

**GOVERNMENT OF ODISHA
FOREST & ENVIRONMENT DEPARTMENT**

No.10F (Cons) 102/2019 15535 /F&E, Bhubaneswar, dated the
FE-DIV-FLD-0036-2020

08-10-2020

ORDER

Sub: Permission to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District & Kashipur Tahasil of Rayagada District assigned by the State Government of Odisha to Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar as allotted by Government in Steel & Mines Department.

WHEREAS, General Manager (Exploration), Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar had applied for permission to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District & Kashipur Tahasil of Rayagada District assigned by the State Government of Odisha to Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar as allotted by Government in Steel & Mines Department for prospecting of mineral as per the provision of Govt. of India, MoEF&CC guideline dtd.24.12.2018.

And whereas, the Govt. of India, MoEF&CC, Eastern Regional Office, Bhubaneswar vide their letter No.5-ORB401/2019-BHU dtd.07.09.2020 in consideration of the relevant proposal of the State Government furnished vide letter No.21924/F&E dtd.14.11.2019 have communicated their approval to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District & Kashipur Tahasil of Rayagada District assigned by the State Government of Odisha to Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar as allotted by Government in Steel & Mines Department, subject to fulfillment of conditions as laid down therein (**Annexure-I**).

Now, therefore, Govt. of Odisha do hereby allow the User Agency to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District

& Kashipur Tahasil of Rayagada District assigned by the State Government of Odisha to Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar as allotted by Government in Steel & Mines Department vide Notification No.4505/SM dtd.05.06.2018 to Odisha Mineral Exploration Corporation Limited (OMECL), Bhubaneswar and as per the proposal received from PCCF, Odisha vide their letter No.17413dtd.10.10.2019. The statement showing the coordinates of proposed boreholes (Majhingamali) indicated as received from PCCF, Odisha vide their letter No.17413 dtd.10.10.2019 is appended herewith as **Annexure-II**.

The Collector, Kalahandi, Collector, Rayagada, Divisional Forest Officer, Kalahandi (South) Forest Division & Divisional Forest Officer, Rayagada Forest Division are authorized to allow for use of the forest land in question for the purpose of prospecting of minerals subject to having valid permission and compliance of Court's order if any, following due procedure of law. Before allowing the use of forest land to the user agency it shall be ensured that the Compensatory levies as due for this project is deposited, in full, at applicable rates.

The Divisional Forest Officer, Kalahandi (South) Forest Division and the Divisional Forest Officer, Rayagada Forest Division are also directed to monitor compliance to the conditions stipulated for such exploration in the respective forest clearance order and to report violations, if any, to the Nodal Officer, O/o the PCCF, Odisha and to the Forest & Environment Department.

Execution of project activities will be subject to having availability of all other statutory clearances required under relevant Acts/ Rules for this exploration drilling, deposit of requisite funds and compliance of Court's order if any.

By order of Governor

(Signature)
(Lingaraj Otta)

Special Secretary to Government

Memo No. 15536 /F&E, Date 08-10-2020

Copy along with the copy of Annexure-I and Annexure-II as referred above forwarded to the Principal Chief Conservator of Forests, Odisha for kind information and necessary follow up action.

Appropriate instruction to the Divisional Forest Officer, Kalahandi (South) Forest Division, Divisional Forest Officer, Rayagada Forest Division and the applicant agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officers that compensatory levies, as due, for this project of applicant agency, is deposited by them in appropriate head of account in full, at applicable rates. The applicant agency may also be instructed to furnish compliance to the conditions of forest clearance pertaining to the project in every quarter to the Divisional Forest Officer, Kalahandi (South) Forest Division and Divisional Forest Officer, Rayagada Forest Division for facilitating monitoring of compliances.

