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No.5-ORB228/2014-BHU 8th July, 2015

To

The Principal Secretary,
Forest & Environment Deptt.,
Govt. of Odisha,
Bhubaneswar.

Sub:- Re-diversion of 0.797 ha of forest land in favour of M/s Surendra Mining Industries (P) Ltd. for laying of Water Conveyance Pipeline for its integrated 0.25 MTPA Steel Plant in village Barhamusa, P.O: Pandurisila, Dist: Sundargarh within the RoW of the already diverted forest land of 0.797 ha in Kendrikela R.F. in favour of M/s Vishal Metallicks (P) Ltd. located at village Barhamusa in Bonai Tehsil in Bonai Forest Division of Sundargarh district of Odisha.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)238/2014-10691/F&E dated 23.06.2015 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests & Climate Change under section 2 of Forest(Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government, the Ministry of Environment, Forests & Climate Change hereby conveys 'in-principle' approval for re-diversion of 0.797 ha of forest land in favour of M/s Surendra Mining Industries (P) Ltd. for laying of Water Conveyance Pipeline for its integrated 0.25 MTPA Steel Plant in village Barhamusa, P.O: Pandurisila, Dist: Sundargarh within the RoW of the already diverted forest land of 0.797 ha in Kendrikela R.F. in favour of M/s Vishal Metallicks (P) Ltd. located at village Barhamusa in Bonai Tehsil in Bonai Forest Division of Sundargarh district of Odisha, subject to the fulfillment of the following conditions.

- (i) Legal status of forest land proposed for re-diversion shall remain unchanged.
- (ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be re-diverted under this proposal from the user agency as per the Orders of 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 in this regard.
- (iii) 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.
- (iv) All the funds received from the user agency under the project shall be transferred to concerned Saving Bank account of the Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road Branch, New Delhi-11003.
- (v) The user agency shall also comply with the conditions stipulated in the final approval granted to primary user agency M/s Vishal Metalics Pvt. Ltd vide this office letter No.5-ORB026/2006-BHU dated 27.07.2006.

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- (vi) The user agency shall also comply with the conditions stipulated by the State Govt. vide letter No.10(Cons)238/2014-10691/F&E dated 23.06.2015.
- (vii) The 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 in it's letter No.11-9/1998-FC (pt.) dated 03.08.2009, in support thereof.
- (viii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forests & Climate Change.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
3. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
5. The Divisional Forest Officer, Bonai Forest Division, Bonai, Sundargarh, , Odisha.
6. The Director, M/s Surendra Mining Industries (P) Ltd., At:- Barhamusa, P.O:- Pandurisila, Via:- Bonai, Dist:- Sundargarh-770038, Odisha.
7. Guard file.

Conservator of Forests (Central)