



OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION

Phone No- 06766-254315, email ID- dfo.keonjhar@odisha.gov.in

Memo No. 10261 /6F-Mining-16/2021
Dated, Keonjhar the 12 ~~12~~ September, 2023

To

The Regional Chief Conservator of Forests,
Rourkela Circle, Rourkela.

Sub: Proposal for diversion of 194.683 ha forest land in favour of M/s Odisha Mining Corporation (OMC) involved in total mining lease area of 358.258 ha of Guali Iron Ore Mines of M/s OMC Ltd of Keonjhar District, Odisha -reg.

X-sub: Submission of point wise compliance.

Ref: Letter F. No.8-96/1996-FC (PT) dated 28.12.2022 by MoEF&CC, Govt. of India.

Letter No.13544/OMC/F&E/2023 dated 22.08.2023 of M/s OMC Ltd.

With reference to the letters cited above on the captioned subject the point wise compliance to the observation raised by MoEF & CC vide letter under reference pertaining to diversion of 194.683 ha of balance forest land within Guali Iron Ore Mines of M/s OMC Ltd. located in Keonjhar district of Odisha is given as under:-

i. As per the detail provided in the Mining Plan, the forest area has been indicated as 229 ha, the same should be rectified to match to the forest area estimated as per DGPS survey. Accordingly, land use of various components proposed in the forest as well as non-forest land may be intimated by the State.

M/s OMC Ltd. vide letter No.8086/OMC/PMC/2023 dt 22.05.2023 had requested the Regional Controller of Mines, IBM, Bhubaneswar to issue an amendment order with respect to change in the forest area. In reply, the Regional Controller of Mines, IBM, Bhubaneswar vide his letter No.MCDR-MIFLOFE/11/2022-BBS-IBMRO-BBS dt 02.06.2023 informed M/s OMC Ltd. as given hereunder:-

"In view of the above, the total forest area in the approved mining plan may be read as 332.100 ha and the land schedule in chapter 2.0 (b) lease area details (page-9) is modified as follows:-

Government Land	10.226 ha
Forest Land	332.100 ha
Private Land	15.932 ha
Total	358.258 ha

All other parts of approved Mining Plan remains same."

While clarifying the above discrepancy, IBM has referred the letter issued by the Joint Director of Mines, Department of Mining and Geology (DoMG), Odisha, Bhubaneswar vide his letter No. MXIII (b) 01/2021 .6901/DoMG, dt 17.05.2023 wherein it has been mentioned that, the forest Kissam area of 332.100 ha (as per HAL and SABIK record) has been jointly verified by Mining,

Revenue and Forest Officials and authenticated the DGPS map by the Survey Officer of Director of Mines, Department of Mining and Geology, Odisha, Bhubaneswar.

The copy of the letter by Director of Mines, Department of Mining and Geology, Odisha, Bhubaneswar and IBM is enclosed as **Annexure-I Series** for kind perusal.

The land use of various components as per the approved mining plan and the corresponding changes due to change in total forest area from 229.524 ha to 332.100 ha is enclosed as **Annexure-II** for reference.

ii. Revised Cost Benefit Analysis i.e. 1:1130.46 is still exorbitantly high. The same needs to be revisited to make it more realistic.

M/s OMC Ltd. has revised the cost benefit and the undersigned has estimated cost to bring out the ratio to 1:533.68. The details are enclosed as **Annexure-III & IV**.

iii. A Site Specific Wildlife Management Plan has been reported to be already in place; the status of progress of its implementation needs to be informed by the State.

It is submitted that, a Site Specific Wildlife Conservation Plan was approved by PCCF (WL) & CWLW, Odisha vide letter No.1WL-C-FC-385/08-321 dt 17.01.2009 (**Annexure-V**) which includes the cost towards implementation of prescriptions within core area by User Agency for Rs 39.00 Lakh and in the buffer area by DFO, Keonjhar Division for Rs 238.00 Lakh. Out of total Rs 277.00 Lakh, the user agency has deposited an amount of Rs 271.80 Lakh in Orissa CAMPA on dated 03.03.2010 and provided a vehicle to this Division at the cost of Rs 5.20 Lakhs from balance amount. The list of activities already undertaken in the core area by the User Agency (Ex-lessee: M/s Ramesh Prasad Sao) incurring the expenditure of Rs.432.993 Lakh is given at **Annexure-VI**. That due to unavoidable circumstances and disproportionate division of work, the approved activities could not be implemented by the undersigned.

