



भारत सरकार / Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest & Climate Change  
एकीकृत क्षेत्रीय कार्यालय, भुवनेश्वर / Integrated Regional Office, Bhubaneswar  
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No.8(21)28/2003-FCE

14<sup>th</sup> June, 2023

To

The Addl. Chief Secretary,  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar – 751 001.

Sub:- Diversion of 1.81 ha of forest land in addition to the earlier diversion over 23.581 ha of forest land within the Mining Lease area of 28.397 ha in respect of Patabeda Iron Ore Mines of M/s MGM Minerals.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)70/19-16843/F&E dated 31.08.2019, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 1.81 ha of forest land in addition to the earlier diversion over 23.581 ha of forest land within the Mining Lease area of 28.397 ha in respect of Patabeda Iron Ore Mines of M/s MGM Minerals, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of recommendation of Regional Empowered Committee meeting held on 06.11.2019, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 04.03.2020, subject to fulfillment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. PCCF & Nodal Officer (FCA), Odisha vide their letter No.18797/9F(MG)-41/2019 dated 08.11.2021, No.4892 dated 15.03.2022, No.6744 dated 23.03.2022 and No.9368 dated 15.03.2023 and uploading of compliance report on Parivesh web portal on 24.05.2023, **Stage-II/final** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 1.81 ha of forest land in addition to the earlier diversion over 23.581 ha of forest land within the Mining Lease area of 28.397 ha in respect of Patabeda Iron Ore Mines of M/s MGM Minerals, subject to the fulfillment of the following conditions:-

**A: Conditions which need to be complied prior to handing over of forest land.**

- The State Govt. shall ensure the complete compliance on FRA, 2006.
- The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- The State Govt. shall ensure that the KML files of the forest area diverted and CA area shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to user agency
- The State Govt. shall ensure that the boundary of the proposed forest land for diversion, mining lease and safety zone, as applicable, shall be demarcated on ground at the project

**B: Conditions which need to be complied after handing over of forest land to the user agency.**

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 1.81 ha of non-forest land identified in Khata No.132, Plot No.1155, Kisam Patharbani of village Phuljhar under Lahunipara Tahasil of Sundargarh district within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The species to be planted in the CA scheme shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals.
- iii) The State Govt. shall ensure that the approved scheme for fencing, protection and regeneration of the safety zone area shall be implemented within three years at the project cost. Besides this afforestation on identified degraded forest land equal to one and a half times the area under safety zone shall also be done at project cost under supervision of State Forest Department.
- iv) The State Govt. shall ensure that the user agency shall undertake peripheral development activities in surrounding villages specially preventive health services, sanitation, drinking water augmentation with de-silting of village tanks and other water bodies located within 5 Km from the mining lease boundary.
- v) State Govt. shall ensure that the following activities as per approved plan/scheme, shall be undertaken in the lease area by the user agency under the supervision of the State Forest Department.
  - a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance 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 the angles of repose at any given place is less than 28°.
  - e) No damage shall be caused to the top soil and the user agency will follow the top soil management plan. The user agency should preserve the top soil to use in biological reclamation.
- vi) The State Govt. shall ensure that the 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 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease.
- vii) The State Govt. shall ensure that 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 (FCA), Government of Odisha and to Integrated 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 (FCA) or the Integrated Regional Office, Bhubaneswar may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.

- viii) 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.
- ix) The State Govt. shall ensure that the user agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other area 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.
- x) The State Govt. and the user agency shall ensure that the 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 granted under Mines and Minerals (Development & Regulation) Act, 1957, as amended in 2015 and the Rules framed thereunder.
- xi) The State Govt. 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 staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xii) The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xiii) The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xiv) The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xv) The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation 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.
- xvi) The State Govt. shall ensure that the concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
- xvii) The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xviii) The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during mining be disposed of in the adjoining forest area by the user agency.
- xix) The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of this Ministry by the end of March every year regularly.
- xx) The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
- xxi) The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

- xxii) It may please note that violation of any of these conditions will be amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 of Chapter-1 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.

Yours faithfully,

*Padma Mahanti*

(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
3. M/s MGM Minerals Ltd., Forest Park, Bhubaneswar-751009.

Dy. Inspector General of Forests (C)