



STATE FOREST HEADQUARTERS, ODISHA  
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF  
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR  
BHUBANESWAR-751023

E-mail:- [nodal.pccfhoff@odisha.gov.in](mailto:nodal.pccfhoff@odisha.gov.in) / [nodal.pccfodisha@gmail.com](mailto:nodal.pccfodisha@gmail.com)

No. 20370 /9F (MG) – 65/2021

Dated, Bhubaneswar the 13<sup>th</sup> October' 2023

From

**Sri Susanta Nanda, IFS**  
Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act)  
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

**The Deputy Inspector General of Forests (FC)**  
Government of India, Ministry of Environment, Forest & Climate Change  
(FC Division), Indira Paryavaran Bhawan, Aligang, Jorbagh road  
New Delhi-110003

**Sub: -** Proposal for non-forestry use 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 Opencast Iron Ore Mines located in District Keonjhar (Odisha)-reg.

**Ref:** Letter No. 8-96/1996-FC (PT-1) dated 28.12.2022 of MoEF &CC, GoI (FC Division) New Delhi.

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change (FC division), New Delhi has raised 02 nos. observations in respect of 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 Opencast Iron Ore Mines located in District Keonjhar under Keonjhar Forest Division. The point wise compliance basing on the reports of the DFO, Keonjhar Forest Division and RCCF, Rourkela Circle are as follows:-

- 1. Observation (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.

**Compliance: -** As reported by RCCF, Rourkela Circle, Joint Director of Mines in Directorate of Mines & Geology under Department of Steel and Mines, Odisha, Bhubaneswar vide his letter No. MXIII (b) 01/2021 .6901/DoMG, dt 17.05.2023 addressed to the Director (Project & Planning) M/s OMC Ltd. Bhubaneswar 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,

22

Revenue and Forest Officials and authenticated by the Survey Officer of Director of Mines, Department of Mining and Geology, Odisha, Bhubaneswar sending therewith one set of authenticated DGPS surveyed map and land schedule over 358.258 ha. (as per DGPS) in respect of Guali Iron Ore mines in village Guali, Laharpada, Panduliposi, Rugudihi, Tapadihi & Sidhamatha R.F.

Further, M/s OMC Ltd. vide their 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 has 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:-*

<i>Government Land</i>	<i>10.226 ha</i>
<i>Forest Land</i>	<i>332.100 ha</i>
<i>Private Land</i>	<i>15.932 ha</i>
<b>Total</b>	<b>358.258 ha</b>

*All other parts of approved Mining Plan remain 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.

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 submitted by the DFO, Keonjhar Division is enclosed as **Annexure-II** for reference.

**Observation (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.**

**Compliance:** - The compliance submitted by RCCF, Rourkela Circle envisages that the DFO, Keonjhar division has re-casted the cost of the forest proposed for diversion as 5272.417 lakh and the project proponent has also revised the benefit of the project that amounts to 2814341.09 lakh. Accordingly, the cost-benefit ration comes to 1:533.68. The details of calculation are enclosed as **Annexure-III & IV**.

**Observation (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.**



**Compliance:** -As reported by RCCF, Rourkela Circle, the site specific Wild Life conservation Plan was originally approved in favour ex-lessee R.P Sao by the PCCF (WL) & CWLW, Odisha for Rs. 277 lakhs for activities both inside and outside the project area and the scheme is to be implemented by the DFO, Keonjhar with funding from the project proponent. The copy of the approval letter is enclosed as **Annexure-V**. The ex-lessee had submitted the progress of implementation of the then approved SSWLCP up to 10.10.2012 enclosed as **Annexure-VI**.

The Site Specific Wildlife Conservation Plan that is in place was approved more than 10 years back. The PCCF (WL) & CWLW, Odisha has revisited the said plan and approved the revised plan vide his 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**.

As reported by the DFO, Keonjhar Division, revised amount of SSWLCP could not be deposited by the User Agency due to technical issues in e-parivesh web portal and because proposal is still awaiting Stage-I approval. The user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Division is enclosed as **Annexure-VIIA**.

**Observation (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.**

**Compliance:-** As reported by RCCF, Rourkela Circle, 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 have 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 have 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**.

**Observation (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.



**Compliance:** - As reported by RCCF, Rourkela Circle, 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 clearance 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 have transferred the FC in the name of OMC Ltd. The copy of the same is enclosed as **Annexure-IX**.

The DFO, Keonjhar has pertinently mentioned 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(Guidelines & clarification) issued on 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 has been executed in favour of M/s OMC Ltd., a Govt. of Odisha PSU.

The user agency has submitted justification regarding execution of Guali Iron Ore mining lease in its favour without formal FC approval is enclosed as **Annexure-X**.

**Observation (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.

**Compliance:** - The following issues as indicated below were examined in detail 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.

The report prepared jointly by Integrated Regional office, Bhubaneswar and PCCF (FD&NO, FCA), Odisha on the above stated issues is enclosed as **Annexure-XI**.

