

GOVERNMENT OF ODISHA
FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

No. FE-DIV-FLD-0119-2021- 17896 *****/FE&CC, Bhubaneswar, dated the 04-10-21
10F (Cons) 123/2020

ORDER

Sub: Diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for Iron Ore Mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar District, Odisha during 3rd RML period.

WHEREAS, the Deputy General Manager (I/C), OMDC Ltd., At/Po-Thakurani, Via-Barbil, Dist-Keonjhar, Odisha had applied for diversion of 21.52 ha of forest land in Uliburu Reserved Forest (including 2.107 ha for the purpose of safety zone) for Iron Ore Mining in Bagiaburu Iron Ore Mines in Keonjhar District, Odisha during 3rd RML period.

And whereas, the Ministry of Environment & Forests, Government of India, Eastern Regional Office, Bhubaneswar had accorded in-principle approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for Iron Ore mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar District, Odisha during 3rd RML period, subject to fulfillment of certain conditions vide its letter No.5-ORC164/2013-BHU dtd.21.11.2013 (**Annexure-I**).

And whereas, the MoEF&CC, Government of India, Integrated Regional Office (IRO), Bhubaneswar in consideration of the compliance of the conditions of the 'in-principle' approval, have accorded Stage-II/final approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for Iron Ore Mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar District, Odisha during 3rd RML period vide its letter No.5-ORC164/2013-BHU dtd.17.09.2021 (**Annexure-II**) subject to conditions as stipulated therein.

Now therefore, the Government of Odisha, do hereby allow diversion of above mentioned 21.52 ha of forest land in favour of user agency, as per approved land schedule furnished by PCCF, Odisha while forwarding the proposal in his letter No.1534 dtd.31.01.2013 subject to fulfillment of the conditions of final forest clearance order as stipulated by the MoEF&CC, Government of India, IRO, Bhubaneswar.

The Divisional Forest Officer, Keonjhar Forest Division is hereby authorized to hand over the diverted forest land after compliance of **Condition-A i.e. Conditions which need to be complied prior to handing over of forest land**, as has been finally diverted following due procedure of law. Before handing over the diverted forest land to the user agency, it shall be ensured that Net Present Value of the forest land for this project for which approval has been obtained shall be deposited in full, at applicable rates. **Condition as laid down in Condition-B i.e. Conditions which need to be complied after handing over of forest land to the user agency as stipulated in the final approval order dtd.17.09.2021 should also be complied.**

The Divisional Forest Officer, Keonjhar Forest Division is also directed to monitor compliance to the conditions stipulated for such diversion in the respective forest/ wildlife clearance order and to report violations, if any, to the Nodal Officer, O/o Principal Chief Conservator Forests, Odisha and to the Forest, Environment & Climate Change Department.

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

By order of Governor

Dr 4/10/2024
(Lingaraj Otta)

Special Secretary to Government

Memo No. 17897 / FE&CC Date 04-10-21

Copy along with the copy of Annexure-I and Annexure-II as 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, Keonjhar Forest Division and user agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer, Keonjhar Forest Division that Net Present Value of the forest land involved in this project of the user agency is deposited by them in appropriate head in full, at applicable rates. The user agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer, Keonjhar Forest Division for facilitating monitoring of compliances.

Dr 4/10/2024
Special Secretary to Government

Memo No. 17898 / FE&CC Date 04-10-21

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, IRO, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the

order of Hon'ble NGT dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012- FC dtd.24.07.2013.

dy/wf/2014

Special Secretary to Government

Memo No. 17899 / FE&CC Date 04-10-21

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

dy/wf/2014

Special Secretary to Government

Memo No. 17900 / FE&CC Date 04-10-21

Copy along with the copy of Annexures as above forwarded to the Regional Chief Conservator of Forests, Rourkela Circle / Divisional Forest Officer, Keonjhar Forest Division for information and immediate necessary compliance.

