

F. No. 8-45/2007-FC (Vol.)
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-1100 03

Dated: 26th August, 2019

To,

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

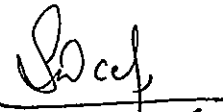
Sub: Diversion of balance forest land of 11.006 ha (safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty.

Sir,

I am directed to refer to the State Government's letter no. 10F(Cons) 324/2015/8879/F&D Bhubaneswar, dated 28.10.2015 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, In-principle/ Stage-I approval for above subject proposal was granted vide this Ministry's letter of even number dated 29.06.2017 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

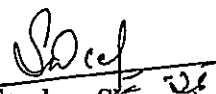
In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Odisha vide their letters No.5192/9F(MG)-161/2007 dated 16.03.2019 and No. 11612/9F(MG)-161/2007 dated 02.07.2019, Stage-II/ Final approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of balance forest land of 11.006 ha (safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. **Compensatory afforestation**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 1.228 ha non-forest in village Babu-Naugaon of Bonai Tehsil of Bonai Range under Bonai Forest Division at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be-planted and monoculture of any species may be avoided.
 - b) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980 may report compliance within a period of six (6) months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Office for information and record;
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.


26/08/19

5. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.
6. User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986.
7. The State Govt. ensure that State Forest Department shall implement the approved plan for fencing, protection and afforestation of the safety zone area (7.5 meter strip shall be kept within the mining lease or mining cluster, as applicable and such other areas as specified in the approved mining plan) from the funds provided and deposited in CAMP account. Area of safety zone of a mining lease shall be a part of the total area of the mining lease.
8. The period of diversion of the said forest land shall be co-terminus with the period of the mining lease granted under the Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder.
9. The user agency shall undertake mining and reclamation of the mined out area as per the approved mining plan and the directions of the concerned Divisional Forest Officer.
10. No labour camp shall be established on the forest land.
11. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on forest areas.
12. The boundary of the diverted forest land, mining lease area and safety zone shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
13. The forest land shall not be used for any purpose other than that specified in the project proposal.
14. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
15. The State Govt. ensure that the State Forest Department shall carry out afforestation on identified degraded forest land against one and half time in extent to the area used for safety zone from the funds provided and deposited in CAMP account.
16. The change in the layout plan of the mining lease, if required, shall be done as prescribed in the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
17. 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.
18. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
19. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
20. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife. The State Government shall ensure compliance of all the above conditions.

Yours faithfully,


(Sandeep Sharma) 22.8.19

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer (FCA), O/o PCCF, Government of Orissa, Bhubaneswar.
3. The Dy. Director General (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Monitoring Cell
6. Guard File.