



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

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No. /9F (MG) - 374/2018

Dated, Bhubaneswar the

March 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

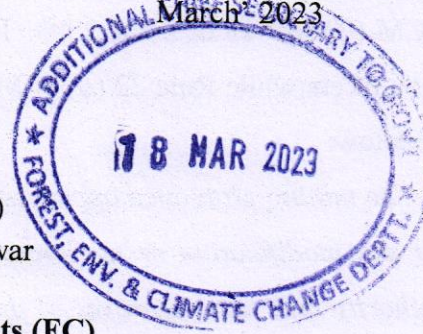
The Assistant Inspector General of Forests (FC)

Government of India,

Ministry of Environment, Forests & Climate Change (F.C. Division)

Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road

New Delhi-110003



Sub:- Proposal for non-forestry use of 168.948 ha of forest land in favour of M/s OMC Ltd for dumping of overburden of South Kaliapani and Sukurangi Chromite Mines located in Cuttack Forest Division – Compliance to GoI as well as National Authority (CAMPa) observations.

Ref: (i) F.No.8-19/2019-FC dated 26.12.2022 of Scientist 'D', Government of India, MoEF & CC (FC Division), New Delhi.

(ii) Letter No.1-26/2017- CAMPa (Pt.I) dated 06.01.2023 of GoI, MoEF & CC (National Authority), New Delhi

Sir,

In inviting a reference to the letters cited above on the captioned subject, the point wise compliance to the above observations of GoI, MoEF & CC (FC Division) as well as GoI, MoEF & CC (National Authority), New Delhi basing on the reports of DFO, Cuttack Forest Division and RCCF, Angul Circle are as follows:-

Compliance to the observations of GoI, MoEF & CC (FC Division) vide Letter No No.8-19/2019-FC dated 26.12.2022

Observation (i):- Copies of approved Review Mining Plan, approved on 20.11.2019 for total lease area of 552.457 ha for a period of 5 years, has been submitted along with Progressive Mine Closure Plan in compliance of condition no (v) of Stage-I approval. Approved Mining Plan for the entire lease period i.e. for the period ending on 22.01.2030 needs to be submitted instead of Mining scheme as envisaged in the condition. The State Government, therefore, needs to confirm if the Review Mining Plan along with Progressive Mining Plan can be considered a Mining Plan as envisaged in the Rule 13 of Mineral Concession Rules, 2016 or it is a subset of Principal Mining Plan. The situation in this regard vis-a-vis Rules 17 and 13 may be clarified by the State.

Compliance:- In compliance to the above, the RCCF, Angul Circle has reported that the Original Mining Plan over 552.457 ha pertaining to South-Kaliapani chromite was submitted under the erstwhile Rule 22 of MCR 1960 and approved by IBM vide letter No. 314 (3)/2000/MCCM (C)/MP-19 dt 21.02.2003. The Mining Plan is valid for the entire lease period as per provision of erstwhile Rule 22 (6) of MCR 1960. The extract of Rule 22(6) of MCR 1960 is reproduced below:

"Rule 22 (6)- The mining plan once approved shall be valid for the entire duration of the lease: Provided that any modification or modifications of the mining plan shall be approved by the competent authority and such approval of the modified mining plan shall remain valid for the balance duration of the mining lease"

It contains the Annual Programme and Plan for excavation from year to year for five years. At every five years span thereafter and before 120 days of expiry of the 5-year period, a scheme of mining as per Rule 12 (3) of MCDR 1988 is prepared and approved by IBM (Copy enclosed). Meanwhile the MCR 1960 has been repealed and is replaced by MCR 2016. The mining plan is now approved under Rule 13 of MCR 2016

Further, the MCDR 1988 is repealed and it is replaced by MCDR, 2017. The Scheme of Mining under MCDR 1988 is renamed as Review of Mining Plan. It is now approved under the provisions of Rule 17 of MCR 2016. In the instant case, Mining Plan was approved by IBM as per rule 22 of MC Rules 1960 and the latest Review of Mining Plan has been approved for the 5-year period from 2020-21 to 2024-25 approved under Rule 17 (2) of MCR 2016. Therefore. Review Mining Plan along with progressive mine closure plan may be considered as a sub-set of Principal Mining Plan. The required Annexure is enclosed as **Annexure-I**.