It may be ensured by the Divisional Forest Officer, Keonjhar Forest Division that Net Present Value of the forest land involved in this project of the user agency shall be deposited by them in full, at applicable rates in appropriate head before handing over of the forest land to the user agency. Besides, funds, if any, due to be deposited by the user agency for this project shall also be deposited by the project proponent before the forest land is handed over to them. The user agency may also be instructed to furnish compliance to the conditions of forest / wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer, Keonjhar Forest Division for facilitating monitoring of compliances by them.

The Divisional Forest Officer, Keonjhar Forest Division is also instructed to ensure that the direction given to the user agency are executed immediately.

dy/wf/2014

Special Secretary to Government

Memo No. 17901 / FE&CC Date 04-10-21

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

dy/wf/2014

Special Secretary to Government

Memo No. 17902 / FE&CC Date 04-10-21

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

dy/wf/2014

Special Secretary to Government

Memo No. 17903 / FE&CC Date 04-10-21

Copy along with the copy of the Annexures forwarded to the Deputy General Manager, M/s OMDL Ltd., At/Po-Thakurani, Via-Barbil, Dist-Keonjhar, Pin-758035 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.07/2012 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 Stage-I/II forest clearance 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 along with the relevant offices of the State Government, who in turn, shall 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 DFO, Keonjhar Forest Division / RCCF, Rourkela Circle / PCCF, Odisha / Forest, Environment & Climate Change Department for reference.

Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project in full, if not deposited yet, at applicable rates. Requisite funds due for deposit by the user agency on account of this project shall also be deposited under appropriate head.

The user agency shall furnish compliances to the conditions prescribed in the forest/wildlife clearance order to the Divisional Forest Officer, Keonjhar Forest Division in every quarter, for the purpose of monitoring by him.

de 4/10/2012
Special Secretary to Government

Memo No. 17904 / FE&CC Date 04-10-21

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 & Climate Change 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 unflinchingly.**

de 4/10/2012
Special Secretary to Government

Memo No. 17905 / FE&CC Date 04-10-21

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

de 4/10/2012
Special Secretary to Government



Government of India/ भारत सरकार
 Ministry of Environment & Forests/ पर्यावरण एवं वन मंत्रालय
 Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
 A/3, Chandrasekharpur/ ए/३, चंद्रसेखरपुर
 Bhubaneswar - 751 023/ भुवनेस्वर - ७५१ ०२३

ANNEXURE-I
 जहाँ है सचिवालयी ।
 वहाँ है सुरक्षायली ॥

Tel: 0674-2301213, 2301248, 2302452, 2302453, Telefax: 0674-2302432, E-mail : mef.or@nic.in

No.5-ORC164/2013-BHU

21st November, 2013



To
 The Principal Secretary,
 Forest & Environment Department,
 Govt. of Orissa,
 Bhubaneswar.

ST - 2 *[Signature]*

Sub:- Diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for iron ore mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar district, Odisha during 3rd RML period.

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28.11.13
Sir,

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NR
9/11/13

I am directed to refer to State Govt. letter No.10F(Cons)43/2013-4940/F&E dated 07.03.2013 and No. 10F(Cons)43/2013-22925/F&E dated 07.11.2013 on the above mentioned subject seeking prior approval of the Central Government under section 2 of Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government and on the basis of the recommendation of the State Advisory Group, the Central Government hereby conveys 'in-principle' approval for diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for iron ore mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar district, Odisha during 3rd RML period, subject to the fulfillment of the following conditions.

1. The legal status of the forest land proposed for diversion shall remain unchanged.
2. a) The State Govt. shall charge the Net Present Value (NPV) of forest area diverted under this proposal from the user agency at the rates as per Orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry in this regard vide letter No. 5-3/2007-FC dated 05.02.2009.
 b) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the expert committee, shall be charged by the State Govt. from the user agency. An under taking from the user agency shall be obtained in this regard.
3. a) Compensatory Afforestation shall be raised over 2.45 ha of non-forest land identified in Plot No.42/171(P) of Khata No.24 of village Champajhar of Telkoi tehsil at the cost of the user agency. The user agency shall transfer the cost of compensatory afforestation and its maintenance for 10 years

[Signature]

