

Government of Odisha
Forest & Environment Department

No. 101 (Cons) dt. 19.12.2016
From

Sri Debidutta Biswal, IFS,
Special Secretary to Government.

To

The Assistant Inspector General of Forests,
Govt. of India, Ministry of Environment & Forest and Climate Change
(.F.C.Division), Indira Paryavaran Bhawan,
Jor Bagh, Aliganj Road
New Delhi -110003

Sub: Proposal for diversion of balance forest land 162.42 ha. including 48.136ha. of forest land to be maintained safety zone (as per Sabik Settlement record as on 25.10.1980 and after 25.10.1980) excluding the 104.79ha. forest land already diverted pertaining to total ML area of 382.709ha. of Sukurangi Chromite Mines of M/s Odisha Mining Corporation Ltd spread over villages like Kamarda, Ostapal, Saruabil, Sukurangi, Tailangi and Forest Block No. 27 of Mahagiri DPF in Sukinda Tehsil of Jajpur district(under Cuttack Forest Division), Odisha during extended period of mining lease up to 31.3.2020 as per MMDR Amendment Act, 2015

Sir,

I am directed to invite reference to letter F.No. 8-22/2016-FC dt. 19.12.2016 of MoEF&CC, GoI on the above mentioned subject and to say that the Forest Advisory Committee in their meeting on 9/10 November, 2016 while considering the forest diversion proposal, have made certain observations for compliance by the State Government. The Addl. PCCF(Forest Diversion) & Nodal Officer, FC Act, O/O PCCF, Odisha vide his letter No.13487 dt. 3.6.2017 has furnished required point wise compliance, details of which are indicated below.

Observation(i) *Plantation up to 100 meters from the bank of river on either side, to be done and maintained as green belt.*

Compliance: In compliance to the above, the User Agency has submitted a scheme for undertaking plantation over 100 meters on either side of Damsala nallah which is to be maintained as green belt. The scheme has been technically approved by the RCCF, Angul Circle. The user agency has furnished an undertaking to implement the scheme and maintain the green belt at the project cost. The approved scheme as well as the said undertaking are enclosed herewith as **Annexure-1& I (A)** respectively.

Observation (ii) *On analysis through DSS it is found that moderately dense forest is present on southern boundary of the mining lease. State Government should demarcate that area, submit shape files and it shall be kept intact as an additional safety zone.*



Compliance: In compliance to the order of DFO, Chitradurga reported that the moderately dense vegetation existing in the southern boundary of the ML area has been demarcated and shall be kept intact as an additional safety zone area. The shape file of the ML area in the form of CD submitted by OMC is enclosed herewith for reference. In the view of observations of FAC for keeping the above mentioned vegetation in the southern boundary intact and plantation to be taken up over 100mt on either side of Damsala nallah, the land use plan proposed while forwarding the instant diversion proposal, has been modified as under which needs to be approved.

Sl. No.	Pattern of Utilization	Forest Area (ha)			Non-Forest Area (ha)	Total Area (ha)
		DPF	Revenue Forest	Total		
I	Mining	0.841	65.937	66.778	2.885	69.663
	Dumping of overburden	-	37.513	37.513	-	37.513
	Infrastructure for site services	-	-	-	4.576	4.576
	Sub-grade ore storage	-	9.993	9.993	-	9.993
	Road	-	-	-	1.540	1.540
	Area earmarked for safety zone (7.5mt strip along ML boundary and 10mt on either side of the road)	1.011	2.689 1.950 <u>0.500</u> 5.139	6.150	2.100	8.250
	Area earmarked for safety zone up to 100mt on either side of the Damsal nala	-	11.229 <u>18.000</u> <u>29.229</u>	29.229	3.071	32.300
	Additional safety zone area to be kept intact and maintained on southern boundary of the ML	12.757	-	12.757	-	12.757
	Total	14.609	147.811	162.420	14.172	176.592
II	Untouched tenanted land	-	-	-	85.778	85.778
III	Forest area earlier finally approved by MoEF, Govt. of India dt 21. 07. 2011.	-	104.790	104.79	15.549	120.339
Grand Total		14.609	252.601	267.210	115.499	382.709

The proposed mining lease map as provided for the user mining is enclosed here with as Plate-6.

