B	1759/28.03.2006	16,02,31,760.00	DD No.018792/03.04.2006
		3397/31.05.2006	17,76,925.00	DD No. 019523 & 019524/ 07.07.2006
		178/05.06.2010	72,04,31,526.00	DD No.649636/07.07.2010
		296/5.07.2010	13,89,32,431.00	DD No.652221/27.07.2010
			1,02,13,72,642.00	
3	Dubuna-Sakradihi	5169/26.08.2006	14,68,72,820.00	DD No.717200 to 717348 dt 09.09.2006
		208/16.06.2010	65,89,03,110.00	DD No.650829/22.07.2010
		838/03.02.2014	9,74,816.00 (Int)	RTGS (UTR.NO.ANDBH 140675960006)dt 07.03.2014)
			80,67,50,746.00	
4	BPJ	206/16.06.10	22,35,85,130.00	DD No.650880/23.07.2010
		841/03.02.2014	3,85,914.00 (Int)	RTGS (UTR NO.ANDBH 14067596891)dt 07.03.2014)
			22,39,71,044.00	
5	Khandbandh	5142/26.8.2006	7,48,75,100.00	DD No.717349 to 717424/09.09.2006
		209/16.06.10	12,07,67,550.00	DD No.650823/21.07.2010
		950/06.02.2014	1,78,670.00 (Int)	RTGS (UTR No.ANDBH 14067595317)dt 07.03.2014)
			19,58,21,320.00	
6	Banspani	5139/26.08.2006	2,66,75,360.00	DD No.71713 to 717199/09.09.2006
		210/16.06.2010	10,41,89,250.00	DD No.650827/21.07.2010
		947/06.02.2014	1,54,143.00 (Int)	RTGS (UTR NO.ANDBH 14067592298)dt 07.03.2014)
			13,10,18,753.00	
7	Tiringpahar	1765/28.03.2006	5,45,20,920.00	DD No.018970/24.04.2006
		253/ 19.6.10	1,37,15,970.00	DD No.650825/21.07.2010
			6,82,36,890.00	
8	S.B.Mines	1771/28.03.2006	21,14,40,340.00	DD No.019059/02.05.2006
		192/16.06.2010	55,25,58,900.00	DD No.650881/23.07.2010
		474/20.01.2012	11,29,32,640.00	(UTR No.ANDBH-12033992952,Dt 02.02.2012
		832/03.02.2014	9,53,732.00 (Int)	RTGS (UTR No. ANDBH 14067595630 dt.07.03.2014)
			87,78,85,612.00	
9	Dalki	1768/ 28.03.2006	8,39,70,500.00	DD No.019056/02.05.2006
		211/16.06.2010	9,69,56,410.00	DD No.650882/23.07.2010
		835/03.02.2014	1,67,349.00 (Int.)	RTGS (UTR No. ANDBH14067594642)dt. 07.03.2014)
			18,10,94,259.00	
10	Koira-Bhanjapalli	1488/27.03.2006	3,59,80,880.00	100206/19.04.2006
		4356/20.7.2010	2,76,86,710.00	650826/21.07.2010
			6,36,67,590.00	
11	Koira-Kasira	1491/27.3.2006	6,95,66,940.00	DD No.100207/19.04.2006
		4359/ 20.7.10	7,45,11,100.00	DD No.650919/23.07.2010
			14,40,78,040.00	

26	Daitari Extension Area	438/24.02.2014	23,47,20,422.00	RTGS (UTR No. SBINH14083303080 dt 24.03.2014)
		430/24.03.2014 (PNPV)	143,45,18,188.00	RTGS (UTR No. SBINH14083303530 dt 24.03.2014)
			1,66,92,38,610.00	
27	Roida-C(Sidhamatha)	45/1.01.2014	7,02,44,250.00	RTGS (UTR No.14073308433)dt.14.03.2014
		3918/02.05.2015	2,31,05,547.00 (Int.)	RTGS (UTR No. ANDBH15146329017 dt. 26.05.2015
			9,33,49,797.00	
28	Bangur	1202/15.05.2015	95,22,200.00	RTGS (UTR No. ANDBH15154397968) dt. 03.06.2015
29	Baniapank	784/19.04.2014	74,78,09,271.00	RTGS (UTR No. SBINR52015041513608618) dt. 15.04.2015
30	Kodingamali	138, Dt. 04.01.2017	26,79,74,950.00	UTR No. ANDBR 52017010700241269, Dt. 07.01.2017
		2182, Dt. 22.04.2017	42,94,360.00	RTGS: UTR No. ANDBR52017060700096215, Dt. 02.06.2017
Grand Total: Rs. 13,048,256,189.00				



