

STATE FOREST HEADQUARTERS
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF, ODISHA
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Dated, Bhubaneswar the 21st March 2022

From

Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

The Assistant Inspector General of Forests (FC)
Government of India, MoEF & CC (FC Division)
Indira Paryavaran Bhawan
Aliganj, Jorbagh Road, New Delhi-110003

Sub: **Diversion of balance forest land of 401.7824 ha including 7.2807 of safety zone out of total forest land of 519.7472 ha within total Mining Lease area of 618.576 ha for Iron Ore Mining in Gandhamardan (Block-A) Mining lease in Keonjhar District, Odisha of M/s Odisha Mining Corporation Ltd. during 2nd Renewal of Mining lease period-Stage-I Compliance regarding.**

Ref: GoI, MoEF & CC, New Delhi, Letter F. No. 8-27/2016-FC dated 05.04.2019.

Sir,

In reference to the above mentioned subject, I wish to inform that Government of India, Ministry of Environment, Forest & Climate Change, New Delhi have accorded Stage-I approval vide their Letter F. No. 8-27/2016-FC dated 05.04.2019 for diversion of balance forest land of 401.7824 ha including 7.2807 of safety zone out of total forest land of 519.7472 ha within total Mining Lease area of 618.576ha for Iron Ore Mining in Gandhamardan (Block-A) Mining lease in Keonjhar District, Odisha of M/s Odisha Mining Corporation Ltd. during 2nd Renewal of Mining lease period subject to fulfilment of thirty five (35) nos of conditions stipulated therein. The User Agency has complied all the conditions imposed by Govt. of India, MoEF & CC, New Delhi as well as six (6) nos of additional conditions imposed by the State Government. The point wise compliance basing on the reports of the DFO, Keonjhar Division and RCCF, Rourkela Circle are as follows:-

i. Legal status of the diverted forest land shall remain unchanged

In compliance to the above, the user agency has furnished an undertaking duly countersigned by the DFO Keonjhar Division that the legal status of forest land proposed for diversion shall remain unchanged which is enclosed at Sl.No. 1 of Annexure-1.

- ii. *Compensatory afforestation shall be raised over the non-forest land equal in extent to the forest land being diverted within three years of Stage-II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified non-forest land. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance;*

In compliance to the above, the RCCF Rourkela Circle reported that the compensatory afforestation scheme has been prepared by DFO, Kalahandi (S) Division over an area of 401.7824 ha of Non-Forest Govt. land identified in village Khamarpadar under Thuamul Rampur Tahasil equal in extent to the forest area proposed for diversion which has been approved by the PCCF (FD & Nodal Officer, FC Act) at the current wage rate of Rs.315/- per man day with a total financial outlay of Rs 17,38,13,700/- for plantation of 4,28,872 nos. of plants to be raised by the State Forest Department within three years of grant of stage-II forest clearance including maintenance period of ten years. Since the number of saplings approved in the CA scheme are more than the stipulated norm of 1000 plants/ha, planting of balance saplings in other forest areas may not be required. The copy of the approved CA scheme along with the financial outlay is enclosed as **Annexure-II series**. The User Agency has deposited Rs.17,38,13,700/-, part payment of Rs.17,38,57,100/- through RTGS vide UTR No.UBINJ22045024404 dated 14.02.2022 in ORISSA CAMPA account No.150825813031946 of Union Bank of India, Lodhi Complex Branch, New Delhi and copy of RTGS receipt in support of proof of the deposit is enclosed as **Annexure-XIV**.

- iii. *25% of CA cost will be deposited extra by the user agency for soil and moisture conservation (SMC) activities on the CA land;*

In compliance to the above, the RCCF Rourkela Circle reported that the CA scheme over 401.7824 ha has been approved with a total financial outlay of Rs 17,38,13,700/- including Rs 2,71,11,195.59 towards cost of soil moisture conservation (SMC) activities which is 24.98 % or Say 25% of total plantation cost of Rs 10,85,16,782.00 approved by the PCCF (FD & Nodal Officer, FC Act) excluding cost of additional escalation cost (20%) and chain link fencing. The details are given as under for clarity.

| Sl. No | Plantation Proposal | *Cost of plantation in Rs | Cost of SMC in Rs. |
|--|--|---------------------------|-----------------------|
| 1 | 219.1804 ha of Bald Hill plantation | 94269571.00 | 25131224.66 |
| 2 | 58.859 ha of ANR with 800 plants per ha | 6850635.00 | 741623.40 |
| 3 | 77.7430 ha of ANR with 400 plants per ha | 5833829.00 | 832627.53 |
| 4 | 46.00 ha of ANR without Gap. | 1562747.00 | 405720.00 |
| Total | | 10,85,16,782.00 | 2,71,11,195.59 |
| *Does not include the cost towards Angle Iron & Chain link mesh fencing and escalation @20%. | | | |