Observation (iii). On the basis of DSS it is found that some of proposed area for CA is seen under encroachment for agriculture. State Government shall submit comments on the status of encroachment.

Compliance: In this context, the DFO, Cuttack has reported that the area found to be under encroachment for agriculture through DSS is due to Podu cultivation practice by the local tribal population. This extent of area under encroachment over 2.0934 ha has been excluded from the total CA area. The revised Compensatory Afforestation land over a reduced area of 114.284 ha would also accommodate the required no. of plants to be raised as against diversion of forest land in this project.

Observation (iv) For compensatory Afforestation (CA) equivalent non forest land (NFL) is to be earmarked and plantation has to be raised @1000 plants/ha, of forest land diverted. On analysis through DSS it is found that some area of the proposed non forest land for CA is having moderately dense vegetation over it, therefore 1000 plants/ha cannot be planted. The proposed non forest land for CA shall be accepted provided the number of plants which are not possible to be planted on proposed land, shall be planted on degraded forest land (crown density upto 40% as per Forest Survey of India report) identified by the forest department. State Government shall identify degraded forest land (DFL) within its administrative control and submit the location of area and shape file with possible number of plants to be planted in the proposed degraded forest land. The compensatory afforestation scheme shall be for 1000 plants/ha of the forest land diverted under this proposal including maintenance cost for 10 years. The State Government shall submit the revised CA scheme.

Compliance: In this context, it is stated that the non-forest land earlier identified for compensatory afforestation pertaining to this project, was over 156.771 ha comprising of three patches in three different villages i.e. Balangi (52.395 ha), Barakundi (35.610 ha) & Jubanga (68.766 ha) under Thuamul- Rampur Tehasil of Kalahandi District. In view of observations of FAC with regard to safety zone & additional safety zone to be maintained in this mining project, total virgin forest area of the mining lease for which equivalent extent of non-forest land is required to be identified has been reported by the DFO, Cuttack which is as under. Total Compensatory Afforestation area as has been recalculated as 114.284 ha.

REVISED ASSESSMENT OF CA LAND (ha)		
1	Total Forest land in the ML	257
2	Forest area reserved under section 17(1) by PCCF & Nodal Officer, FC Act	104.79
3	Forest area earmarked for safety zone (100 mtr on either side of Damsal Nala + Additional safety zone to southern side of ML)	23.986
4	Safety zone area already as per already granted stage-II approval over 104.79 ha of forest land earlier.	22.20
5	7.5 mtr strip along the ML boundary to be maintained as safety zone which bears common boundary with South Kaliapani ML of OMC Ltd.	1.95
6	Balance forest Area for which CA is required (1-2-3-4-5)	114.284

The DFO, Kalahandi (South) Division has carved out 114.284 ha of non-forest land out of two patches earlier identified for this project for the purpose of raising compensatory afforestation which is comprising of 45.518 ha in village Balangi out of total extent of non-forest land identified (52.395 ha), & 68.766 ha in village Jubang excluding the non-forest area having Moderately Dense Forest growth as per DSS analysis. The DFO has accordingly furnished a modified site specific Compensatory Afforestation scheme for raising bald hill plantation of indigenous species @1600 seedlings per ha. Besides the CA scheme, the land schedule of non-forest land identified at village Balangi and Jubang duly authenticated by the Tahasildar, Thuamul-Rampur, Survey of India topomap indicating the sites for raising CA, co-ordinates of CA area, Cadastral mouza map of two villages duly authenticated by Tahasildar showing the CA area are also attached to the scheme. The shape file of CA area is also attached herewith in CD form. The CA scheme has provision for raising indigenous species like Neem, Karanja, Armla, Harida, Bahada, Sissoo, Gambhari, Salia bamboo, Chakunda, Tentuli, Mahul, Teak, Mango etc. Besides plantation, scheme has also provision of barbed wire fencing. The CA scheme has been approved by Addl. PCCF(Forest Diversion) & Nodal Officer, FC Act with a total financial outlay of Rs. 3,97,65,200/- at current wage rate of Rs. 200/- per Manday including cost of maintenance for 10 years. As per the revised CA scheme approved, 1,82,854 no. of plants are to be raised within an area of 114.284ha. @ 1600 plants per ha. As per observations of FAC, only 1,14,284 no. of plants are necessary to be planted over the identified CA area of 114.284ha. @ 1000 plants per ha. In case, 1,14,284 no. of plants cannot be planted within the identified area, the balance no. of plants are to be raised in degraded forest land having crown density of 40% as per FSI report. Since the identified CA area is going to be accommodate 1,82,854 no. of plants which is much