(S.K.Das)

Addl. General Manager (Geo)

Power of Attorney Holder

S.K. Das

Addl. General Manager (Geo)

Power of Attorney Holder

Odisha Mining Corporation Ltd.

Bhubaneswar

OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, KEONJHAR

No. /Rev. Dt.

To
The Divisional Forest Officer,
Keonjhar Division, Keonjhar

Sub: Issue of Certificate regarding compliance of Schedule Tribe and Other Forest Dwellers (Recognition of Forest Right) Act, 2006 regarding Diversion forestland measuring Hc.294.53 for mining activities in Khandabandh Iron & Manganese Mines of M/s OMC Ltd..

Ref:- Memo No.17595/F&E/Dt.24.10.2009 communicated by Joint Secretary to Govt., Forest & Environment Department, Orissa.

Sir,

With reference to the memo on the subject cited above, I am to send herewith the Certificate regarding compliance of Schedule Tribe and Other Forest Dwellers (Recognition of Forest Right) Act, 2006 in respect of proposed diversion of forestland measuring Hc.294.53 in village Khandabandh, Guruda, Jalahari, Jaroli and Jajanga under Barbil Tahasil for mining activities in Khandabandh Iron & Manganese Mines of M/s OMC Ltd alongwith the Gramsabha resolutions of the said villages.

Yours faithfully,

Encl:- As above.

Collector, Keonjhar

Memo No. 235 /Rev/ Dt 18.01.13

Copy forwarded to the Regional Manager, OMC Ltd, Barbil, Keonjhar for information and necessary action.

Collector, Keonjhar

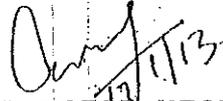
Memo No. /Rev/ Dt

Copy forwarded to the Sub-Collector, Champua alongwith Case record No.255/2012 for information and necessary action

Collector, Keonjhar

REGARDING COMPLIANCE OF SCHEDULED TRIBES & OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006 IN RESPECT OF DIVERSION OF FORESTLAND MEASURING Ha.294.53 OR Ac.727.81 FOR MINING ACTIVITIES IN KHANDABANDH IRON & MANGANESE MINES OF M/S O.M.C. LTD

01. It is certified that the complete process for identification and settlement of rights under the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been carried out for the entire Forest area of Ha.294.53 proposed for diversion at village Khandabandh, Guruda, Jalahari, Jaroli and Jajanga under Barbil Tahasil for mining activities in Khandabandh Iron & Managanese mines by the User Agency M/s OMC Ltd. It is pertinent to mention that 08 beneficiaries have occupied Ac.1.08 in the proposed diversion area in respect of Plot No.64 under Khata No.40 in village Khandabandh and their individual claim applications have been received at SDLC level. Rights of those claimants will be settled in due course of time according to their eligibility under F.R.Act. The concerned record of all consultations and meeting held are annexed in shape of Gram Sabha Resolutions.
02. It is certified that the proposal for such diversion has been placed before each Gram Sabhas in presence of more than 50% of members (Voters) of Gram Sabha where the details of the projects and its implication have been explained to them in vernacular language.
03. It is certified that discussions and decisions on such proposals had taken place only when there was a quorum of minimum 50% of the members of the Gram Sabha present.
04. It is certified that the rights of primitive Tribal Groups and pre-agricultural communities have been specifically safeguarded as per section 3(1) (e) of the Forest Rights Act.
05. It is certified that the diversion of Forest land for facilities managed by Government as required u/s 3(2) of the Forest Rights Act (if any) have been completed and the Gram Sabha has consented to it.