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(revised as on the date to incorporate the existing wage structure) to the Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- b) The non-forest land of 2.45 ha identified for compensatory afforestation shall be transferred and mutated in favour of the State Forest Department for raising compensatory afforestation before issue of the Stage-II approval.
4. Penal CA shall be raised over 43.04 ha degraded forest land as proposed by the State Govt. against the forest area used in violation of F(C) Act at the cost of user agency at the current wage rate.
5. The State Government shall deposit Net Present Value and all other funds with the Ad-hoc Body of Compensatory Afforestation Fund Management and Planning Authority (CAMPA), in SB Account No. **SB01025222** of Corporation Bank, CGO Complex, Phase-1, Lodhi Road, New Delhi – 110 003 (RTGS/IFSC No. **CORP0000371**) or in SB Account No. **344902010105428** of Union Bank of India, Sunder Nagar, New Delhi – 110 003 (RTGS/IFSC No. **UBIN0534498**) through RTGS/NEFT mode, as per the instruction communicated vide letter No.12-2/2010-CAMPA dated 13.05.2011 and dated 24.06.2011.
6. The State Forest Department/UA shall submit the surveyed sketch of 2.45 ha of non-forest land identified in Plot No.42/171(P) of Khata No.24 of village Champajhar of Telkoi tehsil as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them. The State Forest Department/User Agency shall submit the DGPS coordinates of each demarcated pillar giving the latitude and the longitude.
7. The boundary of the forest land proposed for diversion of, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars, etc. The distance between any two pillars shall be kept at 50 mtrs and each pillar should be clearly visible from pillars on both sides.
8. The user agency must start utilizing minerals having more than 45% Fe content within 3 years from the date of Stage-II clearance.
9. The State Govt. shall undertake fencing, protection and afforestation of safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining) from funds realized from the user agency.

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10. The State Govt. shall undertake afforestation on degraded forest land, one and half times in extent to the area used for safety zone from funds realized from the user agency. 53
11. The period of diversion of the said forest land under this approval shall be for a period of 20 years in co-terminus with the period of the mining lease granted under Mines and Minerals (Development & Regulation) Act, 1957 or Rules framed there under.
12. The User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease.
13. The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The reclamation plan shall be executed by the user agency as per the approved mining plan and an annual report on implementation thereof shall be submitted to the Nodal Officer (FCA), Government of Odisha and to Eastern Regional Office. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Eastern Regional Office/ Ministry may direct that the mining activities shall remain suspended based on the inspection report of the State Govt./ Ministry till such time, such reclamation activities are satisfactorily executed.
14. Following activities shall be undertaken by the user agency at the project cost:
- a. A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;
 - b. Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - c. Construction of check dams, retention/ toe walls to arrest sliding down of the excavated material along the contour;
 - d. Stabilize the overburden dumps by appropriate grading/ benching so as to ensure that angles of repose at any given place is less than 28° ; and
 - e. The State Govt./user agency shall ensure progressive mine closure/reclamation plan for regular use of top soil making the space allotted for top soil sufficient for storage. A minimum of half meter top soil may be stored and be maintained in sweet condition and shall be used during reclamation/land use planning.

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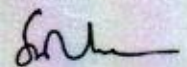
- 57
- f. The top soil should be removed and placed at a designated protected place with due care to protect the fertile component of the soil. The grasses — other annual species may be planted to ensure intactness of minerals and germ plasm of the top soil.
 - g. The sub soil should also be removed and kept separately and used in reclamation in a way that sub soil is placed beneath the top soil.
 - h. The quantity of top soil and sub soil excavated every year may be informed to Regional Office and proper record be maintained accordingly.
15. The user agency shall make proportionate contribution for implementation of the Regional Wildlife Management Plan at the rates to be specified by the State Forest Department.
 16. For inside the project area, the user agency will prepare and implement a greening and wildlife conservation plan for entire area with the help of retired Senior Forest Officer or reputed Environmentalist or Govt. Institutions working in the field of forest and wildlife. The Environmentalist should have worked for a minimum 10 years in the field of forest and wildlife. The draft plan must be discussed with the local DFO/ CF/ CCF before finalization.
 17. The State Govt./user agency shall undertake peripheral development activities in surrounding villages specially preventive health services, sanitation, drinking water augmentation with de-silting of village tanks and other water bodies located within 5 Km. from the mining lease boundary.
 18. Earth or any other material shall not be borrowed from the adjoining forest area, and debris resulting during construction shall not be disposed off there.
 19. No additional or new path shall be constructed inside forest area for transportation of minerals or any other materials.
 20. Trees standing in the diverted area shall be felled strictly as per requirement and with prior permission of the Divisional Forest Officer.
 21. The user agency shall provide fire wood preferably alternate fuel to the labourers and staff working at the site so as avoid any damage and pressure on the adjacent forest area.
 22. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
 23. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
 24. The forest land shall not be used for any purpose other than that specified in the proposal.