- iv. Out of 401.7824 ha, user agency is allowed to use only 191.7762 ha forest land. Balance forest land shall be retained as green cover at the cost of user agency.*

In compliance to the above, the RCCF Rourkela Circle reported that 210.0062 ha (401.7824 ha – 191.7762 ha) of forest land shall be retained as green cover within Gandhamardan Block-A Iron Ore Mines and a scheme has been approved by RCCF, Rourkela Circle with a total financial outlay of Rs.85,61,400/- at the wage rate of Rs.315/- per man day to be retained as green cover. The copies of the letter of approval and approved scheme are enclosed vide **Annexure-III**. The user agency has furnished an undertaking at **Sl. No. 2 of Annexure-I** duly countersigned by the DFO Keonjhar Division to implement the scheme as per the approved cost.

- v. State Government shall submit a revised approved mining plan with production capacity of 2.5 MTPA as envisaged in the subcommittee report prior to Stage-II.*

In compliance to the above, the RCCF Rourkela Circle reported that the Regional Controller of Mines, IBM, Bhubaneswar vide Letter No. MRMP/A/36-ORI/BHU/2020-21/2433 dt.12.01.2021 has approved modification of review of Mining Plan along with Progressive Mine Closure Plan over an area of 618.576 ha for production of 2.88 MTPA of Iron Ore (including waste 0.331 Million CuM) at Gandhamardan Block-A Iron Ore Mines. The copies of the approval letter of the Regional Control of Mines, Bhubaneswar and approved mining plan are enclosed vide **Annexure-IV**.

- vi. Shape file of 191.7762 ha shall be submitted.*

In compliance to the above, the RCCF Rourkela Circle reported that the DFO, Keonjhar Division has submitted the shape file of 191.7762 ha in the form of a CD which is enclosed herewith for reference.

- vii. Shape file of the balance area which is proposed to be kept as green cover shall also be submitted.*

In compliance to the above, the RCCF Rourkela Circle reported that the DFO, Keonjhar Division has submitted the shape file of the balance forest area over 210.0062 ha (401.7824 ha–191.7762 ha) proposed to be retained as green cover in the form of a CD which is enclosed herewith for reference.

- viii. User agency shall prepare a detail CA scheme for non-forest area equivalent to 401.7824 ha of forest area being diverted.*

In compliance to the above, the RCCF Rourkela Circle reported that the CA scheme over 401.7824 ha of Non-Forest Govt. land (equivalent to the forest area being diverted) in village Khamarpadar under Thuamul Rampur Tahasil of Kalahandi District has been approved with a total financial outlay of Rs 17,38,13,700/- @ wage rate of 315/- per manday with 10 year maintenance. The details of CA scheme over 401.7824 ha identified in village Khamarpadar under Thuamul-Rampur Tahasil is given below:

| Name of village | Name of Tahasil | Type of Plantation | Area (in ha) | No. of seedlings to be planted per ha | Total Seedlings (in No.) | Remarks |
|-----------------------|-----------------|--------------------|-----------------|---------------------------------------|--------------------------|---------|
| Khamarpadar | Th-Rampur | Bald Hill | 193.209 | 1600 | 309134 | |
| Do | Do | ANR with Gap | 77.7430 | 400 | 31097 | |
| Do | Do | ANR with Gap | 58.8590 | 800 | 47087 | |
| 2 nd Patch | Do | Bald Hill | 25.9714 | 1600 | 41554 | |
| Do | Do | ANR without Gap | 46 | - | - | |
| | | Total | 401.7824 | | 428872 | |

ix. *The non-forest area identified for CA, shall be mutated in the name of forest department and shall be notified as PF/notified u/s 4 of IFA, 1927, prior to stage II approval. Thus, the admissible identified non-forest land for raising compensatory afforestation shall be transferred, mutated and notified by the State Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act in favour of the State Forest Department before issue of the Stage-II clearance;*

In compliance to the above, the RCCF Rourkela Circle reported that the non-forest Govt. land over 401.7824 ha identified in village Khamarpadar under Thuamul Rampur Tahasil of Kalahandi District has been mutated in favour of the State Forest Department as per the RoR issued by the Tahasildar, Thuamul Rampur vide Memo No.229 dt 12.02.2021 over 804.43 Acr, vide Memo No. 983 dt 11.08.2021 over 10.55 Acr. and vide Memo No. 2297 dt 10.07.2020 over 177.84 Acr. in village Khamarpadar under Thuamul Rampur Tahasil of Kalahandi District.

