

F. No. 8-113/2000- FC (Vol. II)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110510
Date: 29th November, 2018

To,

The Principal Secretary (Forests),
State Governments of Odisha,
Bhubaneswar.

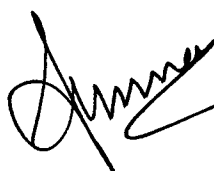
Sub: Diversion of balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha.

Sir,

I am directed to refer to the State Government of Odisha's letter no. 10F (Cons) 179/2014/1689 Forest & Environment, Bhubaneswar dated 28.01.2015 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 **25.02.2016** 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.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the vide their letters No. 7415/9F (MG)-72/2014 dated 05.04.2018 and 15830/9F (MG)-72/2014 dated 21.07.2018, ***Stage-II/Final approval*** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha subject to the following conditions:

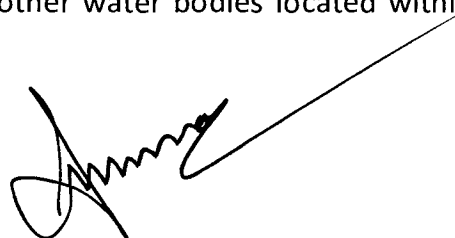
- 1 Legal status of the diverted forest land shall remain unchanged;



- 2 Compensatory afforestation over identified non-forest land equal in extent to the forest land being diverted and penal compensatory afforestation on identified degraded forest land shall be raised by the State Forest Department 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 in Ad-hoc CAMPA account by the user agency;
3. The non-forest land transferred so mutated in favour of the State Forest Department 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, 1927 latest within a period of six months from the date of issue of Stage--II approval;
- 4 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;
- 5 Following activities shall be undertaken by the user agency at their cost as per approved plan;
 - (a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three years with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the 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 dam, retention /toe walls along the contour 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, so as to ensure that angles of repose at any given place is less than 28° , and
 - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- 6 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;
- 7 The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
- 8 The State Govt. shall ensure that 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;
9. 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 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 coordinates;
10. 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;



11. The State Govt. and the user agency shall ensure that 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;
12. 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 proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under;
13. The State Government ensure that *the State Forest Department will implement the approved Regional Wildlife Management and approved Site Specific Wildlife Conservation Plan from the funds deposited by the user agency in the account of Adhoc CAMPA ;*
14. The State Govt. shall ensure that the State Forest Department will implement the approved plan /scheme for fencing, protection and regeneration of the safety zone area ;
15. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
16. The State Govt. and the user agency shall explore the possibility of translocation of maximum number of trees identified to be felled 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;
17. The State Govt. shall ensure that State Forest Department will implement the approved plan from the funds deposited in Ad-hoc CAMPA account by the user agency for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests located in the area within 100 m. from outer perimeter of the mining lease;
18. The State Govt. ensure that the user agency shall carry out mining in a phased manner as per the approved mining plan and take due care for reclamation of the mined over area and the concurrent reclamation plan shall also be executed by the User Agency as per the approved mining plan/scheme. An annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office, 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;
19. The State Govt. ensure that the User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF along with indicators for monitoring and expected observable milestones;
20. The State Govt. ensure that the user agency shall carry out de-silting of the village tanks and other water bodies located within five km from the mine



lease boundary so as to mitigate the impact of siltation of such tanks/water bodies at their cost in consultation with State Forest Department;

21. The State Govt. and the user agency shall ensure that the annual self-compliance report in respect of the above conditions and also to the conditions stipulated in stage-I Clearance dated 25.02.2016 for which undertakings given, shall be submitted to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;
22. 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
23. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully,


(Shrawan Kumar Verma)

Deputy Inspector General of Forests (FC)

Copy to:

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


(Shrawan Kumar Verma)

Deputy Inspector General of Forests (FC)