COLLECTOR, KEONJHAR
CHAIRMAN, D.L.C.

df
A
29/2/17

FORM NO.11
(for projects other than linear projects)
Government of Odisha
Office of the District Collector, Keonjhar

No. 263

Dt. 22.02.17

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No.11-9/98-FC(Pt) dt.3rd August, 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 ('FRA' for short) on the forest land proposed to be diverted for non-forest purposes, it is certified that 50.866 hectares of forest land proposed to be diverted in favour of M/s OMC Ltd. for the purpose of mining activities in Khandabandh Iron Ore Mines in Keonjhar District falls within jurisdiction of Khandabandh, Jalahari, Jaroli and Guruda villages in Barbil Tahasil

It is further certified that

- (a) the complete process of identification and settlement of rights under the FRA has been carried out for the entire 50.866 hectares of forest land proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), Sub-Division Level Committee(s) and the District level Committee are enclosed as annexure- 1 to annexure- 28
- (b) the proposal for such diversion (with full details of the project and its implications, in vernacular/local language) have been placed before each concerned Gram Sabha(s) of forest dwellers who are eligible under the FRA.
- (c) the each of concerned Gram Sabha(s), has certified that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and the details of proposed diversion. Copies of Gram Sabha Resolutions of village-Khandabandh, Jalahari, Jaroli and Guruda are enclosed as annexure-5, 12, 17 and 23
- (d) the discussion and decisions on such proposals had taken place only when there was a quorum of minimum 50% of the members of Gram Sabha present.
- (e) No such facilities managed by Government requiring diversion of forest land u/s 3(2) of the Forest Rights Act, 2006 exist over the forest land proposed for diversion.
- (f) the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safeguarded as per section 3(1)(e) of the FRA.


(Dr. N. Thirumala Naik)
Collector, Keonjhar

Memo No. 264 /Rev/ Dt 22.02.2017

Copy of Certificate alongwith its enclosures (Annexure-1 to 28) forwarded to the Divisional Forest Officer, Keonjhar for information and necessary action.


21.2.17
Addl. District Magistrate,
Keonjhar

In the Court of the J.M.F.C.: BARBIL

2 (C) C.C. No. _____/2013.

1. Name of the Complainant: - Sub-Divisional Magistrate, (S.D.M.), Champua
Dist:- Keonjhar.
2. Name & other Description of the Accused person:- (1) M/S- Orissa Mining Corporation Ltd.,
At:- Khandabandha, Gurda, Jalahuri,
Jaroli & Jajanga. Tahasil:- Barbil
Dist:- Keonjhar.
(2) Sri Ramesh Chandra Sahoo,
Regional Manager, OMC, Barbil,
Dist:- Keonjhar.
3. Date, Time & Place of Occurrence :- Since 1993-1994 till 2007-2008
At:-Khandabandha, Iron Ore Mines ,
Tahasil:- Barbil,
Dist:- Keonjhar.
4. Name of the Witnesses:- (1) Sub-Divisional Magistrate, Champua
Dist:- Keonjhar.
(2) Deputy Director of Mines, Joda circle,
Joda, Dist:- Keonjhar.
(3) Regional Officer, State Pollution Control
Board, Odisha, Keonjhar.
5. Name of the Offence with State:- Punishable U/S.15 of the Environment
Protection Act-1986 for violation of EIA
Notification-1994 & EIA Notification-2006 by
producing minerals without prior
Environmental clearance.
6. Whether any information:- No information was given at any police Station
was given to any police and as such taking of action by police does
station & if so, action not arise.
taken thereon.
7. Whether any previous:- Previously no complaint is filed for the present
complaint regarding the alleged offence.
same occurrence was
filed. If so the name of
the Court and date and
manner of disposal of
the same.

