

1. Government of Odisha vide their letter dated 28<sup>th</sup> July 2014 informed as below:

- (i) A proposal for diversion of 63.91 hectares of forest land excluding the forest land of 2.47 hectares coming within the safety zone out of total 66.38 ha of forest land within the applied ML area of 73.777 hectares in Mahagiri Chromite Mines of M/s. Indian Charge Chrome Limited (ICCL) in village Kaliapani No. 15 of Sukinda Tahasil of Jajpur district, Odisha during Original ML period, was earlier processed under Forest Conservation Rules, 2003 as per provisions of Para 4.7(i) of the FC Act guidelines for consideration of Govt. of India, Ministry of Environment & Forest for approval under Section – 2 of the Forest (Conservation) Act, 1980 during Original ML period vide F&E Department letter No.14708/F&E dt. 23.8.2002.
- (ii) The Government of India, MoEF, considered the above mentioned forest diversion proposal and accorded final approval for diversion of 63.91 hectares of forest land vide their letter F.No. 8-116/2002-FC dt. 18.5.2005 in favour of ICCL. An extent of 2.47 hectares of forest land coming within the total safety zone of 3.07 hectares of this lease, has not yet been diverted under provisions of Forest Conservation Act, 1980. As reported by PCCF, Odisha, the forest land of 63.91 hectares diverted earlier and 2.47 hectares of forest land within the safety zone proposed for diversion now, are based on the land schedule as per Hal settlement done after 1980. The user agency has undertaken to submit the details of land schedule of land of this lease as per sabik record as on 25.10.1980.
- (iii) Forest Clearance is co-terminus with the current lease granted in favour of ICCL under MMRD Act, 1957. Thereafter, the lease deed has been executed in favour of ICCL on 20.9.2005 for a period of 30 years. Therefore, the forest clearance granted for 63.91 ha. of forest land, as mentioned above is valid, till 19.9.2035.
- (iv) Meanwhile, M/s Indian Metals & Ferro Alloys Limited (IMFA) have merged ICCL with IMFA, the former Company ceases to exist and had further requested that such development may be intimated to Ministry of Environment & Forests, Government for their permission for transfer of lease with diverted forest land from ICCL to M/s IMFA as per para 2.8 of FC Act guidelines issued in 2004 by MoEF.
- (v) As per recommendation of the State Government in this regard, the MoEF, Government of India had accorded approval under FC Act, 1980 for transfer of lease in respect of 63.91 ha of forest land located in Mahagiri Chromite Mines of M/s Indian Charge Chrome Limited(ICCL) in village Kaliapani under Sukinda Tehsil of Jajpur district, Odisha from erstwhile M/s ICCL to M/s IMFA Ltd. for the balance

lease tenure i.e. till 19.9.2035 subject to fulfilment of two number of conditions vide their letter F. No.8-116/2002-FC dt. 26.9.2013.

- (vi) The Pr. CCF, Odisha vide his office letter No. 1568 dt. 24.1.2014 had informed that in compliance to condition No. (ii) of Gol, letter, M/s IMFA Ltd. have deposited an amount of Rs. 1,00,000/- towards 10% of Net Present Value of forest land on the date of transfer of mining lease from ICCL to IMFA Ltd. or Rs. 1,00,000/- whichever is minimum, through RIGS mode on 4.11.2013 in ADHOC-CAMPA Account in the Union Bank of India, Sundernagar Branch, New Delhi.
- (vii) Further, the M/s IMFA Ltd. have furnished an undertaking to abide by all the terms and conditions for diversion of 63.91 ha of forest land for Mahagiri Chromite Mines of erstwhile ICCL under FC Act prescribed by MoEF and also to abide by any other conditions which may be stipulated by the Central Government/ State Government in future.
- (viii) As has been reported earlier, this lease area is bounded by latitude 21°-01'-12" to 21°-12'-35" N and longitude 85°- 45'- 42" to 85°- 47'-16"E.
- (ix) As per provisions of Forest Conservation Act, 1980, forest land cannot be assigned without obtaining prior permission of MOEF, Government of India under Forest Conservation Act, 1980. Further the guidelines of MoEF bearing F.No.11-362/2012-FC dt. 1.2.2013 requires seeking diversion of entire forests land within the lease within a period of two years.
- (x) The Pr. CCF, Odisha has recommended the instant proposal for diversion of 2.47ha of forest land coming within the safety zone keeping in view of the above mentioned guidelines of MoEF bearing F.No.11-362/2012-FC dt. 1.2.2013 and recent guidelines of MoEF bearing F.No.11-73/2014-FC dt. 13.5.2014 prescribing simplified procedure for obtaining approval of MoEF for the forest land coming within the safety zone exclusively in the leasehold area.
- (xi) According to this simplified procedure prescribed by MoEF, Government of India, the forest diversion proposals pertaining to Mining leases which were earlier processed for diversion of entire forest land excluding the forest area within the safety zone as per provisions of para 4.7(i) of FC Act guidelines and final forest clearance for such extent of forest land, excluding forest area within safety zone, has already been obtained, State Government need to seek the prior permission of the Central Government for diversion of the balance forest land which is coming within the safety zone exclusively, giving details of the earlier proposal in letter form rather than initiating a fresh proposal.

