

File No.8-25/2022-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj
New Delhi - 110003.
Dated:25-03-2025

To

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

Sub: Proposal for seeking prior approval of the Central Government under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Anil Kumar Sharma power of Attorney of Late Chandi Prasad Sharma for non-forestry use of 67.352 ha. of forest land for Iron & Manganese Ore mining in village-Raikela, Bahamba & Tensa under Bonai Sub-Division in Sundargarh District of Odisha (Online Proposal No. FP/OR/MIN/39199/2019)–reg.

Madam/Sir,

I am directed to refer to the Government of Odisha's letter No. FE-DIV-FLD-0068-2022-15274 dated 30.08.2022 on the above mentioned subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination of the proposal by the Advisory Committee, constituted under Section-3 of the said Adhiniyam, '*in-principle*' approval to the proposal under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 was granted vide this Ministry's letter of even number dated 04.12.2023 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the '*in-principle*' approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter no. 3216/9F (MG)-6/2022 dated 12.02.2025, '*final approval*' of Central Government is hereby granted under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 67.352 ha. of forest land for Iron & Manganese Ore mining in village-Raikela, Bahamba & Tensa under Bonai Sub-Division in Sundargarh District of Odisha in favour of Anil Kumar Sharma power of Attorney of Late Chandi Prasad Sharma subject to fulfillment of the following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. **Compensatory Afforestation:**
 - i. The State Government shall ensure that compensatory afforestation over 68.052 ha of non-forest land which has already been notified as "San Rengalbeda Protected Forest", vide Notification No. FE-DIV-FLD-0068-2022 (10F-(Cons)-34/2022)-114/FE&CC dated 01.01.2025, under

Section 33 of Odisha Forest Act, 1972 shall be raised. The Compensatory Afforestation works shall start within two years from the date of issue of final approval. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department. The CA will be maintained at least for 10 years;

- ii. The State Govt. shall ensure that user agency either himself or through the State Forest Department shall implement 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 as per scheme submitted along with the compliance report;

3. NPV:

- i. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and guidelines issued by this Ministry in this regard.
- ii. 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.

4. *The State Government shall ensure the implementation of the following suggestions of Water Resources Department, Govt. of Odisha for protection of the adjoining nala at the cost of the user agency:*

- a. *Embankment on both side of the Nalla to be ensured for preventing Pollution of streams.*
- b. *Vegetation improvement on both side of the stream needs to be ensured (50 m. on both side.*
- c. *Artificial trenches (Canals) surrounding overburden dumping to be ensured for avoiding erosion of overburden to the streams.*
- d. *Water quality need to be checked regularly by the concerned authority;*

5. *The State Govt. shall ensure that the temple in the area proposed for diversion shall be kept untouched as the temple area is not included in the mining plan;*

6. Compensatory levies for this project, if any to be realized in future from the User Agency, shall be deposited to into the account of CAMPA of the State concerned through e-porta (<https://parivesh.nic.in/>);

7. Following activities, as per approved plan / schemes, shall be implement in the lease area by the User Agency under the supervision of the State Forest Department:

- a. Mitigation measures to minimize soil erosion and choking of stream, shall be implemented within a period of two years with effect from the date of issue of order of diversion of forest land, 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 dams, retention /toe walls 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 28° .
8. **Safety Zone Management:** Following activities, at project cost, shall be implement by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
- a. User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department;
 - b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department;
 - d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms.
9. The State Government shall ensure that no damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
 10. The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per plan submitted along with the compliance of 'in-principle' approval, so as to mitigate the impact of project on such tanks/water bodies.
 11. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
 12. The State Government shall ensure that trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of concerned DFO;
 13. The State Government shall ensure that 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;
 14. The State Government shall ensure that the Site Specific Wildlife Management Plan (SSWMP) for mitigation the impact of project on wildlife of the area will be implemented by the state Government in consultation with the PCCF & Chief Wildlife Warden of State at Project cost deposited by the UA as per approved plan;
 15. The State Government shall 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 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. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;

16. The State Government shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner;
17. The State Government shall ensure that 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;
18. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
19. The State Government shall 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;
20. The State Government 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 coordinates;
21. The layout plan of the 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 except the change in land use allowed on the forest land vide Ministry's guideline dated 26.12.2024;
22. The State Government shall 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;
23. No damage to the flora and fauna of the adjoining area shall be caused;
24. 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;
25. 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;
26. The State Government 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;
27. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be

taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;

28. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 04.12.2023 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, in accordance with the Rule 11 (7) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;b
29. The monitoring report shall be uploaded on e-portal (<https://parivesh.nic.in/>) regularly.

Yours faithfully,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Odisha, Bhubaneswar.
2. The DDGF (Central), Regional Office of MoEF&CC at Bhubaneswar.
3. The Nodal Officer (FCA), Department of Forest, Government of Odisha, Bhubaneswar.
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.