



OFFICE OF THE REGIONAL CHIEF CONSERVATOR OF FORESTS, ROURKELA CIRCLE,  
AT/P.O. PANPOSH, ROURKELA-769004

Memo No. 359 /3F(Misc)810/2022 Date: 01.02.2022

To

The Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act),  
O/o the Principal Chief Conservator of Forests,  
Odisha, Bhubaneswar.

Sub: Proposal for diversion of 194.683 ha of forest land within the total mining lease area of 358.258 ha (As per DGPS Survey) of Guali Iron Ore Mines of M/s OMC Ltd. of Keonjhar District.

Ref: 1. Your Memo No.21580 Dtd.15.12.2021.  
2. This office Memo No.3736 Dtd.16.12.2021.  
3. Memo No. 602 Dtd.25.01.2022 & 800 Dtd.01.02.2022 of DFO, Keonjhar Division

With reference to the aforementioned Memos on the captioned subject, the DFO, Keonjhar Division vide his Memo No.601 Dtd.25.01.2022 & 799 Dtd.01.02.2022 addressed to this office & copy endorsed to you in the next Memo of even date has submitted the compliance with the deficiencies observed vide your Memo No. 21580 Dtd.15.12.2021 in respect of the aforementioned proposal which may kindly be perused.

The point wise compliance submitted by the DFO, Keonjhar Division is as follows:-

**1. Letter of Authority in favour of the applicant from the Competent Authority OMC Ltd has not been enclosed in DP.**

The DFO, Keonjhar Division has submitted the letter of authority from the Competent Authority of OMC which is enclosed as **Annexure-XXIV** with the diversion proposal.

**2. The applicant has not authenticated all documents in the DP i.e. Land schedule.**

As reported by the DFO, Keonjhar Division, the land schedule authenticated by Tahasildar, Barbil has also been authenticated by M/s OMC Ltd. and enclosed in the diversion proposal as **Annexure-VII**. Additionally, all other documents enclosed to the DP have been authenticated by M/s OMC Ltd.

**3. It is mentioned in the purpose wise breakup of land in the proposal that :**

**(i) 3.287 Ha forest land will be used for infrastructure. In the contrary 6.184 Ha. Non-forest land has been proposed as untouched area.**

The DFO, Keonjhar Division has reported that forest area over 3.287 ha has been proposed for infrastructure by the User Agency, out of which 3.246 ha is Sabik kissam forest land. There is some existing infrastructure like office building in the said forest land. The proposed infrastructure is nearer to the mineral stack yard. During the production of 30 million ton of Iron Ore, the proposed infrastructure area will be utilized for various infrastructures like mineral stack yard.

Out of 6.184 ha of non-forest land kept untouched in the proposal, 5.622 ha is tenanted land and 0.562 ha is non-forest Govt. land. In order to avoid acquiring private land belonging to SC/ST community, OMC has proposed 3.287 ha of forest land for infrastructure which comprises 3.246 ha of forest land as on 25.10.1980 (Non-forest in Sabik RoR) and 0.041 ha is Revenue forest land.

**(ii) 0.402 Ha Non-forest land earmarked for public purposes, details not mentioned.**

As reported by the DFO, Keonjhar Division, the user agency has intimated that, 0.402 Ha of non-forest Govt. land earmarked for public purposes shall be utilized for road as mentioned against **Sl. No. IV** of the table titled "The purpose wise breakup of the total land required" depicted embedded on **Plate No. V** of the DP. Necessary corrections at page No. 8 of Part-I has been made and enclosed with the DP.

**(iii) 4.018 Ha forest land and 0.132 Ha. Non-forest land totaling to 4.150 Ha. proposed for diversion of existing nallah. The natural water source which is of paramount importance on hydrological aspect should not be disturbed. The same should be included in the Safety Zone and protected to ensure free from any sort of pollution.**

As reported by the DFO, Keonjhar Division, the user agency has intimated that, the nallah is passing through the central part of the mineralized area of the ML having Topadih and Baliasahi pits on either side of it. Around 20 million tons of iron ore cannot be extracted from there and the mine will not be able to produce 30 MTPA of iron ore due to presence of this nallah. The diversion has been provided in the mining plan approved by IBM. M/s OMC has proposed to divert the nallah without disturbing the flow rate of the water downstream. The safety zone of the diverted nallah has been earmarked in this proposal to protect the nallah from any pollution. Further, guard wall with safety zone will be maintained to ensure minimizing pollution

M/s OMC Ltd. have stated that, they will move the State Govt. for such diversion on grant of Stage-I forest clearance.

