

F. No. 8-50/2018-FC
Government of India
Ministry of Environment, Forests and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 14th September, 2018

To,

The Principal Secretary (Forests),
Government of Odisha,
Bhubaneswar.


Sub: Proposal for according permission for use of 5.782 ha. of forest land within total PL area of 153.571 ha. in PL Block No. II (Chromite) Ore located in village Kaliapani and Forest Block No. 27 under Sukinda Tahasil of Jajpur District (Within jurisdiction of Cuttack Forest Division), Odisha for undertaking exploratory drilling of 95 nos. of boreholes (95 boreholes @ 0.02 ha each totalling 1.90 ha and 3.882 ha. for construction of road) by M/s Odisha Mining Corporation Ltd.

Sir,

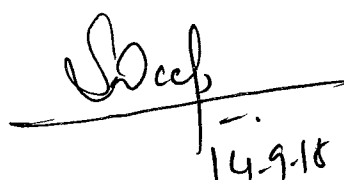
I am directed to refer to the State Government's letter No. 10F(Cons)-131/2018-13603/F&E dated 20.06.2018 submitting the above subject proposal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Odisha and on the basis of the recommendations of the Forest Advisory Committee, ***In-principle*** approval is hereby granted for use of 5.782 ha. of forest land within total PL area of 153.571 ha. in PL Block No. II (Chromite) Ore located in village Kaliapani and Forest Block No. 27 under Sukinda Tahasil of Jajpur District (Within jurisdiction of Cuttack Forest Division), Odisha for undertaking exploratory drilling of 95 nos. of boreholes (95 boreholes @ 0.02 ha each totalling 1.90 ha and 3.882 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals subject to the following conditions:

- (i) The user agency shall complete the exploration work within 2 years.
- (ii) State government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no 5-3/2007-FC dated 09/05/2018. The amount shall be deposited in Adhoc CAMPA account prior to Stage II approval.
- (iii) Permission granted for prospecting under the provisions of FCA 1980, shall not confer any right of user agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.
- (iv) Existing path and roads only will be used by the user agency for the purpose of prospecting activities. In addition to existing paths and forest road, user agency is allowed to use 3.88 ha. of forest land for construction of temporary path. The temporary path construction shall not involve any tree cutting and same shall be restored to original land use after the work of exploration is accomplished


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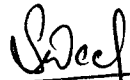
- (v) User agency shall provide 3.88 ha of Non- Forest land for CA. The same shall be mutated and transferred in favour of forest department prior to stage II approval. State forest department shall certify that the land is suitable for plantation and free from encroachment. CA scheme shall be prepared and submitted accordingly along with the shape files.
- (vi) The amount of CA scheme shall be deposited online in the Adhoc CAMPA account. Thus, 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 Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (vii) User agency shall seek permission of DFO, Cuttack Forest Division before entering into the forest area.
- (viii) Each bore-hole shall be dug with prior permission of the DFO, Cuttack Forest Division.
- (ix) Proper plugging of boreholes shall be made after exploration activities are complete.
- (x) No tree felling shall be undertaken for exploration activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
- (xi) **Existing path and roads only will be used by the user agency for the purpose of prospecting activities in addition to 3.882 ha. of forest land to be used for this purpose in the ML area.**
- (xii) Drilling of boreholes will be limited to 95 no. with diameter of 4" within forest land.
- (xiii) No labour camp shall be established on the forest land.
- (xiv) No work shall be allowed after sunset.
- (xv) No other construction activities shall be done by the user agency on forest land.
- (xvi) User agency shall report the progress of drilling work to the DFO, Cuttack and also furnish detailed report thereof on completion of the project.
- (xvii) Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the DFO, Cuttack.
- (xviii) The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the DFO, Cuttack
- (xix) Instant permission of Govt. of India for prospecting in forest area, would not confer any rights on the user agency to obtain diversion of forest land for mining of chromite from this area in future.
- (xx) In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.
- (xxi) DFO, Cuttack Forest Division may impose any other condition for protection and conservation of the flora and fauna in the forest area.
- (xxii) Prospecting activities within the PL area shall be subject to having valid lease.


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- (xxiii) Compliance of stipulations indicated at point (vi),(viii), (ix) of GoI, MoEF&CC guidelines on prospecting dt 9.5.2018 shall be furnished.
- (xxiv) In case of violations of conditions by the user agency, the permission for prospecting of minerals shall be suspended by the DFO and enquired by the Nodal officer (FCA) of the State Government and report submitted to the Regional office for appropriate action.
- (xxv) The samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose.
- (xxvi) The State Government and the user agency shall comply with any other condition that the concern Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxvii) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of the report on the compliance to the conditions stipulated in the paragraph-2 above from the State Government of Odisha , final/stage-II approval for use of 5.782 ha. of forest land within total PL area of 153.571 ha. in PL Block No. II (Chromite) Ore located in village Kaliapani and Forest Block No. 27 under Sukinda Tahasil of Jajpur District (Within jurisdiction of Cuttack Forest Division), Odisha for undertaking exploratory drilling of 95 nos. of boreholes (95 boreholes @ 0.02 ha each totalling 1.90 ha and 3.882 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals under Section-2 of the Forest (Conservation) Act, 1980 will be considered by this Ministry.


Yours faithfully,


(Sandeep Sharma) 14.9.18

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, O/o the PCCF, Government of Government of Odisha, Bhubaneswar.
3. The Addl. PCCF (Central), Regional Office, Bhubaneswar
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.
6. Guard File


(Sandeep Sharma) 14.9.18

Assistant Inspector General of Forests (FC)