



Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
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No.5-ORA114/FCE

Date: 03.07.2017

SPEED POST

To

Shri Sandeep Sharma,
Assistant Inspector General of Forests (FC),
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan, Agni Block,
Jor Bagh Road, Alliganj, New Delhi – 110 003.

Sub: Site inspection report in respect of application of M/s Industrial Development Corporation of Odisha Ltd. seeking approval of MoEF&CC under Section 2 (iii) of Forest Conservation Act, 1980 over 152.591 ha. of forest land within total applied mining lease area of 155.537 ha. pertaining to Talangi-B Chromite Mine lease under Jajpur District of Odisha- reg.

Ref.: Ministry's letter No. 8-63/2016-Fc dated 16th December, 2016.

Sir,

With reference to the subject cited as above, I am directed to inform you that the site inspection of the above mentioned project was carried out by the undersigned on 11.01.2017 and the site inspection report along with enclosures is enclosed herewith for kind information and necessary action.

Encl: As above

Yours faithfully,

(R. K. Samal, IFS)
Conservator of Forests (C)

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Site inspection report in respect of application of M/s Industrial Development Corporation of Odisha Ltd. seeking approval of MoEF&CC under Section 2 (iii) of Forest Conservation Act, 1980 over 152.591 ha. of forest land within total applied mining lease area of 155.537 ha. pertaining to Talangi-B Chromite Mine lease under Jajpur District of Odisha.

The site inspection of the above diversion proposal was conducted by me on 11.01.2017 in presence of Shri A K Sahu, ACF Cuttack, Shri S K Sahu, Range Officer In-chagrg, Tamka Range and representatives of User Agency viz. Shri Kalpataru Dash, Asst. Manager (Mech.), Shri Ashutosh Nayak, In-charge (Mines), Shri J P Mishra, Mines manager, Shri B K Sahu, MD, OFCAL.

1. **Legal status of the forest land proposed for diversion**

Forest Division	Forest land in Ha.	Legal Status
Cuttack	152.591	Revenue forest

2. **Item-wise break-up details of the forest land proposed for diversion:**

Not yet provided by the user agency, since application is under Section 2 (iii) of FC Act.

3. **Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof:**

Details not yet given.

4. **Total cost of the project at present rates:**

Details not given.

5. **Wildlife:**

Whether forest area proposed for diversion is important from wildlife point of view or not:

No.

6. **Vegetation:**

Dry deciduous forest with scattered species like Sal and its associates like Mahua, Kendu, Mango, Chhatim, etc. are found.

(a) **Total number of trees to be felled.**

Not yet enumerated.

Effect of removal of trees on the general ecosystem in the area:

It will affect the general ecosystem to some extent.

(b) **Important species:**

Sal and its associates like Mahua, Kendu, Mango, Chhatim, etc.

Number of trees of girth below 60 cm.

Not yet enumerated.

Number of trees of girth above 60 cm.

Not yet enumerated.

7. **Background note on the proposal:**

The Talangi-B Chromite mining of M/s Industrial Development Corporation of Odisha Ltd. seeking permission under Section 2(iii) of FC Act, 1980 for entire forest land of 152.591 ha. within the total applied ML area of 155.537 ha for the purpose of assignment of lease was earlier furnished to MoEF&CC, Govt. of India in off-line mode vide letter No.138131/F&E dated 28.07.2016. As per provisions of MoEF&CC guidelines bearing No.11-599/2014-FC dated 01.04.2015 considering the fact that the mining lease application is covered under Section 10A(2)(C) of MMDR Amendment Act over an area of 155.537 ha. comprising of forest land and non-forest land and is now pending for consideration of State Government for grant/execution of mining lease as per Rule 8(2) of Minerals (Other than Atomic and Hydro Carbon energy Minerals) Concession rules, 2016 by 11.01.2017. Out of total forest land involved in Talangi-B mining lease, a proposal for diversion of 75.174 ha. of forest land including 16.404 ha in safety zone area was forwarded to MoEF, Government of India for consideration and approval under Section 2 (ii) of FC Act, 1980. The remaining forest area was kept for future exploration. MoEF vide letter No.8-97/2010-FC dated 02.02.2011 had also accorded Stage-I forest clearance for this project. Detailed point wise compliance has also been sent to MoEF&CC vide letter No.17997/F&E dated 08.10.2015 seeking Stage-II forest clearance for this project. However, Stage-II forest clearance for diversion of 75.174 ha. of forest land in this project is still awaited. In the meantime Government of India, MoEF&CC have prescribed guidelines bearing F. No.8-31/2016-FC dated 16.11.2016 for filing/processing of applications seeking permission under Section 2 (iii) of FC Act, 1980. Accordingly, Government of Odisha recommended the proposal for seeking approval under Section 2(iii) of FC Act, 1980 pertaining to entire forest land of 152.591 ha within applied mining lease area of 155.537 ha in Talangi-B Chromite mines in Jajpur district for the purpose of assignment of lease.

