

By Post/e-mail

**GOVERNMENT OF ODISHA
FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT**

No.FE-DIV-FLD-0152-2021- 419 /FE&CC, Bhubaneswar, dated the
10F (Cons) 91/2021

06-01-22

ORDER

Sub: Proposal for prospecting of minerals over 6.478 ha of forest land in Khandadhara Sub-Block-A by Odisha Mineral Exploration Corporation Limited (OMECL) under Bonai Forest Division of Sundargarh District, Odisha.

WHEREAS, the Director (Geology), Odisha Mineral Exploration Corporation Limited (OMECL), OMC House, Bhubaneswar had applied for permission to carry out prospecting of minerals in forest land over 6.478 ha pertaining to Khandadhara Sub-Block-A within the total Block area of 854.600 ha for undertaking exploratory drilling (36 boreholes of 4" dia each 0.72 ha and 5.758 ha for temporary approach road) in Bonai Forest Division of Sundargarh District, Odisha.

And whereas, the Govt. of India, MoEF&CC, Integrated Regional Office, Bhubaneswar vide their letter No.5-ORC484/2021-BHU dtd.28.12.2021 in consideration of the relevant proposal of the State Government furnished vide letter No.20671/FE&CC dtd.26.11.2021 have communicated their approval to carry out prospecting of minerals in forest land over 6.478 ha pertaining to Khandadhara Sub-Block-A within the total Block area of 854.600 ha for undertaking exploratory drilling (36 boreholes of 4" dia each 0.72 ha and 5.758 ha for temporary approach road) in Bonai Forest Division of Sundargarh District, Odisha by M/s Odisha Mineral Exploration Corporation Limited (OMECL) 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 prospecting of minerals in forest land over 6.478 ha pertaining to Khandadhara Sub-Block-A within the total Block area of 854.600 ha for undertaking exploratory drilling (36 boreholes of 4" dia each 0.72 ha and 5.758 ha for temporary approach road) in Bonai Forest Division of Sundargarh District, Odisha by M/s Odisha Mineral Exploration Corporation Limited (OMECL) and as per the proposal received from PCCF & HoFF, Odisha vide their letter No.19113 dtd.11.11.2021. The statement showing the coordinates of proposed boreholes indicated and duly authenticated as received from PCCF & HoFF, Odisha vide their letter No.19113 dtd.11.11.2021 is appended herewith as **Annexure-II**.



The Collector, Sundargarh and Divisional Forest Officer, Bonai Forest Division, as the case may be 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, Bonai Forest Division is 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 & HoFF, Odisha and to the Forest, Environment & Climate Change Department.

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

By order of Governor



(Susanta Nanda)

Director, Environment-cum-
Special Secretary to Government

Memo No. 420 / FE&CC Date 06-01-22


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

Appropriate instruction to the Divisional Forest Officer, Bonai 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, Bonai 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, Bonai Forest Division for facilitating monitoring of compliances.


Director, Environment-cum-
Special Secretary to Government


Memo No. 421 / FE&CC Date 06-01-22

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.


Director, Environment-cum-
Special Secretary to Government

Memo No. 422 / FE&CC Date 06-01-22

Copy along with the copy of Annexures as above forwarded to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha / Principal Chief Conservator of Forests (FD&NO), FC Act, O/o PCCF & HoFF, Odisha / Director, Environment-cum-Special Secretary to Government, Forest, Environment & Climate Change Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.



Director, Environment-cum-Special Secretary to Government

Memo No. 423 / FE&CC Date 06-01-22

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

It may be ensured by the Divisional Forest Officer, Bonai 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, Bonai Forest Division for facilitating monitoring of compliances by them.

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


Director, Environment-cum-Special Secretary to Government


Memo No. 424 / FE&CC Date 06-01-22

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


Director, Environment-cum-Special Secretary to Government

Memo No. 425 / FE&CC Date 06-01-22

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.