As the above Site Specific Wildlife Conservation Plan was passed more than 10 years, the PCCF (WL) & CWLW, Odisha has revisited the said plan and approved the revised plan vide letter No.8781/CWLW-FDWC-FD-0134-2021 dt 10.08.2023 with a total financial outlay of Rs.381.894 lakhs which includes Rs. 177.750 lakhs towards activities in project impact area of Keonjhar Division and Rs 204.144 lakh in the project impact area of Bonai Division for a plan period of five years which shall be revisited at least one year before expiry of its implementation. The copy of the letter of approval is enclosed as **Annexure-VII**. Revised amount of SSWLCP could not be deposited due to technical issues in e- parivesh web portal and because proposal is still awaiting Stage-I approval. The undertaking submitted by the user agency for the same is enclosed herewith as **Annexure-VIIA**.

iv. Details of notification of non-forest land identified for raising CA, in lieu of diversion of forest land accorded in the past, as RF/PF under the IFA or local Act may be informed by the State.

The non-forest Govt. land allotted over 209.54 ha in village Mayurdihi (207.3670 ha) and Tentulikhunti (2.56 ha) against earlier diversion (42.417 ha + 95.00 ha) in two phases have been mutated in favour of State Forest Department. The State Government vide Notification No.FE-DIV-FLD-0068-2023-{10F-(Cons)-41/2018}-17393/FE&CC dated 16.08.2023 has notified the CA area as **“Tentulikhunti Protected Forest”** and vide letter No. FE-DIV-FLD-0068-2023-{10F-(Cons)-41/2018}-17386/FE&CC dt 16.08.2023 has notified the CA area as **“Mayurdihi Protected Forest”**.

The copy of the PF Notifications and copy of RoR of both the areas are enclosed as **Annexure-VIII** series.

v. The State Government in its letter dated 29.10.2022 mentioned that process for transfer of approval from M/s R.P. Sao (erstwhile agency) to M/s OMC Ltd., in respect of 42.417 ha and 95 ha of forest land approved in the past, is still under consideration in the State. Therefore, on 12.01.2021 the date of execution of lease, no approval under the FC Act, 1980 was available in favour of M/s OMC. Justifications for executing the lease in favour M/s OMC without formal FC approval in their favour needs to be furnished by the State.

It is submitted that the State Government vide letter No. 324/SM dt.11.01.2021 has vested all the statutory clearances in favour of M/s OMC Ltd. including forest approval orders over 42.417 ha and 95.0 ha. All the formalities required for Transfer of FC including deposit of Rs 1, 00,000/- towards processing fees have been fulfilled by OMC and the State Forest Department vide letter No. FE-DIV-FLD-0068-2023-{10F-(Cons)-41/2018}-17906/FE & CC dated 22.08.2023 (**Annexure-IX**) has transferred the FC in the name of OMC Ltd.

It is pertinent to mention here that the condition No. 3(v) (a) to (g) of the guideline issued vide letter F.No.11-599/2014-FC dated 01.04.2015 and point No.7.1(iv) (a to h), Handbook of Forest Conservation Act, 1980 & Forest (Conservation) Rule, 2003 issued vide dated 29.03.2019 by the MoEF&CC, Govt. of India have been complied by M/s OMC Ltd. It is construed as approval under FC Act, 1980 based on which lease deed is executed in favour of M/s OMC Ltd. Govt. of Odisha,PSU.

A note on justification for executing Guali Iron Ore mining lease in favour M/s OMC without formal FC approval is enclosed as **Annexure-X** for kind perusal.

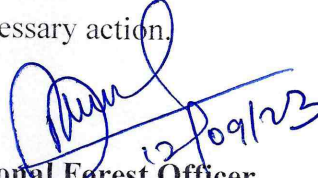
vi. The Committee also desired that issues related to rationalization of project components specially with regards to OB dump and progress made in the implementation of provisions of the Site Specific Wildlife Management Plan prepared in 2009 and its updates proposed in the extant proposal, justification for assignment of lease without prior approval under the Forest (Conservation) Act, 1980, etc. will be examined by the Integrated Regional Office of the Ministry at Bhubaneswar and Nodal Officer (FCA), Odisha and a report on the same will be submitted along for the consideration of the Committee.

It is submitted that, the following issues as indicated will be examined by Integrated Regional Office, Bhubaneswar and PCCF (FD & NO, FC Act), Odisha:

1. Rationalization of project components especially with regards to OB dumps.
2. Progress made in the implementation of provisions of the Site Specific Wildlife Management Plan prepared in 2009 and its updates proposed in the extant proposal.
3. Justification for assignment of lease without prior approval under the Forest (Conservation) Act, 1980.

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

Encl:-As above.

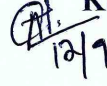

12/09/23
Divisional Forest Officer,
Keonjhar Division.

PTO

Memo No. 10262 /Dated 12.9.23

Copy submitted to the Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act, O/o. the PCCF & HoFF, Odisha, Bhubaneswar for favour of kind information.


Divisional Forest Officer,
Keonjhar Division.


12/9