- (xii) Pr. CCF, Odisha has reported about the following compliances to have been made in this proposal as per requirement of the above mentioned simplified procedure of MoEF for seeking diversion of forest land existing within the safety zone of this Mining lease.
- (a) An amount of Rs. 3, 88,70,900/- has been deposited towards Net Present Value of entire forest land of 66.38ha during original Mining lease period. Also an amount of Rs. 890/- has been realized from the lessee as interest amount for delayed payment of NPV. As such, NPV for 2.47ha. of forest land coming within the safety zone of this lease within total forest area of 66.38ha, has already been realized. The copies of documents showing demand notice of DFO, Cuttack and payment made by the lessee are enclosed.
  - (b) In compliance to condition of in-principle approval, an amount of Rs. 70,442/- has been deposited by the user agency for fencing, protection and regeneration of safety zone of 2.47ha. of forest land.
  - (c) In compliance to condition of in-principle approval, an amount of Rs. 39,628/- has been deposited by the user agency towards cost of afforestation over 1.5 times of safety zone area i.e. 3.705ha of degraded forest land.
  - (d) Collector, Jajpur has furnished compliance on Forest Rights Act pertaining to 2.47ha. of forest land in safety zone proposed for diversion. FRA certificates along with Gram Sabha resolution of Kaliapani village dt. 23.4.2013 and its English version has been furnished by the Collector, Jajpur. The copies of the relevant documents in this regard are enclosed.
  - (e) Further, as per provisions of Ministry of Environment and Forests, Government of India guidelines bearing F. No. 11-9/98 dated 8.7.2011, the user agency has submitted the required digital map of the forest land within the safety zone duly authenticated by ORSAC and Divisional Forest officer, Cuttack Forest Division, Mining Officials and Revenue official which is enclosed. The soft copy in CD-Form is also appended for reference. Further the user agency has also furnished DGPS survey of Mining lease boundary superimposed on High Resolution satellite image of Mahagiri Chromite mines duly authenticated by the DFO, Cuttack and ORSAC which is enclosed.
  - (f) Copy of ML area Map showing the Forest land in safety zone and entire safety zone area duly authenticated by Collector, Jajpur and Dy. Director of Mines, Jajpur Road are enclosed.

- (g) Copy of the land schedule of forest land coming within the safety zone proposed for diversion, duly authenticated by Tahasildar, Danagadi and DFO, Cuttack is enclosed.
  - (h) The lessee has furnished an undertaking to provide the details of land schedule as on 25.10.1980 as per sabik record which is enclosed.
2. Government of Odisha in their said letter dated 7<sup>th</sup> August 2014 requested that the above information may kindly be taken in to account as per GoI, MoEF simplified procedure bearing F.No.11-73/2014-FC dated 13.5.2014 and further steps be taken by the Ministry for according approval for diversion of 2.47ha. of forest land earmarked to be maintained as Safety Zone within the applied ML area of 73.777ha in Mahagiri Chromite Mines of M/s Indian Metals & Ferro Alloys Ltd (IMFA) in village Kaliapani No. 15 of Sukinda Tahasil of Jajpur district, Odisha in addition to 63.91 ha of forest land already diverted during Original ML period and approval of the Ministry under Forest Conservation Act, 1980 in this context may be conveyed to them. .
  3. The proposal is placed before the Forest Advisory Committee for their examination and appropriate recommendations.

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