more than the no. of plots identified, required to be planned, further identification of degraded forest land for the CA for this project is not required. A copy of Jdly approved/revised CA scheme is attached herewith as Annexure-1. The user agency has earlier furnished an undertaking to pay the cost of compensatory Afforestation.

Observation (v) State Government shall submit original certificate of complete compliance of FRA-2006.

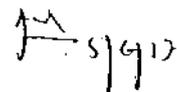
Compliance: In compliance to the above, original certificate as per FRA guidelines of MoEF&CC signed by the Collector, Jajpur & other documentary evidences in support of complete compliance of FRA guidelines pertaining to forest land proposed for diversion are enclosed herewith as **Annexure-3**.

Observation (vi) 1.335 ha forest land diversion is proposed for construction of infrastructure for site services. This shall not be allowed on forest land.

Compliance: In compliance to the above, 1.335 ha of forest land earlier proposed for diversion for construction of infrastructure has already been dropped. Accordingly, the revised proposed land use plan and map thereof as submitted by the user agency are enclosed herewith as **Plate No. I**.

In view of the above position of compliance of the observations of Forest Advisory Committee, it is requested that GoI, MoEF&CC, may kindly take steps for according Stage-I approval for diversion of balance forest land 162.42 ha. including 48.136ha. of forest land to be maintained safety zone (as per Sabik Settlement record as on 25.10.1980 and after 25.10.1980) excluding the 104.79ha. forest land already diverted pertaining to total ML area of 382.709ha. of Sukurangi Chromite Mines of M/s Odisha Mining Corporation Ltd spread over villages like Karnarda, Ostapal, Saruabil, Sukurangi, Tailangi and Forest Block No. 27 of Mahagiri DPF in Sukinda Tehsil of Jajpur district (under Cuttack Forest Division), Odisha during extended period of mining lease up to 31.3.2020 as per MMDR Amendment Act, 2015 under Section-2 of Forest (Conservation) Act, 1980 and convey the same to this department for further follow up action.

Yours faithfully,

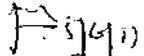


Special Secretary to Government

Encl: Annexures as above

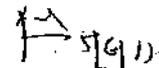
Memo No. 11963 /Dt. 5-6-17

Copy along with the copy of resolutions forwarded to the Adl. Principal Chief Conservator of Forests, Orissa Govt. for the Ministry of Environment & Forests and Climate Change, M3, Chandrasekharpur Bhubaneswar for information and necessary action.


Special Secretary to Government

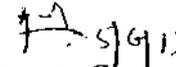
Memo No. 11964 /Dt. 5-6-17

Copy forwarded to the PCCF, Odisha for information and necessary action with reference to letter No.13487 dt. 3.6.2017 of Adl. PCCF(Forest Diversion)& Nodal Officer, FC Act.


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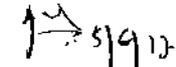
Memo No. 11965 /F&E., Dated- 5-6-17

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle/ RCCF, Bhawanipatna/DFO, Kalahandi(South) Division/ Divisional Forest Officer, Cuttack Forest Division for information and necessary action.


Special Secretary to Government

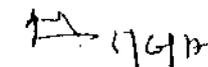
Memo No. 11966 /Dated. 5-6-17

Copy forwarded to the Steel & Mines Department for information and necessary action.


Special Secretary to Government

Memo No. 11967 /Dated. 5-6-17

Copy forwarded to the Managing Director, Odisha Mining Corporation Ltd, OMC House, Bhubaneswar for information and necessary action..


Special Secretary to Government