Subsequently, the State Government in FE&CC Department have notified the area over 814.98 Acr. or 329.811 ha as “**Khamarpadar Protected Forest-A**” vide Notification No. FE-DIV-FLD-0070-2021-22741/FE&CC dt 23.12.2021 and over 177.84 Acr. or 71.9714 ha as “**Khamarpadar Protected Forest-B**” vide Notification No. FE-DIV-FLD-0070-2021-22748/FE&CC dt 23.12.2021 under Section 33 of Odisha Forest Act, 1972. The copy of the RoRs and PF notifications are enclosed vide **Annexure-V Series**.

x. *Decision on the approval of Stage-II for balance 76.7206 ha out of 117.9648 ha may be taken by MoEF& CC separately as per the procedure followed in the Ministry.*

In compliance to the above, the RCCF Rourkela Circle reported that the DFO, Keonjhar Division has reported that after detailed deliberation on the proposal submitted by the user agency and basing on the recommendation by FAC in their meeting held on dt 21.02.2019, MoEF& CC vide letter No.8-105/2006-FC dt 22.03.2021 have conveyed the final approval for balance 76.7206 ha of forest land. The copy of the Stage-II Forest Clearance is enclosed as **Annexure-VI**.

xi. The prescription made in the scientific study on Biodiversity and its conservation for forest land around Gandhamardan Region shall be followed strictly.

In compliance to the above, the RCCF Rourkela Circle reported that the user agency has deposited Rs.9,54,17,000/- in ORISSA CAMPA Account No.150825885700538in Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No. ANDBH 18214486246 dt 02.08.2018 for implementation of the prescription provided in the Biodiversity Conservation Plan prepared by NIT, Rourkela and approved by PCCF &HoFF, Odisha on dt 12.07.2018 for Gandhamardan Block-A & Block-B Iron Ore Mining, and its surrounding Region which are being done by the State Forest Department by utilizing the funds deposited by the user agency. The copy of the demand letter by DFO, Keonjhar, copy of the RTGS receipt in support of proof of the deposit by the user agency and approved financial outlay are enclosed vide **Annexure-VII Series**. The cost of Biodiversity Plan has been deposited by the UA against the diversion of 1177.211 ha forest land in Gandhamardan Block-B Iron Ore Mines.

xii. Activities proposed by DFO, Keonjhar to implement the Biodiversity Conservation Plan should be ensured by State Government.

In compliance to the above, the RCCF Rourkela Circle reported that the State Government has communicated the various prescriptions made in the scientific study on Biodiversity and its conservation for forest land around Gandhamardan Region to be implemented by the DFO, Keonjhar by utilizing the funds deposited by the user agency.

xiii. User Agency shall take up intensive Soil & Moisture Conservation Measures in the lease area and to stack top soil separately in an earmarked area within the area proposed for dumping of overburden.

In compliance to the above, the DFO, Keonjhar Division has reported that a scheme over 210.0062 ha of forest land to be retained as green cover within Gandhamardan Block-A Iron Ore Mines has been technically approved with a financial outlay of Rs. 85,61,400/- @ current wage rate of Rs.315/- per MD in which it has been proposed to take up plantation in ANR (without gap) mode along with soil & moisture conservation activities. The copies of letter of approval and approved scheme are enclosed as **Annexure-III**. The scheme will be implemented by the user agency as per the approved cost. The amount of top soil to be generated shall be stacked separately in an earmarked area within the area proposed for dumping of overburden. This will be utilized for plantation on the dump subsequently.

Further, a scheme for management of top soil has been technically approved with a financial outlay of Rs.2,78,57,200/- at the wage rate of Rs.315/- per man day by the RCCF, Rourkela. The recommendation of the scheme is being implemented by the user agency. The copies of the said memo and approved scheme is enclosed as **Annexure-VIII**.

The User Agency has furnished an undertaking duly countersigned by the DFO Keonjhar Forest Division which is enclosed at **Sl. No.3 of Annexure-I** to take up intensive soil and moisture conservation measures within the Mining Lease area and stack top soil in a separate area within the area proposed for dumping of overburden. .

xiv. Following activities shall be undertaken by the user agency at the project cost:

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.

