

Government of Odisha
Forest & Environment Department

No.10F (Con) 86/2016 ²²⁵⁰⁰ /F&E, Bhubaneswar, dated the ⁻⁰⁻ 2-12-16

ORDER

Sub: Diversion of 28.324 ha of forest land (including 2.685 ha for Safety Zone in village Kusumdihi & Kamando in Sundargarh District of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during extended period of Mining Lease period as per MMDR Amendment Act, 2015

WHEREAS, the M/s Orissa Manganese & Minerals Pvt. Ltd. Lansdowne Tower, 6th Floor, Sarat Bose Road, Kolkata-700020(WB) had applied for diversion of 28.324 ha of forest land (including 2.685 ha for Safety Zone in village Kusumdihi & Kamando in Sundargarh District of Odisha for Manganese ore mining by them during 3rd RML period (now extended as per MMDR Amendment Act, 2015).

And whereas, the Ministry of Environment, Forests and Climate Change (hereinafter referred to as MoEF&CC), Government of India, Eastern Regional Office had accorded 'in-principle' approval for diversion of 28.324 ha of forest land (including 2.685 ha for Safety Zone in village Kusumdihi & Kamando in Sundargarh District of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd RML period vide its letter No. 5-ORC147/2012-BHU dt. 20.7.2012(ANNEXURE-1).

And whereas, the MoEF&CC, Government of India, Eastern Regional Office in consideration of the compliance of the conditions of the 'in-principle' approval, has accorded final approval for diversion of the said 28.324ha. of forest land in favour of above mentioned user agency vide its letter No. 5-ORC147/2012-BHU dt.26.10.2016 (Annexure-2) under Section 2 of the Forest (Conservation) Act, 1980;

Now therefore, the Government of Odisha, do hereby allow diversion of forest land of 28.324ha. in favour of lessee, as per approved land use pattern, detailed land schedule of said forest land duly authenticated by DFO, Bonai as received from PCCF, Odisha vide his letter No. 22137 dt. 24.11.2016 appended herewith as Annexure-3, subject to fulfillment of the conditions stipulated by the MoEF&CC, Government of India, Eastern Regional Office.

The Collector of Sundargarh district and Divisional Forest Officer, Bonai Forest Division are authorized to handover the forest land, as has been diverted, to the user agency subject to having valid lease following due procedure of law. Before handing over the forest land to the user agency, it shall be ensured that Net Present Value for forest land for this project as well as for any other projects, belonging to same user agency, is deposited, in full, at applicable rates.

The Divisional Forest Officer of Bonai 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 Pr. CCF, Odisha and to the Forest & Environment Department.

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

By order of Governor

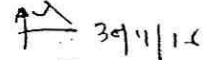

(Debidutta Biswal)

Special Secretary to Government

Memo No. 22501 /F&E, Dated: 2-12-16

Copy along with the copy of Annexure 1, Annexure-2 and Annexure-3 above forwarded to the Principal Chief Conservator of Forests, Odisha for kind information and necessary follow up action.

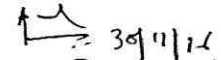
Appropriate instruction to the Divisional Forest Officer of Bonai Division and user agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of user agency as well as for any other projects of the same user agency, is deposited by them in appropriate head of account in Adhoc-CAMPA in full, at applicable rates. The user agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer of Bonai Division for facilitating monitoring of compliances.



Special Secretary to Government

Memo No. 22502 /F&E, Dated: 2-12-16

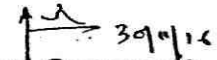
Copy along with the copy of annexures as above forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC(FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/Addl. Principal Chief Conservator of Forests(Central), MoEF&CC, Government of India, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.



Special Secretary to Government

Memo No. 22503 /F&E, Dated: 2-12-16

Copy along with the copy of annexures as above forwarded to the Pr. CCF(WL)&CWLW, Odisha/Director, Environment, F&E department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.



Special Secretary to Government

Memo No. 22504 /F&E, Dated: 2-12-16

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

It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of user agency as well as for any other projects of the same user agency, shall be deposited by them in full at applicable rates in appropriate head of account in Adhoc-CAMPA before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the lessee in this project shall also be deposited by the lessee before the forest land is handed over to him. The user agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer concerned for facilitating monitoring of compliances by them.

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

Memo No. 22505 /Dated. 2-12-16 Special Secretary to Government

Copy along with the copy of annexures as above forwarded to the Steel & Mines Department /Revenue & Disaster Management Department for information and necessary follow action.