Observation (ii):- *Imposition of additional conditions regarding preparation of Site Specific Wildlife Management Plan and Regional Wildlife Management Plan by the State seems contrary to the provisions of guidelines dated 8.08.2014 issued by the Ministry which provides that State Government shall not impose the conditions other than what is stipulated in the Stage-I approval; however, in case the imposition of such condition becomes necessary, the same may be stipulated with the prior approval of the Central Government. A justification on the same needs to be obtained from the State along with a copy of approved Plan.*

Compliance:- The State Government vide letter No. 10F (Cons) 89/16-19650 /F&E dt 19.10.2019 has imposed eight no's of additional conditions, out of which Condition No. (c) is related to Regional Wildlife Management Plan and Condition No. (e) & (h) is related to Site Specific Wildlife Conservation Plan. The additional conditions were imposed by the State in larger interest for protection of forest and wildlife of the region.

The copy of the Site-Specific Wildlife Conservation Plan approved by CWLW, Odisha vide letter No. 5911/1WL(C) SSP-351/2012 dt 20.07.2013 and action plan for Wildlife management plan pertaining to South-Kaliapani Mines and that of Sukurangi Chromite Mines is enclosed as **Annexure-II Series**.

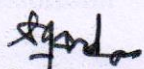
Compliance to the observations of GoI, MoEF & CC (National Authority), New Delhi Letter No.1-26/2017- CAMPA (Pt.I) dated 06.01.2023

In compliance to the above, the RCCF, Angul Circle has furnished the demand letters of DFO, Cuttack Forest division and payment receipts for Rs.1,45,42,942/- & Rs.1,91,14,080/- towards balance payment of Regional Wildlife Management Plan and Site Specific Wildlife Conservation Plan respectively which is enclosed as **Annexure-III Series**.

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF & CC, New Delhi as well as by the GoI, MoEF & CC (National Authority), New Delhi are sent herewith for according final approval for diversion of 168.948 ha of forest land adjacent to South Kaliapani Mines of OMC for dumping of overburden of South Kaliapani and Sukurangi Chromite Mines of M/s OMC Ltd under Cuttack Forest Division.

Encl: Compliance in one set

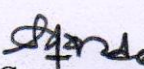
Yours faithfully


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

/ Dt.

Copy forwarded to the Dy. Director General of Forests (Central), MoEF & CC, IRO, Bhubaneswar for favour of kind information and necessary action with reference to F.No.8-19/2019-FC dated 26.12.2022 of Scientist 'D', Government of India, MoEF & CC (FC Division), New Delhi.


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)


Memo No.

5266

/ Dt. 17.03.2023

Copy alongwith the compliance report forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to F.No.8-19/2019-FC dated 26.12.2022 of Scientist 'D', Government of India, MoEF & CC (FC Division), New Delhi and Letter No.1-26/2017- CAMPA (Pt.I) dated 06.01.2023 of GoI, MoEF & CC (National Authority), New Delhi communicated vide No. 2701/FE&CC dated 14.02.2023 of OSD-cum-Special Secretary to Govt., FE&CC Department.

Encl: Compliance in one set


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

/Dt.

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for information and necessary action with reference to his Memo No.694 dated 24.02.2023.

17/2/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

/Dt.

Copy forwarded to the Divisional Forest Officer, Cuttack Forest Division for information and necessary action with reference to Memo No. 695 dated 24.02.2023 of RCCF, Angul Circle.

Sd/- 14/2/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

/Dt.

Copy forwarded to the Executive Director (F&E), M/s OMC Ltd, OMC House, Bhubaneswar for information and necessary action.

Sd/- 16/2/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

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