2. **Observation :-**The Committee also desired that recommendation made by the Committee in the case of Netrabandha Pahar Iron Ore Block allotted to M/s Bhusan Power & Steel Limited(As per agenda items no.3 in the minutes of meeting of FAC dt. 09.12.2022),after examination of the report of the team of officers of the MoEF&CC and Wilife Institute of India on the elephants habitat, their movement and mitigation measures, shall mutatis mutandis to the extant case.



**Compliance:** - The Site Specific Wildlife Conservation Plan prepared and approved on 17.01.2009 has been re-visited recently by the PCCF (WL)&CWLW, Odisha and he has approved the revised plan vide his 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. Different activities like interventions for protection of forest and wildlife, prevention of forest fire, Habitat management, Mitigation measure for Human-Elephant conflict, Public awareness, Community participation, Eco-Development activities, immunisation of domestic live-stock and surveillance of health of wildlife in the impact area around 10 Rkm radial distance of the project site have been incorporated.

It is pertinent to state that the recommendations as per final study conducted by CSIR-NERRI on carry capacity vis-à-vis pollution in these areas and the suggested Ore Transportation Mode (SOTM) will be implemented. This is likely to facilitate unhindered movement of elephants.

As per the decision of the FAC held on 09.12.2022, a meeting was held on 13.02.2023 on hybrid mode under the chairmanship of PCCF & HoFF, Odisha with regards to mitigative measures to address the issue relating to wild life in general and elephants in particular, while considering the forest clearance for Netrabandha Pahar Iron Ore block of M/s Bhusan Power & Steel Ltd, Guali Iron Ore Mines of OMC Ltd and Kalamanga West (Northern part) Block Iron Ore Mines of M/s Tata BSL Ltd. The minutes of the meeting is enclosed as **Annexure-XII**.

The item no.3 of the minutes envisages about the Comprehensive Action plan prepared by the Odisha for conservation of the elephants and mitigation of Human-elephant conflict. The Comprehensive Action plan has been prepared in consultation with field experts, Field level functionaries and NGOs as per the direction of the Hon'ble High Court of Odisha in writ Petition (Civil) PIL No. 14706/2022 has already been approved by the high Power Committee (HPC) under the Chairmanship of Chief Secretary, Odisha. Action points under 10 pillars strategy have been envisaged in the CAP with Short term, medium term and Long term mitigative measures. The Action Plan will act as a perspective plan for elephant management in the state in the years to come. In item no.3 of the minutes, it is suggested that to address the issue of interstate movement of elephants in the larger landscape comprising of Odisha, Jharkhand, Chhatisgarh and South Western part of West Bengal; MoEF & CC (Project Elephant division) may assign reputed organization/Institution to prepare Comprehensive Elephant Management Plan for the said Region.

The Director of Mines & Geology, Odisha, Bhubaneswar after detailed field enquiry by the DFO, Bonai Forest Division under Sundargarh District in Odisha has furnished a report regarding the status of functional, Non-functional and surrender of leased out Mines in



the entire landscape in question. The copy of the report of the Director of Mines & Geology, Odisha is enclosed as **Annexure-XIII**.

In view of the above, the compliance to the observations dated 28.12.2022 of the Govt. of India, MoEF & CC (Forest Conservation Division), New Delhi is sent herewith for favour of kind information and according approval under Section-2(ii) of Forest (Conservation) Act, 1980.

**Encl: Compliance in one set**

Yours faithfully

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **20371** /Dt. **13-10-2023**

Copy along with its enclosures forwarded to the Deputy Director General of Forest (C), GoI, MoEF&CC, Regional Office, Bhubaneswar for favour of kind information and necessary action with reference to GoI, MoEF& CC, New Delhi Letter issued vide F. No. 8-96/1996-FC(PT-1) dated 28.12.2022.

**Encl- Compliance in one set**

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **20372** /Dt. **13-10-2023**

Copy along with its enclosures forwarded to the Addl. Chief Secretary to Government, FE&CC Department, Govt. of Odisha for favour of kind information and necessary action with reference to GoI, MoEF& CC, New Delhi Letter issued vide F. No. 8-96/1996-FC(PT-1) dated 28.12.2022 and Memo No.4887/ FE&CC dt.16.03.2023 of OSD-cum-Special Secretary to Government, FE & CC Department.

**Encl- Compliance in one set**

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **20373** /Dt. **13-10-2023**

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle for information and necessary action with reference to his office Memo No. 3041 dated 13.09.2023.

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **20374** /Dt. **13-10-2023**

Copy forwarded to the DFO, Keonjhar Division for information and necessary action with reference to RCCF, Rourkela Memo No. 3042 dated 13.09.2023.

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **20375** /Dt. **13-10-2023**

Copy forwarded to the General Manager (Geo), OMC Ltd., OMC House, Bhubaneswar for information and necessary action with reference to Memo No.4891/FE&CC dt. 16.03.2023 of the OSD-cum-Special Secretary to Government, FE & CC Department.

*[Signature]*  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

*[Handwritten initials]*  
aff (M) (3)