Director, Environment-cum-Special Secretary to Government

Memo No. 426 / FE&CC Date 06-01-22

Copy along with the copy of the Annexures forwarded to the Director (Geology), Odisha Mineral Exploration Corporation Limited (OMECL), OMC House, Bhubaneswar 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 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 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, Bonai Forest Division / RCCF, Rourkela Circle / PCCF & HoFF, 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, Bonai Forest Division in every quarter, for the purpose of monitoring by him.

[Signature]
Director, Environment-cum-
Special Secretary to Government

Memo No. 427 / FE&CC Date 06-01-29

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.**

[Signature]
Director, Environment-cum-
Special Secretary to Government

Memo No. 428 / FE&CC Date 06-01-29

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.

[Signature]
Director, Environment-cum-
Special Secretary to Government



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, चंद्रोदरपुर / A/3, Chandrasekharpur
भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



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

No. 5-ORC484/2021-BHU

28th December, 2021

To

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

Sub:- Proposal for prospecting of minerals over 6.478 ha of forest land in Khandadhara Sub-Block-A by Odisha Mineral Exploration Corporation Ltd. (OMECL) under Bonai Forest Division of Sundargarh, Odisha.

Madam,

I am to refer to State Govt. letter No10F(Cons)91/2021-20671/FE&CC dated 26.11.2021 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 15.12.2021, the Ministry of Environment, Forest & Climate Change **hereby conveys approval** to carry out prospecting of minerals in forest land over 6.478 ha pertaining to Khandadhara Sub-Block-A within the total Block area of 854.600 ha for undertaking exploratory drilling (36 boreholes of 4" dia each 0.72 ha and 5.758 ha for temporary approach road) in Bonai Forest Division by M/s Odisha Mineral Exploration Corporation Ltd. (OMECL), subject to the fulfillment of the following conditions.

- i. The user agency shall be allowed exploratory drilling of maximum of 36 boreholes of 4" dia each over 0.72 ha of forest land and 5.758 ha of forest for temporary approach road.
- ii. As per Ministry's letter No.5-3/2007-FC dated 17.11.2020, NPV, in respect of prospecting/exploration shall be charged on borehole basis. It is noted that for each borehole an area of approximately 0.1 ha is impacted with various activities that are undertaken during prospecting/exploration. Any variation from 0.1 ha area per borehole shall be informed by the user agency to State Govt.
- 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. During deliberation, it was observed that some of the above boreholes have been proposed very close to one of the famous waterfall "Khandadhara Waterfall". The

OS (Biv)
30/12/2021

30/12/2021

BPS
30/12/2021
W

- waterfall is one of the important/famous tourist destinations and the existence of the fall is related with livelihood of many families who directly or indirectly depend upon this waterfall. So, the catchment of Khandadhar Waterfall should be left undisturbed and there should not be any borehole close to Khandadhar waterfall (within 500 meters). Prospecting in 6 nos. of boreholes close to Ranta will not be done.
- v. Permission for carrying out prospecting/exploration/seismic survey or any payment of NPV deposited for such operation will not confer any right with user agency to get forest clearance of that particular land under Section 2 (ii) of Forest (Conservation) Act, 1980. All decisions will be taken as per procedure prescribed in Forest (Conservation) Rules, 2003 (as amended upto date) and on merit.
 - vi. The user agency shall prepare a plan to plant 110 tall trees per borehole/2 tall plant per shot hole as the case may be. The cost of preparation of plan and plantation shall be borne by the user agency. The State Govt. shall ensure that the plants are raised on abandoned borehole area or degraded forest land, as per prescription of working plan.
 - vii. Charges towards NPV & payments towards planting of trees shall be realized by the State Govt. from the user agency & deposited in CAMPA fund through e-portal.
 - viii. The user agency shall submit complete plan of operation for prospecting/ exploration/ seismic survey in the entire forest area prior to start of work to the Nodal Officer of the State.
 - ix. The prospecting work should be avoided during the elephant movement in the forest block wherever prospecting is proposed to be carried out. Adequate precautionary measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be dealt as per rule thereof by the concerned DFO/State Govt.
 - x. The user agency shall take mitigative measure to minimize soil erosion during the construction of new access road/path to borehole point.
 - xi. 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.
 - xii. Proper plugging of boreholes shall be made after exploration activities are complete to the satisfaction of the concerned Divisional Forest Officer.
 - xiii. 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.
 - xiv. The user agency shall re-locate the bore hole/s to avoid tree felling and minimum impact of forest floor.
 - xv. 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.
 - xvi. 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/proposed forest road/path with prior information to the concerned Divisional Forest Officer. The use of existing/proposed road/path during the prospecting work shall be restored to its original status of forest after completion of prospecting work.
 - xvii. No other construction activities shall be done by the user agency on forest land.
 - xviii. 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.
 - xix. No labour camp shall be established on the forest land and no work shall be allowed