In compliance to the above, a scheme for Mitigative measures to minimize soil erosion and choking of stream has been technically approved by the RCCF, Rourkela with a financial outlay of Rs.26,49,600/- at the wage rate of Rs.315/- per man day. The copy of the approval and approved scheme is enclosed as **Annexure-IX**. An undertaking by the user agency is furnished at **Sl. No. 4 of Annexure-I** duly countersigned by the DFO Keonjhar Division to implement the recommendations within a period of three years from the date of stage-II approval 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;

In compliance to the above, a scheme for planting of adequate drought hardy plant species and sowing of seeds within the ML area to arrest soil erosion in accordance with the scheme approved with a financial outlay of Rs. 10,50,600/- at the wage rate of Rs.315/- per man day by the RCCF, Rourkela. The copy of the approval letter and approved scheme is enclosed as **Annexure-X**. An undertaking by the user agency is furnished at **Sl. No. 5 of Annexure-I** duly countersigned by the DFO Keonjhar Forest Division to implement the recommendations 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;

In compliance to the above, a scheme for construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour has been technically approved with a financial outlay of Rs. 21,45,300/- by the RCCF, Rourkela at the wage rate of Rs.315/- per man day. The copy of the approval letter and approved scheme are enclosed as **Annexure-XI**. An undertaking has been furnished by the user agency at **Sl. No. 6 of Annexure-I** duly countersigned by the DFO Keonjhar Forest Division to implement the recommendations 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*

In compliance to the above, the DFO, Keonjhar Division has reported that a scheme to stabilize the overburden dumps by appropriate grading/benching so as to ensure that angles of repose at any given place is less than 28° has been approved with a financial outlay of Rs. 5,38,07,500/- by the RCCF, Rourkela at the wage rate of Rs.315/- per man day. The copy of the approval letter and approved scheme is enclosed as **Annexure-XII**. An undertaking by the User Agency is furnished at **Sl. No. 7** of **Annexure-I** duly countersigned by the DFO Keonjhar Forest Division to implement the recommendations in accordance with the approved scheme.

- e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.*

In compliance to the above, the DFO Keonjhar Division has reported that a scheme for management of top soil has been technically approved with a financial outlay of Rs. 2,78,57,200/- by the RCCF, Rourkela at the wage rate of Rs.315/- per man day. The compliance and undertaking has already been given against **Condition No. xiii** above.

- xv. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;*

In compliance to the above, the RCCF Rourkela Circle has reported that the land identified for the purpose of CA in village Khamarpadar under Thuamul Rampur Tahasil of Kalahandi District has been depicted on the Survey of India Topo Sheet No. E 44 E 15 on 1:50,000 scale and the map is enclosed herewith as **Annexure-XIII**, duly authenticated by DFO Kalahandi (South) Division Division and Tahasildar Thuamul-Rampur Tahasil.

- xvi. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;*

In compliance to the above, the RCCF Rourkela Circle has reported that the user agency has deposited a sum of **Rs.17,38,13,700/-** part deposit of Rs.17,38,57,100/- through RTGS vide UTR No UBINJ 22045024404 dt.14.02.2022 in ORISSA CAMPA Account No. 150825813031946 of Union Bank of India, Lodhi Complex Branch, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 towards cost of Compensatory Afforestation at the current wage rate of Rs.315/- per MD. The approved CA scheme includes appropriate provision for anticipated cost increase for works scheduled for subsequent years. The copy of the demand letter of DFO, Keonjhar and copy of RTGS receipt in support of proof of the deposit by the user agency are enclosed as **Annexure-XIV series**.

xvii. *The User Agency shall transfer the funds for the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 through online portal of CAMPA account of the State Concerned;*

In compliance to the above, the RCCF Rourkela Circle has reported that an amount of Rs,46,19,25,521/- has been deposited by the user agency towards cost of NPV. The density of vegetation and the rate of NPV per ha are given as under:

| Sl. No. | Area (in ha) | Density of vegetation | Rate of NPV | Amount due (in Rs.) | Amount Deposited (in Rs.) |
|--------------------|-----------------|-----------------------|-------------|---------------------|---------------------------|
| 1 | 64.7242 | 0.1 | 5,80,000.00 | 3,75,40,036.00 | 17,70,46,536.00 |
| 2 | 151.6375 | 0.35 | 9,20,000.00 | 13,95,06,500.00 | |
| 3 | 303.3855 | 0.4 | 9,39,000.00 | | 28,48,78,985.00 |
| Grand Total | 519.7442 | | | | 46,19,25,521.00 |