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25. The user agency shall obtain the environmental clearance as per the provisions of Environmental (Protection) Act, 1986, if required.
26. The user agency will obtain the clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before final approval of the project and will submit certificate towards settlement of all claims and rights over the proposed forest land under the Act, as per the Guidelines of Ministry communicated vide letter No. 11-9/1998-FC (pt) dated 30.07.2009, 03.08.2009 read with guidelines dated 05.07.2013.
27. The user agency shall submit the annual self compliance report containing status of compliance of the stipulated conditions to the State Government and to the Regional Office, regularly.
28. Any other conditions that the Central Government or Addl. PCCF (Central) of Eastern Regional Office, Bhubaneswar may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
29. The user agency and State Govt. shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines for the time being in force, as applicable to the project.

After receipt of the compliance report on fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest(Conservation) Act, 1980. **Transfer of forest land to user agency should not be effected by the State Government till formal order approving diversion of forest land is issued by the Central Government.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forest(FC), Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Govt. of Orissa, Aranya Bhawan, C.S. Pur, Bhubaneswar - 16.
3. The CCF & Nodal Officer, O/o the Principal Chief Conservator of Forests, Govt. of Orissa, Aranya Bhawan, C.S. Pur, Bhubaneswar - 16.
4. The Divisional Forest Officer, Keonjhar Forest Division, Keonjhar, Odisha.
5. The Dy. General Manager, M/s OMDC Ltd., At/PO: Thakurani, Via-Barbil, Dist-Keonjhar, PIN- 758035.
6. Guard File.

Conservator of Forests (Central)

27/9/2021
24/9/2021

भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur
भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

No.5-ORC164/2013-BHU

17th September, 2021.

To

The Addl. Chief Secretary,
Forest & Environment Deptt.,
Government of Odisha,
Bhubaneswar - 751 001.

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24/9/2021

Sub:- Diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for iron ore mining in Bagaiburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar district, Odisha during 3rd RML period.

Madam,

I am directed to refer to State Govt. letter No. No.10F(Cons)43/2013-4940/F&E dated 07.03.2013 and No.22925/F&E dated 07.11.2013, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for iron ore mining in Bagaiburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar district, Odisha during 3rd RML period, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of recommendation of State Advisory Group meeting held on 09.04.2013, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 21.11.2013, subject to fulfillment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.10609/9F(MG)-159/2009 dated 29.05.2020 and No.15033 dated 03.09.2021, **Stage-II/final** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 21.52 ha of forest land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for iron ore mining in Bagaiburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar district, Odisha during 3rd RML period, subject to the fulfillment of the following conditions:-

A: **Conditions which need to be complied prior to handing over of forest land.**

- The State Govt. shall ensure the complete compliance on FRA, 2006.
- The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.

24/09/2021

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- iii. The State Govt. shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.
- iv. The State Govt. shall ensure that the KML files of the forest area diverted, the CA areas, the proposed SMC work and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to user agency.

B: Conditions which need to be complied after handing over of forest land to the user agency.