(Signature)
Special Secretary to Government

Memo No. 15537 /F&E, Date 08-10-2020

Copy along with the copy of Annexures as above forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC (FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/ Deputy Director General of Forests (Central), MoEF&CC, Government of India, ERO, A/3, Chandrasekharapur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of the Hon'ble NGT dtd.07.11.2012 in Appeal No.7/2012 communicated by the MoEF, Govt.of India vide their F.No.7-23/2012-FC dtd.24.07.2013.

Memo No. 15538 /F&E, Date 08-10-2020

Copy along with the copy of Annexures as above forwarded to the PCCF (WL) & Chief Wildlife Warden, Odisha/ Director, Environment, Forest & Environment Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

Memo No. 15539 /F&E, Date 08-10-2020

Copy along with the copy of Annexures as above forwarded to the Regional Chief Conservator of Forests, Bhawanipatna Circle/ Regional Chief Conservator of Forests, Koraput Circle/ Divisional Forest Officer, Kalahandi (South) Forest Division/ Divisional Forest Officer, Rayagada Forest Division for information and immediate necessary compliance.

It may be ensured by the Divisional Forest Officer, Kalahandi (South) Forest Division and Divisional Forest Officer, Rayagada Forest Division that compensatory levies, as due, for this project of applicant agency, shall be deposited by them in full at applicable rates in appropriate head of account before allowing use of the forest land by the user agency. Besides, any other funds due to be deposited by the user agency for this project shall also be deposited by the agency before the forest land is allowed to be utilized for the purpose of prospecting. The applicant agency may also be instructed to furnish compliance to the conditions of forest clearance pertaining to the project in every quarter to the Divisional Forest Officer, Kalahandi (South) Forest Division and Divisional Forest Officer, Rayagada Forest Division for facilitating monitoring of compliances by them.

The Divisional Forest Officer, Kalahandi (South) Forest Division and Divisional Forest Officer, Rayagada Forest Division are also instructed to ensure that the direction given to the applicant agency is executed immediately.

Memo No. 15540 /F&E, Date 08-10-2020

Copy along with the copy of Annexures as above forwarded to the Steel & Mines Department/ Collector, Kalahandi/ Collector, Rayagada for information and necessary follow up action.

Memo No. 15541 /F&E, Date 08-10-2020

Copy along with the copy of Annexures as above forwarded to the Private Secretary to Minister of Forest & Environment Department for kind information of Hon'ble Minister.

Special Secretary to Government

Memo No. 15542 /F&E, Date 08-10-2020

Copy along with the copy of the Annexures forwarded to the General Manager (Exploration), OMECL, 3rd Floor, Bayan Bhawan, Unit-3, Pandit Jawaharlal Nehru Marg, Bhubaneswar-751001 for information and immediate necessary action.

The user agency is asked to take following actions immediately as per orders of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.7/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012-FC dtd.24.07.2013.

- i. *They shall publish the entire forest clearance granted in verbatim along with conditions and safeguards imposed by the Central Government in their approval order in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware of the permission granted to the Project for use of forest land for non-forest purposes.*
- ii. *They shall submit the copies of forest clearance orders granted by the Central Government/State Government to the Heads of local bodies, Panchayats and Municipal bodies in addition to the relevant offices of the Government, who in turn, has to display the same for 30 days from date of receipt.*
- iii. *Detailed action taken in compliance to the above order of State Government shall be intimated to the Divisional Forest Officer, Kalahandi (South) Forest Division/ Divisional Forest Officer, Rayagada Forest Division/ Regional Chief Conservator of Forests, Bhawanipatna Circle /Regional Chief Conservator of Forests, Koraput Circle/Principal Chief Conservator of Forests, Odisha/Forest & Environment Department for reference.*

Besides the above, the applicant agency is also asked to deposit Compensatory Levies, as due for the project in full, at applicable rates. Requisite funds due for deposit by the agency on account of this project shall also be deposited under appropriate head.

The applicant agency shall furnish compliances to the conditions prescribed in the forest/wildlife clearance order to the Divisional Forest Officer, Kalahandi (South) Forest Division and Divisional Forest Officer, Rayagada Forest Division in every quarter, for the purpose of monitoring by him.