8. **Compensatory afforestation:**

Stage-I clearance was given for 75.174 ha. of forest land including 16.404 ha. for safety zone purpose in the year 2011 out of the total mining lease of 155.537 ha. at Talangi-B.

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Details of CA stipulated are as follows:

Location	Khata No.	Plot No.	Area in Ha.
Vill.: Nalanda Tahasil: Darpan Dist.: Jajpur Declared as PF on 17.10.16	155/62	353/919	8.877
Vill.: Abhayapur Tahasil: Darpan Dist.: Jajpur Declared as PF on 17.10.16	130/6	1/814	66.297

However, the balance forest land has not been diverted under Section (ii) of FC Act. This proposal is for clearance under Section 2 (iii) of FCA, 1980 for signing of mining lease.

- (a) **Whether land for compensatory afforestation is suitable from plantation and management point of view or not:**

This proposal is for clearance under Section 2 (iii) of FCA, 1980 for signing of mining lease so no other site has been selected for Compensatory Afforestation.

- (b) **Whether land for compensatory afforestation is free from encroachment/other encumbrances:**

Not applicable as of now.

- (c) **Whether land for compensatory afforestation is important from Religious/Archaeological point of view:**

Not applicable as of now.

- (d) **Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not:**

Not applicable as of now.

- (e) **Map with details:**

Not applicable as of now.

- (f) **Total financial outlay:**

Not applicable as of now.

9. **Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:**

No violation of FC Act, 1980 has been committed by the applicant.

10. **Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not :**

Yes, it involves rehabilitation of about 185 families living within the leasehold area and suitable rehabilitation plan has to be prepared by the user agency in consultation with the District Administration.

11. **Reclamation plan:**

Not yet submitted.

Details and financial allocation:

Not yet submitted.

12. **Details on catchment and command area under the project:**

No catchment and command area is involved.

Catchment area treatment plan to prevent siltation of reservoir:

Not applicable.

13. **Cost benefit ratio:**

Not yet submitted.

14. **Recommendations of the Principal Chief Conservator of Forests/State Government:**

The State Govt. has recommended to MoEF&CC, Govt. of India vide their letter No. 10F(Cons)43/2016-22927/F&E dated 08.12.2016 to consider the application of the ML applicant for approval under Section 2 (iii) of the FC Act, 1980.

15. **Recommendations of Addl. Principal Chief Conservator of Forests (Central) along with detailed reasons:**

Annexed separately.

16. **Conservator of Forests shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:**

This is a mining project and it is site specific.

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17. Utility of the project:

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

Many Scheduled Caste/Scheduled Tribes to be benefit who are staying nearby the proposed site.

18.

(a) Whether land being diverted has any socio-cultural/ religious value:

No.

(b) Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion:

The very old trees are scattered over the area with intermittent large blank areas and at some places by agriculture fields of the settlers in these areas.

(c) Whether the land under diversion forms part of any unique eco-system:

No.

19. Situation with respect to any Protected Area:

The applied area does not come under any Protected area.

20. Any other information relating to the project:

The area has a few scattered old trees and the area is near the Daitari RF contain medium density Sal forest containing mostly pole sized trees. There are some old matured trees also found scattered all over the area. Associated species of Sal like Kendu, Mahua, Mango, etc. are being found. However, most of the areas are blank as people are raising paddy in these areas. There is a Nalla flowing nearby this site called Damsala Nalla and this area contributes water to this Nalla. The DSS report of FSI (Copy enclosed) says the area mostly contains open forest, however, it has about 15 ha. of medium density forest.


(R. K. Samal, IFS)
Conservator of Forests (C)

RECOMMENDATION OF THE ADDL. PRINCIPAL CHIEF CONSERVATOR OF FORESTS (CENTRAL)

I endorse the site inspection report of CF (Central) for the proposal of application of M/s Industrial Development Corporation of Odisha Ltd. seeking approval of MoEF&CC under Section 2 (iii) of Forest Conservation Act, 1980 over 152.591 ha. of forest land within total applied mining lease area of 155.537 ha. pertaining to Talangi – B Chromite Mine lease under Jajpur District of Odisha.

As per the inspection note, part of the proposed diversion is catchment to Damsala nallah, two small seasonal nallahs flow through the proposed area and drain water to Damsala nallah which is a perennial nallah adjacent to the area proposed, the Ministry may consider to put special conditions to safeguard flow in nallah as may be deemed appropriate.

This site inspection was carried out in January, 2017. Since 11.01.2017 was the last date for signing of the lease deed in terms of Section 10A(2)(C) of MMDR Amendment Act, this office sought guidance from ministry whether inspection report to be sent after expiry of 11.01.2017, which is yet to be received.