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 2.45 ha of non-forest land identified in Plot No.42/171/218 of Khata No.24/2 of village Champajhar of Banspal Tahasil under Keonjhar District within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account.
- iii. The State Govt. shall ensure that the State Forest Department will raise the Penal Compensatory Afforestation over 43.04 ha of degraded forest land identified in Uliburu Reserved Forest of Barbil Range under Keonjhar Forest Division within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account.
- iv. The State Govt. shall ensure that the species to be planted under C.A./Penal C.A. shall be indigenous to the area and naturally growing species shall be planted using intensive planting technique to ensure survival of the plantation. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. These reports shall be communicated to IRO periodically.
- v. The State Govt. shall ensure that the user agency shall pay towards cost of removal of trees enumerated before commencement of work and tree felling should be taken up in phased manner strictly as per requirement under the supervision of State Forest Department.
- vi. The State Govt. shall ensure that the State Forest Department shall implement the approved Regional Wildlife Management Plan from the funds deposited in CAMPA account by the user agency.
- vii. The State Govt. shall ensure that the State Forest Department and user agency shall implement the approved Site Specific Wildlife Conservation Plan from the funds deposited in CAMPA account by the user agency.
- viii. The State Govt. shall ensure that the user agency shall undertake peripheral development activities in surrounding villages specially preventive health services, sanitation, drinking water augmentation with de-silting of village tanks and other water bodies located within 5 Km from the mining lease boundary.
- ix. The State Govt. shall ensure that the area of 2.107 ha of forest land to be maintained as safety zone and it shall not be used for mining or any other allied activities in future.
- x. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- xi. The State Govt. shall ensure that the mining lease holder shall, after ceasing mining

- operation, undertake re-grassing the mining area, and any other areas which have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.
- xii. The State Govt. shall ensure that the user agency must start utilizing minerals having more than 45% Fe content within 3 years from the date of Stage-II clearance.
- xiii. The State Govt. shall ensure that the approved scheme for fencing, protection and regeneration of the safety zone area shall be implemented within three years at the project cost. Besides this afforestation on identified degraded forest land equal to one and a half times the area under safety zone shall also be done by the user agency at their cost under supervision of State Forest Department.
- xiv. The State Govt. shall ensure that the User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4) located in the area within 100 m. from outer perimeter of the mining lease.
- xv. The State Govt. and the user agency shall ensure that period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under.
- xvi. The State Govt. shall ensure that the user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the user agency from the very first year and an annual report on implementation thereof shall be submitted to the Nodal Officer (FCA), Government of Odisha and to Integrated Regional Office of the Ministry. If it is found from the Annual Report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Nodal Officer (FCA) or the Integrated Regional Office, Bhubaneswar may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- xvii. The State Govt. shall ensure that the following approved schemes/activities shall be undertaken by the user agency at the project cost:
- a. A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be implemented.
 - b. Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within lease to arrest soil erosion.
 - c. Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
 - d. Stabilize the overburden dumps by appropriate grading/benching so as to ensure that angles of repose at any given place is less than 28° .
 - e. The State Govt./user agency shall ensure progressive mine closure/reclamation plan for regular use of top soil making the space allotted for top soil sufficient for storage. A minimum of half meter top soil may be stored and be maintained in sweet condition and shall be used during reclamation/land use planning.
 - f. The top soil should be removed and placed at a designated protected place with due care to protect the fertile component of the soil. The grass or other annual species may be planted to ensure intactness of minerals and germ plasm of the top soil.
 - g. The sub soil should also be removed and kept separately and used in reclamation in a way that sub soil is placed beneath the top soil.
 - h. The quantity of top soil and sub-soil excavated every year may be informed to Integrated Regional Office and proper record be maintained accordingly.

- xviii. The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xix. The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xx. The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xxi. The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xxii. The State Govt. shall ensure that the user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xxiii. The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xxiv. The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during mining be disposed of in the adjoining forest area by the user agency.
- xxv. The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of this Ministry by the end of March every year regularly.
- xxvi. The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
- xxvii. The State Govt. and user agency shall ensure compliance to 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.
- xxviii. It may please note that violation of any of these conditions will be amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 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.

Yours faithfully,

Padma Mahanti
(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The Addl. PCCF & Nodal Officer, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
2. The Dy. General Manager, M/s OMDL Ltd., At/PO: Thakurani, Via: Barbil-758035, Dist: Keonjhar, Odisha.

Dy. Inspector General of Forests (C)

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