

F. No. 8-116/2002- FC (Vol.I)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi – 110 003

Dated: 30th October, 2018

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

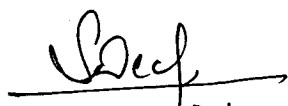
Sub: Diversion of balance 7.397 ha of Sabik Kisam forest land as on 25.10.1980 in addition to already diverted forest land of 66.38 ha. for Chromite mining in their Mahagiri Chromite Mine of 73.777 ha in Jajpur District, Odisha under Cuttack Forest Division by M/s Indian Metals & Ferro Alloys Ltd.

Sir,

I am directed to refer to the Government of Odisha's letter No. 10F (Cons) 61/2014-12033/F&E, Bhubaneswar, dated 29.06.2016 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under section-3 of the said Act, ***In-principle*** approval was granted vide this Ministry's letter of even number dated **20.10.2016** subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

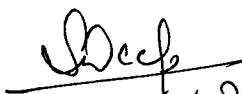
In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Pr. Chief Conservation of Forests & Nodal Officer (FCA), State Government of Odisha vide their letters No. 2003/9F(MG)-360/2016 dated 11.09.2017 and No. 1655/9F(MG)-360/2016 dated 01.08.2018, ***Stage-II/Final*** approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of balance 7.397 ha of Sabik Kisam forest land as on 25.10.1980 in addition to already diverted forest land of 66.38 ha. for Chromite mining in their Mahagiri Chromite Mine of 73.777 ha in Jajpur District, Odisha under Cuttack Forest Division by M/s Indian Metals & Ferro Alloys Ltd. subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation over the non-forest land equal in extent of forest land being diverted shall be raised by the State Forest Department on the identified land within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan from the funds deposited by the user agency in CAMPA Account;
- iii. The transferred and mutated non-forest land in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant

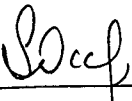

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Section(s) of the local Forest Act within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard;

- iv. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- v. The State Govt. shall ensure that the fencing, protection and regeneration of the safety zone shall be done within three years as per approved plan by the user agency at their cost in consultation with State Forest Department. The State Govt. also ensure that no mining shall be carried out in the land required to be maintained as safety zone all around the mining area;
- vi. 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 proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended in 2015 and the Rules framed there-under;
- vii. The State Govt. shall ensure that the User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- viii. The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
- ix. The State Govt. ensure that the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- x. The State Govt. and the user agency shall ensure that the boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost by the user agency, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- xi. The State Govt. and the user agency shall ensure that the mining may be carried out in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining 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, in the concerned State Government and the concerned Regional Office of the Ministry. 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. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.;
- xii. The State Govt. and the user agency shall ensure that the layout plan of the mining plan/proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. The State Govt. and the user agency shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;


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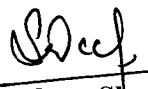
- xiv. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- xv. The State Govt. and the user agency shall explore the possibility of transplanting of maximum number of trees out of those identified for felling and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xvi. The State Govt. and the user agency shall implement the applicable recommendations of the State Government at the project cost;
- xvii. Following activities, as per approved plan / schemes, shall be implemented by the User Agency at their cost and State Govt. shall ensure that compliance report of all these activities are submitted to MoEF&CC regularly. User agency shall follow the direction of concerned DFO to implement all such activities as per plan:
- Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.
 - Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
 - Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28°; and
 - No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xviii. The State Govt. ensure that the User Agency shall implement the approved plan for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40) located in the area within 100 m. from outer perimeter of the mining lease in supervision of State Forest Department at the cost of user agency;
- xix. The State Government shall ensure that the process of settlement of rights has been completed in accordance with provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;
- xx. The State Govt. ensure that the User Agency shall mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining 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, in the concerned State Government and the concerned Regional Office of the Ministry. 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


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or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;

- xxi. The State Govt. ensure that the User Agency shall implement the approved plan for desilting of identified village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies in supervision of State Forest Department at the cost of user agency;
- xxii. The State Govt. shall ensure that the User Agency shall submit the annual self compliance report in respect of the above stated conditions and also to the conditions stipulated in Stage-I Clearance to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxiii. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- xxiv. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order(s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

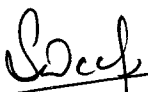
Yours faithfully,


(Sandeep Sharma) 30.10.18

Assistant Inspector General of Forests (FC)

Copy to:

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


(Sandeep Sharma) 30.10.18

Assistant Inspector General of Forests (FC)