[Signature]
Special Secretary to Government

Memo No. 15543 /F&E, Date 08-10-2020

Copy with copy of Annexures forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action. He is requested to upload this order along with its enclosures in the website of Forest & Environment Department **immediately** for information of all concerned. **This is required in compliance to order of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.7/2012. Hence this may be done unfailingly.**

[Signature]
Special Secretary to Government

Memo No. 15544 /F&E, Date 08-10-2020

Copy with copy of enclosures forwarded to the Under Secretary to Government, Office Establishment Section, F&E Department for information and necessary action with reference to their letter No.12939/F&E dtd.16.07.2016.

[Signature]
Special Secretary to Government

D9/2987/11
28/9/2020

Government of India/ भारत सरकार

Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन

मंत्रालय

Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय

A/3, Chandrasekharpur, Bhubaneswar/ A/3, चंद्रसेखरपुर, भुवनेश्वर

Telephone e: 0674 - 2301213, 2301248, 2302432

E-mail: roez.bsr-mef@nic.in

No. 5-ORB401/2019-BHU

4th September, 2020

7th

To

The Addl. Chief Secretary,
Forest & Environment Deptt.,
Govt. of Odisha.

Bhubaneswar.

Sub:- Permission to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District & Kashipur Tahasil of Rayagada District assigned by the State Govt. of Odisha to Odisha Mineral Exploration Limited (OMECL), Bhubaneswar as allotted by Govt. in Steel & Mines Department.

Madam,

I am to refer to State Govt. letter No10F(Cons)102/19-21924/F&E dated 14.11.2019 and No.11528/F&E dated 24.07.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of approval of Regional Empowered Committee meeting held on 28.08.2020, the Ministry of Environment, Forest & Climate Change **hereby conveys approval** to carry out exploration over 5.0805 ha of land (0.7380 ha Forest land & 4.3425 ha non-forest land) out of total Block area of 447.98 ha (forest land 190.064 ha + 257.916 ha non-forest land) through drilling 41 no. boreholes at Majhingamali Bauxite Block under Thuamul-Rampur Tahasil of Kalahandi District & Kashipur Tahasil of Rayagada District assigned by the State Govt. of Odisha to Odisha Mineral Exploration Limited (OMECL), Bhubaneswar as allotted by Govt. in Steel & Mines Department., subject to the fulfillment of the following conditions.