M/S
KhandabandhaLbi
25.2.14

8. FACTS in BRIEF: -

(i) That, the complainant is the Sub-Divisional Magistrate, Champua, and authorized to file case under the Environment (Protection) Act – 1986, by virtue of the power conferred on him by the Central Government and as such he is the authorized person to file complaint. U/S.19 of the Environment (Protection) Act 1986 (Annexure-I & Annexure -II).

(II) That, the accused No-1 is having a lease hold area of 366.311-Hectors of land for raising Iron Ore at Khandabandha in the District of Keonjhar.

(III) That, the Accused No-1 got Environmental Clearance on 15.12.2008 to produce 1-Million Tone of Iron Ore per annum.

(IV) That, the Accused No-1 with the connivance of accused No-2 has produce minerals Since 1993-1994 till 2009-2010 and the Accused No-1 & 2 without obtaining Environmental Clearance have produce Iron Ore from 1993-1994 till 14.12.2008 which is evident from the Report of D.D.M., Joda.(Annexure-III)& Report of Regional Office, State pollution Control Board, Odisha Keonjhar(Annexure-IV)

(V) That, the Report of D.D.M., Joda & the Odisha State Pollution Control Board are based on the report/information of the accused as accused No-1 & 2 they are supposed to send the production & dispatch report to the concerned Mining Authority, State Pollution Control Board and Indian Bureau of Mines.

(VI) That, production of any minerals & production beyond the permissive quantity without having Environmental clearance amounts to violation of Environment (Protection) Act-1986.

(VII) That, the Environmental Impact Assessment Notification –1994 has made it mandatory to obtain an Environmental Clearance Certificate as the project has more then 5-Hectors of lease area. It is evident from the Annexure-III & Annexure-IV, that the accused No-1 is having 366.311-hectrs of Mining lease hold area.

(VIII) That, the Govt. of India Ministry of the Environment and Forest vides his Letter No.J-11015/1081/2007 – IA. II (M) dated.15.12.2008 addressed to the Secretary, Department of Environment Govt. of Orissa, Bhubaneswar has clearly observed that, the mine was in operation without obtaining requisite prior Environmental clearance as required under EIA Notification-1994 & 2006 (Annexure- V).

(IX) That, the forest and Environment Department, Govt. of Orissa responding to the direction of the Govt. of India Ministry of Environment & Forest requested the Collector, Keonjhar vide his Letter No.15479/F & E dated 17.08.2012

Environment Misc. Case No.33/2012 to establish or prove that he has obtained the Environmental Clearance during the period of production during 1993-1994 till 14.12.2008.but the accused persons failed to do so.

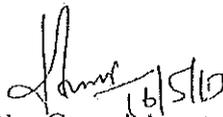
(XI) That, from the Official Record as well as the return filed by the Accused persons it is evident that the accused persons have produced Iron Ore from year 1993-1994 till 14.12.2008 without obtaining Environmental clearance and there by both the accused persons have violated the provision under Clause 1 (ii) of EIA notification-1994 as amended and Clause (ii) of EIA Notification-2006 and accordingly they are liable U/S.15 of the Environment (Protection) Act-1986

(XII) That, the Prosecution Report is filed within the period of limitation and the Hon'ble Court has the jurisdiction to try the Case.

Hence prayed that Cognizance of the Offence U/S. 15 of the Environment (Protection) Act-1986 be taken and processes be issued against him to face the trial and for which act of your kindness the Complainant shall ever pray.

Documents Relied on:-

1. - S.O.-394(E) Notification. Dt.16.04.1987.
2. - S.O.-2763(E) Notification Dt.10.11.2010.
3. - Report of D.D.M., Joda.
- 4.- Report of Orissa State Pollution Control Board.
5. - Letter of Govt. of India Ministry of Environment & Forest vides No-J-11015/1081/2007-1A II (M)/ Dt.15.12.2008.
6. - Letter of Forest Environment Govt. of Orissa No.15479/ F & E dated 17.08.2012


By the Complainant.

SUB-DIVISIONAL MAGISTRATE
C H A M P U A.
Dist- KEONJHAR. (ORISSA)

Complainant.