The payment details are given as under:

| Sl. No. | Amount deposited | UTR/DD No. | Date |
|--------------|------------------------|-------------------|---------------|
| 1 | 17,70,46,536.00 | 018947 | Dt 19.04.2006 |
| 2 | 18,99,19,323.00 | 650824 | Dt 21.07.2010 |
| 3 | 3,15,52,092.00 | 650916 | Dt 23.07.2010 |
| 4 | 6,34,07,570.00 | SBINH 13075323527 | Dt 16.03.2013 |
| Total | 46,19,25,521.00 | | |

It is pertinent to mention that M/s OMC Ltd had deposited Rs 17,70,46,536/- through DD bearing No. 018947 dated 19.04.2006 drawn in favour of DFO, Keonjhar Division and subsequently the said amount alongwith the levies received from other lessees under Keonjhar Forest Division had been deposited by the DFO, Keonjhar Division through **DD No. 083747 dated 15.06.2006** amounting to **Rs 92,23,88,274/-**. The project wise and component wise breakup of the consolidated remittance of Rs. 92,23,88,274/- which includes Rs.17,70,46,536/- against Gandhamardan Block-A Iron Ore Mines is given as under for reference:

| Sl.No. | User Agency | Details | Amount in Rs |
|--------------|--|--|------------------------|
| 1 | Unchaballi Iron Ore Mines of M/s IndraniPattanaik | NPV,CA& Safety Zone | 2,82,38,082.00 |
| 2 | OMC Gandhamardan Block-B | NPV | 16,02,31,760.00 |
| 3 | OMC Gandhamardan Block-A | NPV | 17,70,46,536.00 |
| 4 | OMC S.G.B.K. | NPV | 19,83,42,290.00 |
| 5 | OMC Tiringpahar | NPV | 5,45,20,920.00 |
| 6 | Inganijharan Iron Ore Mines of M/s Dr Sarojini Pradhan | Safety zone | 26,138.00 |
| 7 | OMC Serenda- Bhadrasahi | NPV | 21,14,40,340.00 |
| 8 | OMC Dalki | NPV | 8,39,70,500.00 |
| 9 | Khandabandh Iron Ore Mines of M/s TISCO | Safety Zone | 81,80,973.00 |
| 10 | Bamebari Iron Ore Mines of M/s TISCO | Safety Zone | 2,38,499.00 |
| 11 | Tiringpahar Iron Ore Mines of M/ TATA Steel Ltd. | CA, Safety zone & 1.5 times safety zone. | 1,52,236.00 |
| Total | | | 92,23,88,274.00 |

The copy of Demand Draft No. 083747 dated 15.06.2006 of DFO, Keonjhar are enclosed herewith as **Annexure-XV series**.

xviii. At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

In compliance to the above, the RCCF Rourkela Circle has reported that an undertaking has been furnished by the user agency duly countersigned by DFO Keonjhar Division to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India which is enclosed at **Sl. No.8 of Annexure-I.**

xix. Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done within three year at the project cost from the issue of Stage-II Clearance. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost; The degraded forest land (DFL) so selected will be informed to the MoEF& CC with shape files and afforestation will be done within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department;

In compliance to the above, the RCCF Rourkela Circle has reported that the work of fencing, protection and regeneration over 3.029 ha (2.729 ha + 0.30 ha village road) of safety zone has been completed during the year 2019-20 i.e. within a period of three years by utilizing the funds of Rs.96,38,100/- deposited by the user agency (part deposit of Rs.57,54,86,321/-) through e-portal in Ad-hoc CAMPA through RTGS, Trans. No. 0275/0001 dt.14.02.2013 as per the demand raised by the DFO Keonjhar Division. The copy of the documents in this regard is enclosed herewith as **Annexure-XVI.**

In compliance to the observation made in the second part of the above paragraph, the DFO, Keonjhar Division has reported that the plantation over 4.5435 ha (1.5 times the area under safety zone) of degraded forest land identified in Barabanka RF under Ghatgaon Range of Keonjhar Forest Division has already been carried out during the year 2019-20 by utilizing the funds of Rs.13,55,600/- deposited by the user agency (part deposit of Rs 57,54,86,321/-) through RTGS, Trans. No. 0275/0001 dt.14.02.2013 in the Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003. Copy of the documents in this regard is enclosed as **Annexure-XVII.**

xx. User Agency should ensure that the Compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;

In compliance to the above, the RCCF Rourkela Circle has reported that the user agency has deposited all the compensatory levies through challan generated online during post 2014 period. The justification of payment through DDs during pre-2014 period is given as under:

As per the demand raised by DFO, Keonjhar vide letter No.1756 dt 28.03.2006, M/s OMC Ltd had deposited **Rs.17,70,46,536/-** towards NPV through DD No. 018947 dt 19.04.2006 drawn in favour of DFO, Keonjhar Division vide letter No. 8122/OMC/F&E/06 dt 20.04.2006 and subsequently the said amount alongwith the levies received from other lessees under Keonjhar Forest Division had been deposited by the DFO, Keonjhar Division through **DD No. 083747 dated 15.06.2006** amounting to **Rs.92,23,88,274/-**.