Memo No. 22506 /Dated. 2-12-16 Special Secretary to Government

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.

Memo No. 22507 /Dated. 2-12-16 Special Secretary to Government

Copy along with the copy of the enclosures forwarded to M/s Orissa Manganese & Minerals Pvt. Ltd. Lansdowne Tower, 6th Floor, Sarat Bose Road, Kolkata-700020(WB) 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 dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MOEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.

- (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 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 Division/RCCF, Rourkela/Pr. CCF, Odisha/F&E Department for reference.

Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project and for any other projects belonging to him in full, if not deposited yet, at applicable rates. Also requisite funds due for deposit by the user agency on account of this project shall also be deposited in Adhoc-CAMPA Account.

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

Memo No. 22508 Dated- 2-12-16 Special Secretary to Government

Copy with copy of enclosure forwarded to the O.I.C., State Portal, N.I.C., I.T.. Department, Odisha Secretariat, Bhubaneswar/ M/s Luminous Infoways Pvt. Ltd, Sadhana, N-6/373, Nayapalli, Jayadev Vihar, Bhubaneswar-15 for information and necessary action. They are requested to upload this letter along with enclosed forest clearance order of Government of India, MoEF&CC, ERO 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 dt. 7.11.2012 in Appeal No. 7/2012. Hence this may be done unflinchingly.

Memo No. 22509 Dated- 2-12-16 Special Secretary to Government

Copy with copy of enclosure forwarded to the Under Secretary to Government, Office Establishment Section, F&E Department for information and necessary action with reference to their letter No.21646/F&E Dt. 22.11.2016.

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Special Secretary to Government

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Annexure - 3

ANNEXURE - I

LAND SCHEDULE OF THE FOREST LAND OVER 28.324 HECTARES COMING WITHIN THE M.L. AREA OF 31.549 HECTARES OF KUSUMDIHI MANGANESE MINE

Village	Khata No.	Plot No.	Kissam	Total area of the Plot as per lease-deed in acres	Area Coming under forest land in acres
V F LAND					
Kamanda	138	15/P	G. Jungle	0.02	0.02
	138	21	G. Jungle	4.75	4.75
	138	23/P	G. Jungle	4.50	4.50
Total					9.27 Acres
PRF LAND					
Kusumdihi	38	1/P	Pahad	16.42	15.46
	38	194/P	Pahad	44.30	33.46
Total					48.92 Acres
DLC FOREST LAND					
Kusumdihi	38	1/P	Pahad	16.42	0.96
Kusumdihi	38	194/P	Pahad	44.30	10.84
Total					11.80 Acres
Grand Total					69.99 Acres Or 28.324 Hectares

[Signature]
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Senior Surveyor,
 Mining Office, Kotra.

[Signature]
 Divisional Forest Officer
 Bana Division

Orissa Manganese & Minerals (P) Ltd

[Signature]
 Authorised Signatory

[Signature]
 DEPUTY DIRECTOR MINES,
 KOIRA, SUNDERGARH

[Signature]
 2/06/10
 EDAR
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Telephone: 0674-2301213, 2301248, 2302452, 2302453. Fax: 0674-2302432. E-mail: roez.bsr-mef@nic.in
 No.5-ORC147/2012-BHU

Annexure - 2 26th October, 2016

Stage - II approval order



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

Sub:-
 Diversion of 28.324 ha of forest land (including 2.685 ha for safety zone) in Village Kusumdihi and Kamando in Sundergarh district of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd Renewal of Mining Lease period.

I am directed to refer to State Govt. letter No. 10F(Cons)480/2011- 4914/F&E dated 22.03.2012, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 28.324 ha of forest land (including 2.685 ha for safety zone) in Village Kusumdihi and Kamando in Sundergarh district of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd Renewal of Mining Lease 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 held on 30.04.2012, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 20.07.2012, subject to fulfillment of certain conditions. The State Government has furnished 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 State Government of Odisha vide their letter No.10F(Cons)86/2016-16896/F&E dated 12.09.2016, approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 28.324 ha of forest land (including 2.685 ha for safety zone) in Village Kusumdihi and Kamando in Sundergarh district of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd Renewal of Mining Lease period, subject to the fulfillment of the following conditions:-

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) 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, shall be charged by State Govt. from the user agency. An undertaking from the user agency shall be obtained in this regard.
- iii) Compensatory Afforestation shall be raised and maintain over 8.217 ha of non-forest land identified in Plot No.666, Khata No.52 of Kissam Dunguri in village Ruguda under Bonai Tehsil of Sundergarh district from the funds provided by the user agency.
- iv) Penal Compensatory Afforestation shall be raised over three times the degraded forest land i.e. 28.324 ha. X 3 = 84.972 ha at the site selected and afforestation scheme prepared by State Forest Department from the funds provided by the user agency.