after sunset.

xx. 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.

xxi. 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.

xxii. 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.

xxiii. 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.

xxiv. 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.

xxv. 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.

xxvi. 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.

xxvii. 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.

xxviii. 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 Managing Director, M/s Odisha Mineral Exploration Corporation Ltd. (OMECL), OMC House, Bhubaneswar-751001, Odisha.

Padma Mahanti

Dy. Inspector General of Forests (C)

PROPOSED BOREHOLES

SI.No.	PBH ID	LATITUDE	LONGITUDE	SI.No.	PBH ID	LATITUDE	LONGITUDE
1	PBH-01	21°47'03.31"	85°07'58.15"	19	PBH-19	21°46'29.81"	85°08'32.74"
2	PBH-02	21°47'03.37"	85°08'10.75"	20	PBH-20	21°46'29.81"	85°08'46.24"
3	PBH-03	21°47'03.35"	85°08'38.64"	21	PBH-21	21°46'23.07"	85°07'22.62"
4	PBH-04	21°47'03.30"	85°08'52.02"	22	PBH-22	21°46'23.13"	85°08'09.37"
5	PBH-05	21°46'47.13"	85°07'20.06"	23	PBH-23	21°46'23.14"	85°08'16.70"
6	PBH-06	21°46'49.25"	85°08'23.20"	24	PBH-24	21°46'23.15"	85°08'23.73"
7	PBH-07	21°46'49.22"	85°08'37.75"	25	PBH-25	21°46'23.15"	85°08'30.92"
8	PBH-08	21°46'49.19"	85°08'51.33"	26	PBH-26	21°46'23.17"	85°08'38.05"
9	PBH-09	21°46'38.44"	85°07'23.34"	27	PBH-27	21°46'18.00"	85°07'15.13"
10	PBH-10	21°46'39.92"	85°08'03.47"	28	PBH-28	21°46'18.09"	85°07'56.01"
11	PBH-11	21°46'39.90"	85°08'10.44"	29	PBH-29	21°46'18.11"	85°08'09.56"
12	PBH-12	21°46'39.90"	85°08'17.56"	30	PBH-30	21°46'18.12"	85°08'17.07"
13	PBH-13	21°46'39.96"	85°08'24.54"	31	PBH-31	21°46'18.13"	85°08'24.05"
14	PBH-14	21°46'39.93"	85°08'31.40"	32	PBH-32	21°46'18.14"	85°08'31.17"
15	PBH-15	21°46'29.80"	85°08'00.48"	33	PBH-33	21°46'18.15"	85°08'38.08"
16	PBH-16	21°46'29.98"	85°08'09.92"	34	PBH-34	21°46'18.17"	85°08'48.62"
17	PBH-17	21°46'29.80"	85°08'18.54"	35	PBH-35	21°46'09.06"	85°07'11.95"
18	PBH-18	21°46'29.80"	85°08'25.67"	36	PBH-36	21°46'01.79"	85°07'11.16"