

F. No. 8-17/2016-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj Jorbagh Road,
New Delhi-110003
Dated: 6th November, 2019

To

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

Sub: Diversion of balance 87.09 hectares of Sabik Kissam forest land as on 25.10.1980 in addition to already diverted forest land of 1225.78 ha for iron ore mining in their Bolani Ore Mines of 1321.45 ha. (5.1 Sq. Miles) in Keonjhar District, Odisha by M/s Steel Authority of India Limited (SAIL).

Sir,

I am directed to refer to the State Government of Odisha's letter No. 10F (Cons) 72/2014 (Pt.)/12108/F&E, Bhubaneswar dated 30th June 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), ***In-principle/Stage-I*** approval was granted vide this Ministry's letter of even number dated 12.09.2017 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 Government of Odisha vide their letter No. 169/9F (MG)-67/2016 dated 04.01.2019 and 13966/9F (MG)-67/2016 dated 07.08.2019, ***Stage-II/Final approval*** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of balance 87.09 hectares of Sabik Kissam forest land as on 25.10.1980 in addition to already diverted forest land of 1225.78 ha for iron ore mining in their Bolani Ore Mines of 1321.45 ha. (5.1 Sq. Miles) in Keonjhar District, Odisha by M/s Steel Authority of India Limited (SAIL), subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory afforestation over the identified degraded forest land shall be taken up as per approved plan/scheme by the Forest Department from the funds received by the user agency within a period of three years with effect from the date of issue of approval and maintained thereafter in accordance with the approved Plan. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- iii. 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;
- iv. The State Govt. shall ensure that the following activities, as per approved plan / schemes, shall be implemented at the cost of user agency:


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- a. 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 by the user agency at their cost in consultation with State Forest Department;
 - b. 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;
 - c. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
 - d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, and
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- v. The State Govt. shall ensure that fencing, protection and regeneration of the safety zone area shall be done within three year at the project cost from the issue of Stage-II Clearance. Besides this afforestation on identified degraded forest land in lieu of one & a half times of the area under safety zone shall also be done at the project cost within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan;
 - 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 MMDR Amendment Act,2015, as amended and the Rules framed there-under;
 - vii. 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 and the user agency shall provide firewood preferably 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;
 - ix. The State Govt. shall ensure that 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, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;
 - x. The State Govt. shall ensure that the User Agency shall carry out 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 or the Addl. Pr. Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.
 - xi. 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;
 - xii. The State Govt. and the user agency shall ensure that 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 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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- xvii. The State Govt. ensure that the State Forest Department shall implement approved plan/scheme for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- xviii. The State Govt. ensure that the State Forest Department shall implement approved plan/scheme for regularly desilting of identified village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies.
- xix. The State Govt. and the user agency shall ensure that the annual self - compliance report in respect of the above conditions shall be submitted to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- xx. The State Govt. and the user agency shall ensure that 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
- xxi. The State Govt. and the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully,



(Brijendra Swaroop)

Dy. Inspector General of Forest-cum-
Dy. CEO, CAMPA

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer (FCA), Office of the PCCF, Government of Odisha, Bhubaneswar.
3. The Deputy Director General (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC.
6. Guard File.