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- v) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be notified by the State Govt. as RF under Section 4 or PF under Section 29 of Indian Forest Act, 1927 or under the relevant section of the local Forest Act. The Nodal Officer shall report compliance within a period of six months and send a copy of the original notification declaring the non-forest land as RF under section 4 or as PF section 29 of India Forest Act, 1927, or under the relevant section of the local Forest Act as the case may, to this office for information and record.
- vi) 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 chocking of streams shall be 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 the angles of repose at any given place is less than 28°.
 - (e) Strict adherence to the prescribed top soil management.
- vii) The user agency shall obtain Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required.
- viii) Fencing, protection and regeneration of the Safety Zone area (7.5 metre strip all along the inner boundary of the area identified to undertake mining) shall be done at the project cost. Besides this afforestation on degraded forest land to be selected elsewhere measuring one and half times the area under safety zone shall also be done at the project cost.
- ix) The 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 proposed to be granted under the Mines and Minerals (Development & Regulation) Act, 1957 amended in 2015, or Rules framed thereunder.
- x) 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.
- xi) The State Govt. shall submit an action taken report for the violation while granting second renewal in 1981 within a period of six months.
- xii) 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.



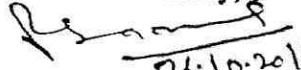
- xiii) The user agency shall undertake mining in a phased manner and take due care for reclamation of the mined out area. The concurrent reclamation plan shall be executed by the user agency from the very first year, and an annual report on implementation thereof, shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Addl. PCCF (Central), Ministry of Environment, Forests & CC, Regional Office (Eastern Zone), Bhubaneswar. 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 or the Addl. PCCF (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- xiv) The user agency shall give special emphasis on the improvement of tree cover in the surrounding villages to check further pressure on forest.
- xv) No additional or new path will be constructed outside the leased forest area for transportation of minerals or any other materials.
- xvi) The user agency shall furnish an undertaking to abide by the policy decision of the State Government issued vide Steel and Mines Department Notification bearing No. SRO 37/2004 dated 15.01.2004 regarding grant of mining lease in Scheduled areas.
- xvii) Trees standing in the diverted area shall be felled strictly as per requirement and with prior permission of the Divisional Forest Officer.
- xviii) The State Govt. shall ensure implementation of approved Site Specific Conservation Plan in their leasehold area as well as its impact area as per the guidelines of Chief Wildlife Warden, Odisha at the project cost.
- xix) The State Govt. shall ensure implementation of approved Regional Wildlife Management Plan of mining lease area at the project cost.
- xx) No labour camp shall be established on the forest land.
- xxi) The user agency shall provide fuelwood, preferably alternate fuel, to labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest area.
- xxii) The user agency shall ensure that no damage to the available wildlife or to the forest flora in the adjoining forest is caused by labourers/workmen engaged by the project authorities or contractor working under them during the mining lease period.
- xxiii) The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
- xxiv) The forest land shall not be used for any purpose other than that specified in the proposal and no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forests & Climate Change.
- xxv) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the document evidence as prescribed by this Ministry in it's letter No.11-9/1998-FC (pt.) dated 03.08.2009, in support thereof.



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- xxvi) The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Eastern Regional Office of this Ministry.
- xxvii) Any other conditions that the Regional Office (Eastern Zone), Bhubaneswar of this Ministry and State Government of Odisha may stipulate from time to time, in the interest of conservation, protection and development of forests and wildlife, which shall be complied by the user agency.
- xxviii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
- xxix) In case of non-compliance of any of the above conditions, the State Govt. shall report to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.

3. As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Eastern Regional Office of MoEFCC may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours faithfully,


24.10.2016

(R.K. Samal)

Conservator of Forests (Central)

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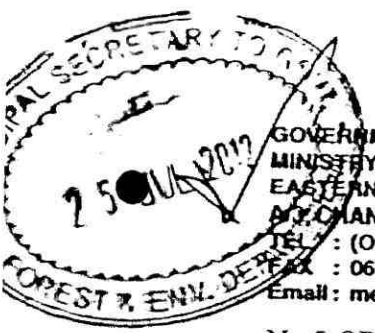
1. The Inspector General of Forests(FC), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Dy. Secretary, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003
3. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
5. The Divisional Forest Officer, Bonai Forest Division, Bonai.
6. M/s Orissa Manganese & Minerals Pvt. Ltd., Lansdowne Towers, 6th Floor, 2/1A, Sarat Bose Road, Kolkata-20.
7. Guard File.