The User Agency vide letter No.14328/OMC/F&E/10 dt 23.07.2010 had deposited **Rs.22,14,71,415/-** which included Rs.18,99,19,323/- vide **DD No.650824 dt 21.07.2010** and Rs.3,15,52,092/- vide **DD No.650916 dt 23.07.2010** drawn in favour of Compensatory Afforestation Fund (CAF), Orissa A/c No.CA-1585 in Corporation Bank as per the demand raised by DFO, Keonjhar Division.

Further, the User Agency vide letter No.3633/OMC/F&E/2013 dtd. 18.03.2013 had transferred **Rs.6,34,07,570/-** online through RTGS mode vide **UTR No. SBINH 13075323527 dt 16.03.2013** in Corporation Bank, Lodhi Complex, New Delhi as per the demand raised by DFO, Keonjhar vide letter No.1946/Mining dtd. 11.03.2013.

The details of compensatory levies deposited by M/s OMC Ltd. duly signed by the DFO, Keonjhar Forest division and countersigned by the CCF(FD & Nodal Officer, FC Act) in the prescribed format is enclosed as **Annexure-XVIII**.

xxi. State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;

In compliance to the above, the RCCF Rourkela Circle has reported that the Collector, Keonjhar vide Letter No. 2685 dt. 31.12.2014 has issued Certificate under FRA, 2006 over total forest land of 519.7472 ha included within the Mining Lease area. The copy of the FRA, Certificate along with its enclosures is enclosed as **Annexure-XIX**.

xxii. 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;

In compliance to the above, the RCCF Rourkela Circle has reported that the validity of Mining Lease has been extended up to 20.05.2033 through a lease deed executed on dt 21.12.2017. The user agency has furnished an undertaking duly countersigned by DFO Keonjhar Division to maintain the validity of the Forest Clearance co-terminus with the validity of the lease period which is enclosed at **Sl.No.9 of Annexure-I**.

xxiii. *The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;*

In compliance to the above, the RCCF Rourkela Circle has reported that the Environmental Clearance (EC) for production of 0.35 MTPA of Iron Ore has been granted by MoEF& CC vide Letter No. J-11015/1088/2007-IA.II (M) dt. 16.01.2009. Copy of the EC is enclosed as **Annexure-XX**.

xxiv. *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.*

In compliance to the above, the RCCF Rourkela Circle has reported that the user agency has furnished an undertaking at **Sl. No.10** of **Annexure-I** that no labour camp shall be established by the user agency on the forest land and another undertaking at **Sl. No. 11** of **Annexure-I** that OMC shall provide fuel preferably alternate fuels to the labourers and the staff working so as to avoid any damage and pressure on the nearby forest areas. The DFO Keonjhar Division has duly countersigned the undertaking.

xxv. *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;*

In compliance to the above, the RCCF Rourkela Circle has reported that the boundary of the diverted forest land, mining lease and safety zone has been demarcated on ground at 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. Photographs of the boundary pillars are enclosed herewith as **Annexure-XXI**.

xxvi. *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;*

In compliance to the above, the User Agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which enclosed at **Sl. No. 12** of **Annexure-I** to the effect that the layout plan of the mining plan/proposal will not be changed without the prior approval of the Central Government and the forest land will not be used for any purpose other than that specified in the proposal.

xxvii. *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;*

In compliance to the above, the user agency has furnished an undertaking at **Sl. No. 13** of **Annexure-I** duly countersigned by DFO Keonjhar Division that the forest land proposed to be diverted will under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.

xxviii. No damage to the flora and fauna of the adjoining area shall be caused;

In compliance to the above, the user agency has furnished an undertaking duly countersigned DFO Keonjhar Division which is enclosed at **Sl. No. 14 of Annexure-I** that no damage to the flora and fauna of the adjoining area will be caused.

xxix. 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.