**(iv) The proposed mining area is 68.564 Ha. Over forest land where as dumping area is proposed over forest land is 49.051 Ha. which is not permissible?**

As reported by the DFO, Keonjhar Division vide his Memo No.799 Dtd.01.02.2022, the total ML area of 358.258 ha comprises 332.10 ha of forest land and 26.158 ha of non-forest land. Out of 332.10 ha of forest land, 200.401 ha has been proposed for mining and 51.161 ha has been proposed for dumping of over burden. The detailed pattern of utilization of forest land approved/proposed for mining and dumping is given as under:

Sl. No.	Forest area approved/proposed (ha)	Pattern of utilization (ha)			Remarks
		Mining	Dumping	Others	
1	42.417	36.837	2.110	3.470	FC granted
2	95.000	95.000	Nil	Nil	FC granted
3	194.683	68.564	49.051	77.068	Current proposal
<b>Total</b>	<b>332.100</b>	<b>200.401</b>	<b>51.161</b>	<b>80.538</b>	



The mining plan approved by IBM envisages generation of 9.5 million Cum of wastes till conceptual stage. Out of this, 2.85 Million Cum will be utilized for road formation, maintenance and bund formation and the remaining 6.65 Million Cum will be dumped at proposed dump sites totalling 51.161 ha of forest area.

Therefore, to produce 30MTPA of iron ore, 200.401 ha of forest area shall be under mining use and 51.161 ha shall be used as dumping of overburden during conceptual stage.

4. **Compensatory Afforestation Equivalent Non-forest Govt. land over 194.683 Ha. identified for CA. Plantation @ 1600/ Ha. proposed to be taken up. On DSS analysis of the CA land, it is found that 27 Ha. Out of 194.683 Ha. is MDF. The CA schemes require to be revisited and revised scheme to be submitted by DFO.**

As reported by the DFO, Keonjhar Division, the CA scheme has been revised by DFO, Koraput on dt. 07.12.2021 considering the Base Cost Norm as per the Matrix circulated by PCCF, Odisha vide letter No. 1109/9F-(Misc)-387/2021 dt. 08.11.2021 with a total financial outlay of Rs.11,42,03,000/-. It has also been indicated in the scheme that 27.0 ha of MDF area as per the analysis through DSS shall be covered under soil moisture conservation activities and the balance 167.683 ha (194.683-27.0) has been proposed to be covered with 2,68,293 nos. (167.683 ha X 1600) of plants as against the stipulation of 1000 plants/ha which comes to 194683 plants (194.683 X 1000). The revised CA scheme is enclosed with the DP at **Annexure-XIII**.

5. **Resettlement and Rehabilitation- Action taken for preparation and approval of the Resettlement and Rehabilitation Scheme should be mentioned with documentary evidence.**

As reported by the DFO, Keonjhar Division, the user agency has intimated that, they have awarded the work of socio-economic survey to NCDS vide their letter No.9749/OMC/F&E/2021 dt.06.07.2021. The copy of the work order is enclosed as **Annexure-I**. NCDS has completed the survey work and following are the findings: There are 136 number of project affected families and 99 number of project displaced families which includes three private companies. M/s OMC Ltd. has intimated that, they have proposed to provide a resettlement colony for 96 project displaced families. The Rehabilitation and Resettlement (R&R) colony is to have 60% land for built up area for housing and 25% for infrastructure and 15% for green belt. Around Rs.9.60 Crores has been proposed for R&R Colony. The total budget proposed under R&R package is Rs.3023.25 Lakhs. The copy of the report by NCDS is enclosed as **Annexure-II**. M/s OMC Ltd. shall follow the R&R Plan approved by the State Government during 2016 with inclusion of revision in wage rate.

6. **Site specific Wildlife Conservation Plan:- The Site Specific Conservation plan was approved on 17.01.2009. Details of implementation of the plan should be reported. SSWLCP should be prepared in case the plan period is expired to address the issues concerning Human - Wild Elephant Conflict.**

As reported by the DFO, Keonjhar Division vide his Memo No.799 Dtd.01.02.2022, the site specific wildlife conservation plan has been approved with a

total financial outlay of Rs 2,77,00,000/- estimated for both Core Zone (Rs 39.0 lakhs) and Buffer Zone (Rs 238.0 lakhs) of the ML area. Out of the said amount, Rs. 2,71,80,856/- has been deposited in Compensatory Afforestation Fund (CAF), ORISSA, Account No. 1585 in Corporation Bank, Lodhi Road, New Delhi vide DD No. 023887 dt. 13.03.2010 and the balance amount have been utilized to procure a vehicle for supervision work. The SSWLCP has been revised as per the current wage rate and being submitted for approval. An under taking to submit the approved copy and deposit the differential amount for its implementation furnished by M/s OMC Ltd. is enclosed vide **Annexure-III**.

