



No.5-ORC545/2023-BHU

18th December, 2023

To

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

Sub:- Diversion of 34.162 Ha of forest land (including 1.060 Ha earmarked for Safety Zone) in village Badaindupur & Sanaindupur, Koira Tahasil and Koira Range of Bonai Forest Division of Sundargarh District within the Block area of 64.337 Ha in respect of Pureibahal Iron Ore Block by M/s Rungta Mines Limited under Section 2 (ii) of Forest (Conservation) Act, 1980.

Sir,

I am directed to refer to State Govt. letter No FE-DIV-FLD-0102-2022-294/FE&CC dated 06.01.2023 and PCCF & HoFF, Odisha's letter No.3711/9F(MG)-101/2022 dated 24.02.2023, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 34.162 Ha of forest land (including 1.060 Ha earmarked for Safety Zone) in village Badaindupur & Sanaindupur, Koira Tahasil and Koira Range of Bonai Forest Division of Sundargarh District within the Block area of 64.337 Ha in respect of Pureibahal Iron Ore Block by M/s Rungta Mines Limited, 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 27.02.2023, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 11.05.2023, 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 PCCF & Nodal Officer (FCA), Odisha vide their letter No.23397/9F(MG)-101/2022 dated 30.11.2023 and uploading of compliance report on Parivesh web portal on 11.12.2023, **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 34.162 Ha of forest land (including 1.060 Ha earmarked for Safety Zone) in village Badaindupur & Sanaindupur, Koira Tahasil and Koira Range of Bonai Forest Division of Sundargarh District within the Block area of 64.337 Ha in respect of Pureibahal Iron Ore Block by M/s Rungta Mines Limited under Section 2 (ii) of Forest (Conservation) Act, 1980, subject to the fulfillment of the following conditions:-

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

- i) The State Govt. shall ensure the complete compliance on FRA, 2006.
- ii) 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.

- iii) 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
- iv) 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 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.

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 34.641 Ha of non-forest land identified in village Deri (29.641 Ha) and Lungajhar (5.00 Ha) under Banspal Tahasil of BJP Range of Keonjhar Forest Division under Keonjhar District within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. 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 Site Specific Wildlife Conservation Plan as approved by CWLW shall be implemented at the project cost already deposited by the user agency.
- iv) The State Govt. shall ensure that an Integrated Regional Wildlife Conservation Plan specially addressing the movement of elephant in the entire Sundargarh and Keonjhar district comprising Jharsuguda, Sundargarh, Bonai and Keonjhar Forest Division will be implemented by the State Govt. to mitigate adverse impact of mining on the movement of elephant and other wildlife by proportional share from the lease holders.
- v) The State Govt. shall ensure the State/User Agency will raise thick plantations as green belt, to minimize air and sound pollution, around habitations near to their mine. As far as possible the user agency should address the livelihood of the villagers by providing direct/indirect employment and should regularly check their health issues related treatment as long as they are not properly rehabilitated.
- vi) The State Govt. shall ensure that the user agency will implement the approved Soil & Moisture Conservation measures in the surrounding forest area.
- vii) The 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 two 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° .
- viii) The State Govt. shall ensure that the user agency either himself or through the State Forest Department shall implement the approved scheme for 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.
- ix) The State Govt. shall ensure that the user agency shall regularly implement the approved scheme for de-silting of the these village tanks and other water bodies located within five Km from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies.
- x) The State Govt. shall ensure that the following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry.
 - a) The user agency shall ensure demarcation of safety zone (7.5 meter strip 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 co-ordinates 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) Afforestation on degraded forest land to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost under the supervisions of the State Forest Department. The degraded forest land (DFL) so selected will be informed to the RO, Bhubaneswar with shape files before Stage-II approval and afforestation will be done within two years from the date of Stage-II clearance and maintained thereafter in accordance with the approved plan in consultation with the State Forest Department.
 - e) The State Govt. and the user agency shall ensure that safety zone is maintained as per the prescribed norms.
- xi) The State Govt. shall ensure that the cost of felling of trees shall be deposited by the user agency with the State Forest Department before commencement of work on Stage-II approval.
- xii) 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.
- xiii) The State Govt. shall ensure that the user agency shall undertake mining in a phased manner after only Stage-II approval and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the user agency as per mining plan, and an annual report on implementation thereof, shall be submitted to the Nodal Officer (FCA), in the concerned State Government and the RO, Bhubaneswar. 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 RO, Bhubaneswar may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- xiv) 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 an condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner.
 - xv) The State Govt. 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.
 - xvi) The State Govt. shall ensure that the required rehabilitation and resettlement plan as per the State Govt. Policy shall be implemented by the user agency, if required.
 - xvii) The State Govt. shall ensure that 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.
 - xviii) 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.
 - xix) The State Govt. shall ensure that creation and maintenance of alternate habitat for avifauna whose nesting trees have been cleared are to be taken up by the user agency.
 - xx) The State Govt. shall ensure that the project authority needs to take up works for construction and cleaning of garland drains, stabilizing retaining walls, proper terracing of OB dumps and checking gully formation resulting in soil erosion.
 - xxi) The State Govt. shall ensure that the plants which are having lowest translocation factor can be preferred under afforestation on the OB dumps and fruit trees to be avoided in planting during biological stabilization of OB dumps.
 - xxii) The State Govt. shall ensure prevention of fall of wild animals into mining pits by fencing the open fit area.
 - xxiii) The State Govt. shall ensure that vetiver grass can be planted at the lower reaches of the dump to bind the soil and prevent soil erosion giving better stability to the dump.
 - xxiv) 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.
 - xxv) 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.
 - xxvi) 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.
 - xxvii) 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.
 - xxviii) 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.

- xxix) 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.
- xxx) 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.
- xxxi) 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.
- xxxii) 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.
- xxxiii) 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.
- xxxiv) 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.
- xxxv) 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. The Director, M/s Rungta Mines Ltd., At/PO: Barbil, Dist: Keonjhar-758035, Odisha.


Dy. Inspector General of Forests (C)