i. The user agency shall be allowed exploratory drilling of maximum of 10 no. of

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28/09/2020

- borehole of 4" diameter over 0.20 ha of forest land and 0.538 ha of forest land for the purpose of access path/road.
- ii. As per Ministry's letter No.5-3/2007-FC dated 24.12.2018, in case of proposal in forest areas with vegetation density between 0.1 and 0.4, then NPV is to be realized @ 2% or if with vegetation density 0.4 and 0.7, then NPV @ 5% for the total forest area within the lease area in which exploration/prospecting/survey being proposed to be carried out shall be realized from the user agency.
 - iii. Any amount of NPV deposited in the stipulated Government account is non-refundable. However, the NPV deposited for prospecting in the area, will be adjusted against the estimated NPV to be levied, in case the approval is obtained for diversion of the same forest land for mineral extraction, under Section 2 of Forest (Conservation) Act, 1980.
 - iv. The user agency shall prepare a plan to plant 20 tall trees per borehole area. The cost of preparation of plan and plantation shall be borne by the user agency. State Govt. shall ensure that the plants are planted on abandoned borehole area or degraded forest land, as per prescription of working plan.
 - v. The prior approval of Govt. of India under Section 2 of FC Act for prospecting in this forest area under consideration is only for resource assessment and mapping and does not confer in any manner any right to the State Govt. to divert such forest land under Section 2 (ii) of Forest (Conservation) Act, 1980 for mining purpose in future in favour of this user agency or any other mining company on the plea that forest clearance for prospecting has been granted.
 - vi. Charges towards NPV & CA as applicable shall be realized by the State Govt. from the user agency and deposited in Ad-hoc CAMPA fund through *e-portal*.
 - vii. The user agency will take precautionary measures not to disturb the wildlife during the exploration activities.
 - viii. The user agency shall seek permission of concerned Divisional Forest Officer before entering into the forest area and borehole shall be dug with prior permission of the concerned Divisional Forest Officer and also furnish detailed report thereof on completion of the project.
 - ix. Proper plugging of boreholes shall be made after exploration activities are complete to the satisfaction of the concerned Divisional Forest Officer.
 - x. No tree felling shall be undertaken for exploration activities as proposed by the State Govt. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
 - xi. The user agency shall re-locate the bore hole/s to avoid tree felling and minimum impact of forest floor.
 - xii. The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the concerned Divisional Forest Officer.
 - xiii. No other new road shall be constructed by the user agency for transporting prospecting tools and machines beyond what permitted. The user agency may use the existing forest road/path with prior information to the concerned Divisional Forest Officer. The use of existing road/path during the prospecting work shall be restored to its original status of forest after completion of prospecting work.
 - xiv. No other construction activities shall be done by the user agency on forest land.
 - xv. Any change in the diameter of borehole and number of boreholes will be reported to the concerned Regional Office in advance for consideration and recommendations to the Central Govt.
 - xvi. Adequate measures shall be taken by the use agency to ensure that prospecting

- activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment, by the concerned Divisional Forest Officer.
- xvii.No labour camp shall be established on the forest land and no work shall be allowed after sunset.
- xviii.In case, right over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Right Act, 2006, the claimants shall either be compensated appropriately or location of borehole by suitably re-located.
- xix.Initially the permission for prospecting will be granted for two years from the date of issue of this approval which can be extended for one more year with convincing justification from the State Govt. for extension.
- xx.In case of violations of conditions by the user agency, the permission for prospecting of minerals shall be suspended by the concerned Divisional Forest Officer. Further, it shall be enquired by the Nodal Officer (FCA) of the State Govt. and report to be submitted to the concerned Regional Office for appropriate action.
- xxi.The samples collected during the prospecting shall be used purely for investigation purposes and shall in no case be used for trade or commerce purpose.
- xxii.To minimize disturbance to the wildlife, user agency shall take all possible measures to minimize noise during prospecting operations and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concerned State Forest Department.
- xxiii.The user agency and the State Govt. shall ensure compliance to provisions of the MoEF&CC Guidelines F. No.11-96/2009-FC dated 4th July, 2014 issued by the Ministry regarding drilling in the forest land.
- xxiv.Violation of any of these conditions will be dealt as per Para 1.21 (iii) of Chapter-1 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- xxv.The State Govt. and the user agency shall comply with any other condition that the concerned Regional Office or the Ministry may stipulate in the interest of conservation, protection and development of forests & wildlife.
- xxvi.The State Govt. and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- 3 The user agency shall submit 6 monthly compliance report through the State Govt. of conditions stipulated in the paragraph-2 above to the Regional Office.

Yours faithfully,

Padma Mahanti

(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Director of Mines, Steel & Mines Department, Govt. of Odisha, Bhubaneswar, Odisha.
3. The General Manager (Exploration), Odisha Mineral Exploration Corporation Ltd. (OMECL), 3rd Floor, Bayan Bhawan, Unit-3, Pandit Jawaharlal Nehru Marg,

Bhubaneswar-751001.