In the meantime the user agency after expiry of 11.01.2017 has gone to court vide WP (C) No.492/2017 in the Odisha High Court challenging the provision of Section 10A(2)C of MMDR Amendment Act, following other user agencies facing similar situation. Ministry may take note of it and take action as may be deemed fit in the current state of affairs.

Since, the present application is for forest clearance under Section 2 (iii) of the Forest (Conservation) Act, 1980, therefore, no details of proposed land use, including land for construction of buildings, if any, number of trees to be felled, etc. has been included in the site inspection report.


(R. K. Dey)
Addl. PCCF (Central)

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Decision Rule II (Analysis based on 50% Rule)

➤ FOREST COVER MAP:

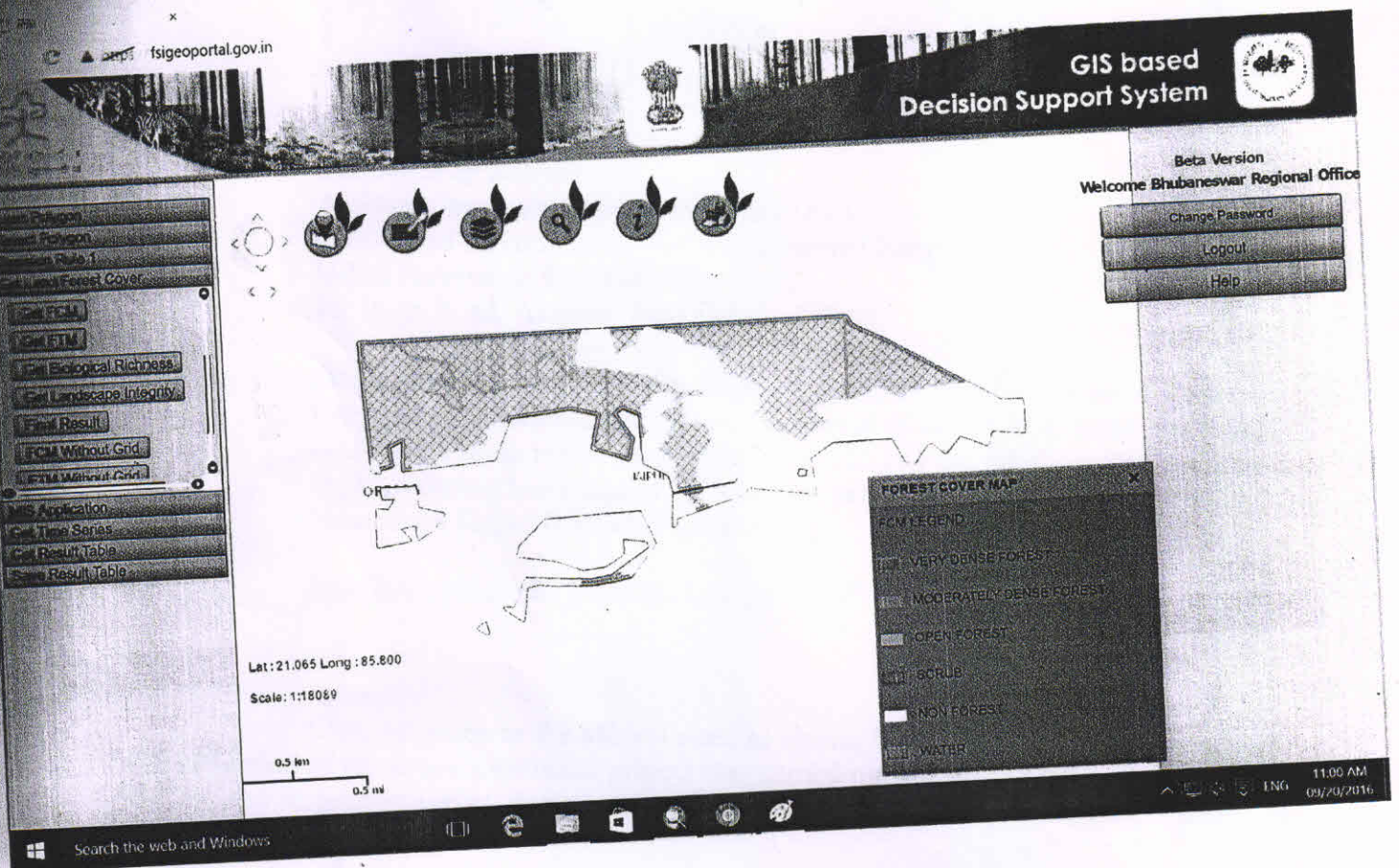


Fig 2: Forest Cover Map

✓ Forest Cover Map Statistics (Software Calculated):

SL No	Forest Cover	Area in Hectare (Approx.)
1.	MDF	15
2.	Open Forest	77
3.	Non Forest	63