

Government of India  
Ministry of Environment, Forest and Climate Change  
(FC Division)

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Indira Paryavaran Bhawan,  
Jor bagh Aliganj Road,  
New Delhi – 110003.

**Dated: 15th December, 2020**

To,

Addl. Chief Secretary (Forests),  
Government of Odisha,  
Bhubaneswar.

**Subject :Proposal for diversion of 120.838 ha of forest land for iron ore mining under Section 2 (ii) and for according permission under Section 2 (iii) of the Forest (Conservation) Act, 1980 for entire forest land 126.401 ha including safety zone area of 5.563 ha in favour of M/s Essar Steel India Ltd within their allotted Ghoraburhani-Sagasahi Iron Ore Block of 139.165 ha located in village Sagasahi, Kalmang, Ghoraburhani and Mendhamaruni PRF-I in Koira Tehsil and Koira Range under Bonai Forest Division of Sundargarh District, Odisha.**

Sir,

I am directed to refer to the State Government's letter No. 10F(Cons)-26/2018-17489/F&E dated 08.08.2018 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal was examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the said Act. After careful consideration of the proposal and recommendation by the FAC, and approval of competent authority in the Ministry, ***In-principle/Stage-I*** approval was accorded for diversion of 120.838 ha of forest land for iron ore mining under Section 2 (ii) and for according permission under Section 2 (iii) of the Forest (Conservation) Act, 1980 for entire forest land 126.401 ha including safety zone area of 5.563 ha in favour of M/s Essar Steel India Ltd within their allotted Ghoraburhani-Sagasahi Iron Ore Block of 139.165 ha located in village Sagasahi, Kalmang, Ghoraburhani and Mendhamaruni PRF-I in Koira Tehsil and Koira Range under Bonai Forest Division of Sundargarh District, Odisha vide this Ministry's letter of even number dated **06.03.2019** subject to fulfillment 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 State Government vide their letter no. 18092 9F (MG)-1/2018 dated 15.10.2020, ***approval*** of the Central Government is hereby accorded under Section-2 of the Forest (Conservation) Act, 1980 for subject diversion for opencast mining of limestone in favour of M/s Essar Steel India Ltd, subject to following conditions:

**A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:**

- i. The State Govt. shall ensure that the admissible identified non-forest land for raising

- compensatory afforestation shall be notified as RF/ PF;
- ii. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate.
  - iii. The State Govt. 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, distance from pillar to pillar and GPS co-ordinates;
  - iv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
  - v. State government may ensure that the KML files of diverted forest land and corresponding CA areas as approved by Government of India with requisite details are uploaded on e green watch portal.

**B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:**

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Govt. shall ensure that the State Forest Department will raise the Compensatory Afforestation in identified equal non-forest land in village Podadihi under Bansapal Tahasil of Keonjhar Forest Division in Keonjhar District in extent to the forest land being diverted within three years of Stage –II Clearance and maintained thereafter as per approved plan and At least 1000 plants per hectare shall be planted as per approved plan/scheme. The approved Soil and Moisture Conservation (SMC) activities on the CA land shall be carried out by the State Forest Department;
- iii. The State Govt. ensure that 5.563 ha of proposed safety zone shall be maintained as tree cover and should be enriched with indigenous species at the cost of the user agency under supervision of State Forest Department.
- iv. The State Govt. ensure that following activities shall be implemented by the user agency at the project cost under supervision of State Forest Department:
  - 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 280, and
  - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- v. 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 ;
- vi. The State Govt. ensure that the user agency will implement the approved plan /scheme for fencing, protection and regeneration of the safety zone area at their cost under supervision of State Forest Department;

- vii. 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 and the Rules framed there-under;
- viii. The State Govt. ensure that no labour camp shall be established on the forest land and 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;
- ix. The State Govt. 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;
- x. The State Govt. 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;
- xi. The State Govt. ensure that 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.
- xii. The State Govt. shall ensure that the user agency will implement the approved plan for gap planting and soil & moisture conservation activities at their cost under supervision of State Forest Department;
- xiii. The State Govt. 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 Integrated 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 concern Dy. Director General (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.
- xiv. 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;
- xv. It may please note that violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019;
- xvi. The mining lease holder shall, after ceasing mining operations, undertake re-grassing of the mining area, and any other areas which may have been disturbed due their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.
- xvii. The State Govt. shall ensure that the User Agency shall submit the annual self - compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly; and
- xviii. The State Govt. shall ensure that the user agency shall comply all 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,

**Sd/-**

**(Sandeep Sharma)**

Asstt. Inspector General of Forests

**Copy to:**

1. Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. Nodal Officer(FCA), Government of Odisha, Bhubaneswar.
3. Dy. Director General (Central), Integrated Regional Office, Bhubaneswar
4. Monitoring Cell of FC Divisions, MoEF&CC, New Delhi.
5. Guard file.