Over and above the said amount, Rs. 4,32,99,391/- has also been spent by the ex-lessee, M/s R.P Sao within the ML area (Core zone) since the date of approval of the SSWLCP towards various activities such as engagement of fire watcher, engagement of leaf cleaner, construction of check dams on the Topadihi Nalla, Guard wall on both side of nalla, Blank Plantation for soil and moisture conservation, coir matting of OB dump, conservation of garland drain, settling tanks etc. Copy of the progress of implementation of Site Specific Wildlife Conservation Plan is enclosed as **Annexure-IV**.

**7. Realization of NPV and CA is mandatory for forest area broken up prior to 25.10.1980. This should be examined and reported along with complete compliance to stipulated conditions of final approval accorded for diversion of 42.17 Ha and 95.0 Ha. on 14.01.2005 and 06.09.2011 respectively. The compliance report should be signed by the DFO and countersigned by the RCCF.**

As reported by the DFO, Keonjhar Division, the previous lessee has deposited of Rs.24,90,75,000/- in the Ad-hoc CAMPA account towards NPV over 332.100 ha forest land. The new lessee i.e. M/s OMC Ltd. has deposited advance lumpsum amount of Rs.25,38,57,750/- @7.5 lakhs/ ha towards compensatory levies through RTGS vide UTR No. SBIN521012176323 dtd. 12.01.2021 in the Account No. 150825817900225 in Corporation Bank, Lodhi Road, New Delhi as per the demand raised by the DFO, Keonjhar vide letter No. 327/6F-Mining/2020 dtd.11.01.2021 over 338. 477 ha of total forest land included within the mining lease. Actual forest area as per the certified copy of land schedule comes to 332.100 ha. Therefore Rs.47,82,750/- has been deposited by M/s OMC in excess (Rs.25,38,57,750/- - Rs.24,90,75,000/-) which may be recommended to adjust against the other dues for this project.

The proposal submitted for diversion of 209.54 ha of forest land was approved in 1st phase for 42.417 ha of already broken up forest area and then 95.0 ha of virgin forest area in 2nd phase. Therefore, total 137.417 ha has been approved against which 209.54 ha of Non-Forest Govt. land has been identified for CA and accordingly RoR has been issued by Tahasildar, Telkoi in villages Mayurdihi and Tentulikhunti of Telkoi Tahasil. Hence, as against 332.100 ha of forest land, 404.223 ha (209.54 + 194.683) of CA land has been provided against this project. On grant of Stage-I approval, M/s OMC Ltd. may be allowed to utilize the balance 72.123 ha of non-forest land against other mining project of OMC.

The CA scheme over 209.54 ha has been approved by CF (Nodal) with a financial outlay Rs.1,28,94,000/-. As per the approval an amount Rs.1,22,94,000/- has been transferred vide UTR No. SBINH11154317190 dt. 03.02.2011. Plantation has already been carried out during 2013-14.

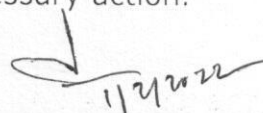
The compliance report of Stage-II forest clearance over 42.417 Ha and 95.0 Ha. approved by MoEF & CC on dtd 14.01.2005 and 06.09.2011 respectively is enclosed vide **Annexure-V** Series.

**8. Violation of the Forest (Conservation) Act, 1980, if any, and action taken thereof should be mentioned in detail.**

As reported by the DFO, Keonjhar Division, M/s OMC Ltd. has not committed any violation since the date of taking over the mining lease for operation.

This is for favour of your kind information and necessary action.

Encl: As above.

  
Regional Chief Conservator of Forests,  
Rourkela Circle

Memo No. 360 / Date: 01.02.2022

Copy forwarded to the Divisional Forest Officer, Keonjhar Division for information and necessary action with reference to his Memo No.601 Dtd.25.01.2022 & 799 dtd.01.02.2022.

  
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