Dy. Inspector General of Forests (C)



CO-ORDINATES OF PROPOSED BOREHOLES (MAJHINGAMALI)

| SL NO. | POINTS ID | LONGITUDE | LATITUDE |
|--------|-------------|--------------|--------------|
| 1 | MJM18PBH001 | 83°07'57.26" | 19°28'03.72" |
| 2 | MJM18PBH002 | 83°08'08.89" | 19°27'57.96" |
| 3 | MJM18PBH003 | 83°08'02.05" | 19°27'55.08" |
| 4 | MJM18PBH004 | 83°08'15.73" | 19°27'54.72" |
| 5 | MJM18PBH005 | 83°08'29.41" | 19°27'54.72" |
| 6 | MJM18PBH006 | 83°08'42.37" | 19°27'51.12" |
| 7 | MJM18PBH007 | 83°09'03.60" | 19°27'52.92" |
| 8 | MJM18PBH008 | 83°08'26.52" | 19°27'48.60" |
| 9 | MJM18PBH009 | 83°08'36.25" | 19°27'47.88" |
| 10 | MJM18PBH010 | 83°08'49.93" | 19°27'47.88" |
| 11 | MJM18PBH011 | 83°09'03.60" | 19°27'47.88" |
| 12 | MJM18PBH012 | 83°09'15.11" | 19°27'47.88" |
| 13 | MJM18PBH013 | 83°08'29.41" | 19°27'41.76" |
| 14 | MJM18PBH014 | 83°08'41.63" | 19°27'41.43" |
| 15 | MJM18PBH015 | 83°08'56.76" | 19°27'41.40" |
| 16 | MJM18PBH016 | 83°09'10.44" | 19°27'41.04" |
| 17 | MJM18PBH017 | 83°08'35.89" | 19°27'34.92" |
| 18 | MJM18PBH018 | 83°08'49.57" | 19°27'34.92" |
| 19 | MJM18PBH019 | 83°09'03.60" | 19°27'34.56" |
| 20 | MJM18PBH020 | 83°08'29.05" | 19°27'29.25" |
| 21 | MJM18PBH021 | 83°08'42.73" | 19°27'28.44" |
| 22 | MJM18PBH022 | 83°08'56.41" | 19°27'28.44" |
| 23 | MJM18PBH023 | 83°08'23.64" | 19°27'22.32" |
| 24 | MJM18PBH024 | 83°08'35.89" | 19°27'21.96" |
| 25 | MJM18PBH025 | 83°08'56.41" | 19°27'21.60" |
| 26 | MJM18PBH026 | 83°08'29.05" | 19°27'15.48" |
| 27 | MJM18PBH027 | 83°08'42.73" | 19°27'15.48" |
| 28 | MJM18PBH028 | 83°08'40.20" | 19°27'09.36" |
| 29 | MJM18PBH029 | 83°08'28.67" | 19°27'02.52" |
| 30 | MJM18PBH030 | 83°08'40.20" | 19°27'02.88" |
| 31 | MJM18PBH031 | 83°08'37.68" | 19°26'55.68" |
| 32 | MJM18PBH032 | 83°07'33.60" | 19°26'57.84" |
| 33 | MJM18PBH033 | 83°07'47.28" | 19°26'51.36" |
| 34 | MJM18PBH034 | 83°08'01.31" | 19°26'52.44" |
| 35 | MJM18PBH035 | 83°08'14.28" | 19°26'51.00" |
| 36 | MJM18PBH036 | 83°08'28.67" | 19°26'49.56" |
| 37 | MJM18PBH037 | 83°08'40.73" | 19°26'49.82" |
| 38 | MJM18PBH038 | 83°08'35.53" | 19°26'43.08" |
| 39 | MJM18PBH039 | 83°08'41.99" | 19°26'36.60" |
| 40 | MJM18PBH040 | 83°08'41.99" | 19°26'27.96" |
| 41 | MJM18PBH041 | 83°08'29.05" | 19°27'09.36" |

[Signature]
 Manager (Geo), OMECL

[Signature]
 DIVISIONAL FOREST OFFICER
 RAYAGADA DIVISION
 S.K. SINHA
 GM (EXPLORATION) OMECL

[Signature]
 Forest Range Officer
 Kashipur Range

[Signature]
 Asst Conservator of Forests
 Rayagada Division