In compliance to the above, the user agency has furnished an undertaking duly countersigned DFO Keonjhar Division which enclosed at **Sl. No.15 of Annexure-I** that the user agency will 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.

xxx. User agency either himself or through the State Forest Department shall undertake 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. The plan for plantation and SMC activities will be prepared and submitted to MoEF& CC before Stage-II Clearance;

In compliance to the above, a scheme for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40) has been approved with a financial outlay of Rs.5,67,800/- at the current wage rate of Rs.315/- per man day by the RCCF, Rourkela. The details of demand and payments made by the user agency are given as under:

| Sl. No. | Demand raised by DFO, Keonjhar vide Letter No/date | Amount Rs.5,67,800/- paid in 3 Phases | Deposited by OMC vide UTR No./date |
|---------|--|---|---|
| 1 | 9223/6F-Mining-196/2016 dtd 11.10.2019 | 512700/- | ANDBN 19239755402 dtd. 29.10.2019 |
| 2 | 10546/6F-Mining-196/2016 dtd 06.12.2019 | 11700/- | ANDBN 19241868554 dtd. 27.12.2019 |
| 3 | 647/Mining-98/2021 dtd 25.01.2022 | 43400/-(Part of deposit of Rs 17,38,57,100/-) | UBINJ 22045024404 dtd. 14.02.2022 for Rs. 17,38,57,100/- which includes Rs. 43400/- |
| | Total | 5,67,800/- | |

The copy of the scheme, demand letters of DFO, Keonjhar and RTGS receipts in support of proof of the deposit by the user agency are enclosed herewith as **Annexure-XXII Series**.

xxxi. The User Agency shall undertake 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 concern Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.

In compliance to the above, the RCCF Rourkela Circle has reported that the mining is being carried out in a phased manner as per the mining plan with progressive mine closure plan approved by IBM, Bhubaneswar vide letter No. MRMP/A/36-ORI/ BHU/2020-21 dt.12.01.2021. The user agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No. 16 of Annexure-I** that reclamation plan as per the approved Mining Plan shall be executed by the user agency and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980 and to Integrated Regional Office, MoEF& CC, Bhubaneswar.

xxxii. The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km. from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed approved plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF& CC before Stage-II approval;

In compliance to the above, a scheme for desilting of four village tanks/water bodies within a radius of 5km from the ML boundary has been prepared by DFO, Keonjhar indicating the length & width and location with GPS coordinates of the corner points has been approved with a financial outlay of Rs.15,52,300/- at the wage rate of Rs.315/- per man day by the RCCF, Rourkela. The User Agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.17 of Annexure-I** to carry out desilting of four tanks/water bodies located within 5 Km from the mine lease boundary as per the approved scheme. The copy of the approval letter and approved scheme are enclosed herewith as **Annexure-XXIII series**.

xxxiii. 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 every year regularly;

In compliance to the above, the user agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.18 of Annexure-I** to submit the annual self-compliance report in respect of the above stated conditions to the State Government, Integrated Regional Office, MoEF& CC, Bhubaneswar and to MoEF& CC, New Delhi every year regularly.

xxxiv. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and

In compliance to the above, the User Agency has submitted an undertaking duly countersigned by DFO Keonjhar Division at **Sl. No.19 of Annexure-I** that if any other condition that the Regional Office, MoEF& CC, Bhubaneswar will impose in the interest of conservation, protection and development of forests & wildlife will be complied by the user agency.

xxxv. 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.

In compliance to the above, the User Agency has submitted an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.20 of Annexure-I** that 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 will be complied by the user agency.

The State Government, F&E Department, Odisha has imposed six additional conditions vide letter No. 10F (Cons) 50/18 8235/F&E dtd. 26.04.2019.

a. The User Agency shall pay towards cost of removal of trees enumerated before commencement of work on Stage-II approval and tree felling should be taken up in phases strictly as per requirement under the supervision of the Divisional Forest Officer, Keonjhar Forest Division.

In compliance to the above, the User Agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.21 of Annexure-I** to pay towards cost of removal of trees enumerated before commencement of work on Stage-II approval and tree felling will be carried out in phases strictly as per requirement under the supervision of the DFO, Keonjhar.

b. Evaluated royalty of trees enumerated and required to be felled for the project, shall be deposited by the User Agency.

In compliance to the above, the User Agency has submitted an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.22 of Annexure-I** to abide by the norms stipulated by the State Government regarding payment of the Evaluated royalty of trees enumerated and required to be felled for the project.

c. 7.2807 ha of forest land is to be maintained as safety zone and in no circumstance, it shall be used for mining and other allied activities.

In compliance to the above, the User Agency has submitted an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.23 of Annexure-I** that 7.2807 ha of forest land is to be maintained as safety zone and in no circumstance, it will be used for mining and other allied activities.

- d. *The User Agency shall undertake demarcation of the lease area on the ground posting four feet high cement concrete pillars embedded two feet inside the soil with serial number, forward and backward bearings, and distance from pillar to pillar. The User Agency shall also submit the map of lease area showing different kinds of forest land using DGPS survey data and latitude and longitude of each pillar to the Divisional Forest Officer, Keonjhar for his reference before commencement of work on final forest clearance.*

In compliance to the above, the RCCF Rourkela Circle has reported that the Mining Lease boundary has been demarcated on the ground by posting four feet high cement concrete pillars embedded two feet inside the soil with serial number, forward and backward bearings and distance from pillar to pillar. Photographs of the same are enclosed herewith as **Annexure-XXI**.

Further, the ORSAC vetted map of lease area showing different kinds of forest land using DGPS survey data and latitude and longitude of each pillar has been furnished by the User Agency. The copy of the map is enclosed herewith as **Annexure-XXIV**.

- e. *Penal compensatory afforestation and other penal measures, as would be imposed by GoI, MoEF& CC shall be complied with by the user agency.*

In compliance to the above, the User Agency has furnished an undertaking duly countersigned by DFO Keonjhar Division which is enclosed at **Sl. No.24** of **Annexure-I** that penal compensatory afforestation and other penal measures, as would be imposed by Govt. of India MoEF& CC will be complied by the User Agency.

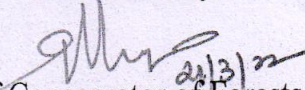
- f. *The User Agency shall furnish the valid CTO of SPCB, Odisha for mining operation beyond 31.03.2016.*

In compliance to the above, the User Agency has furnished the valid consent order of the State Pollution Control Board of Odisha vide letter No.5367/IND-I-CON-6050 dt.27.03.2021 which is valid up to dt.31.03.2022. This order shall be renewed before the date of expiry every year as per prevailing practice. The copy of the CTO is enclosed as **Annexure-XXV**.

In view of the above, the compliance to the conditions imposed by the GoI, MoEF& CC, New Delhi as well as the State Government is sent herewith for according final approval for diversion of balance forest land of 401.7824 ha including 7.2807 of safety zone out of total forest land of 519.7472 ha within total Mining Lease area of 618.576 ha for Iron Ore Mining in Gandhamardan (Block-A) Mining lease in Keonjhar District, Odisha of M/s Odisha Mining Corporation Ltd. during 2nd Renewal of Mining lease period.

Encl: Stage-I Compliance in one set

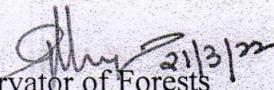
Yours faithfully,


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 5846 /Dt. 21.03.2022

Copy along with one set of Stage-I compliance forwarded to the Deputy Director General of Forests (Central), GoI, MoEF& CC, Integrated Regional Office, Chandrasekharpur, Bhubaneswar-751023 for information and necessary with reference to GoI, MoEF& CC, New Delhi Letter F. No. 8-27/2016-FC dated 05.04.2019.

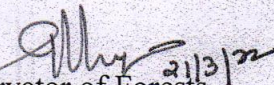
Encl: Stage-I Compliance in one set


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

✓ Memo No. 5847 /Dt. 21.03.2022

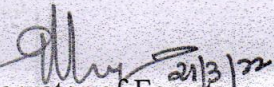
Copy along with one set of Stage-I compliance forwarded to the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to F&E Department Letter No. 8235/F&E dated 26.04.2019.

Encl: Stage-I Compliance in one set


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

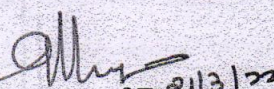
Memo No. 5848 /Dt. 21.03.2022

Copy forwarded to the RCCF, Rourkela Circle for information and necessary action with reference to his Memo No. 649 dated 25.02.2022.


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

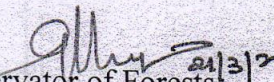
Memo No. 5849 /Dt. 21.03.2022

Copy forwarded to the Divisional Forest Officer, Keonjhar Forest Division for information and necessary action with reference to Memo No. 650 dated 25.02.2022 of RCCF, Rourkela Circle.


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 5850 Dt. 21.03.2022

Copy forwarded to the Managing Director, OMC Ltd, OMC House, Bhubaneswar for information and necessary action.


Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act