Conservator of Forests (Central)

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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
EASTERN REGIONAL OFFICE
P.O. CHANDRASEKHARPUR, BHUBANESWAR - 751 023
TEL : (Off.) 2301213, 2302432, 2302443, 2302452, 2302453
FAX : 0674-2302432. GRAM : PARYAVARAN, BHUBANESWAR
Email : mef@orlnic.in

भारत सरकार
पर्यावरण एवं वन मंत्रालय,
पूर्वी क्षेत्रीय कार्यालय
ए/3, चन्द्रशेखरपुर, भुवनेश्वर - 751 023
तार - पर्यावरण, भुवनेश्वर

No.5-ORCI47/2012-BHU

20th July, 2012

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To

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

Stage - I approval

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20/7/12

Sub:-

Diversion of 28.324 ha of forest land (including 2.685 ha for safety zone) in Village Kusumdihi and Kamando in Sundergarh district of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd Renewal of Mining Lease period.

Sir,

I am directed to refer to the State Government letter No. 10F(Cons)480/2011/4914/F&E dated 22.03.2012 on the above mentioned subject seeking prior approval of Central Government in accordance with Section 2 of the Forest(Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the Central Government hereby agrees for diversion of 28.324 ha of forest land (including 2.685 ha for safety zone) in Village Kusumdihi and Kamando in Sundergarh district of Odisha for Manganese ore mining by M/s Orissa Manganese & Minerals (P) Ltd. during 3rd Renewal of Mining Lease period., subject to the fulfillment of the following conditions:-

1. Legal status of proposed forest land for diversion shall remain unchanged.
2. The State Govt. shall realize the Net Present Value (NPV) of forest area diverted under this proposal from the user agency 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 vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
3. The State Government shall obtain undertaking from the user agency to realize the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.

Compensatory Afforestation shall be raised over 8.217 ha of non-forest land identified in Plot No.666, Khata No.52 of Kissam Dunguri in village Ruguda under Bonai Tehsil of Sundergarh district. The user agency shall transfer the cost of compensatory afforestation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to the State Forest Department-The cost of subsequent maintenance as and when required and demanded by the Forest Department shall also be borne by the user agency.

5. Fencing, protection and regeneration of safety zone area (7.5 meter strip all along the outer boundary of the mining lease area) shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and half times the area under safety zone, shall also be done at the project cost.

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6. The user agency shall transfer the cost of Penal Compensatory Afforestation State Forest Department over three times the degraded forest land i.e. 28.324 ha. $X 3 = 84.972$ ha at the site selected and afforestation scheme prepared by State Forest Department.
 7. 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 (CAMPFA), 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) by RTGS/NEFT modes, as per the instruction communicated vide letter No. 12-2/2010-CAMPFA dated 13.05.2011 and dated 24.06.2011.
 8. 8.217 ha of non-forest land identified in Plot No.666, Khata No.52 of Kisssam Dunguri in village Ruguda under Bonai Tehsil of Sundergarh district for compensatory afforestation shall be mutated in favour State Forest Department handed over to Forest Department for raising compensatory afforestation and shall be subsequently declared as PF/RF within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard.
 9. The State Forest Department/UA shall submit the surveyed sketch of 8.217 ha of non-forest land identified in Plot No.666, Khata No.52 of Kisssam Dunguri in village Ruguda under Bonai Tehsil of Sundergarh district and demarcate the area proposed for CA, giving the forward and backward bearing and DGPS reading of each demarcation pillars/stations and distance between them. The latitude and longitude of those pillars/stations shall also be marked.
 10. The 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 to be renewed under the Mines and Minerals (Development & Regulation) Act, 1957 or Rules there under.
 11. The user agency in consultation with 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 mtr from outer perimeter of the mining lease.
 12. The State Govt. will fix responsibility for the violation while granting second renewal in 1981 and take suitable action against them.
 13. The user agency shall submit a detail mine closure plan/reclamation plan of the entire mining lease area within two years duly approved by IBM. Mine closure plan should ensure that land should be levelled or with mild slope on which agriculture and forestry plantation can be raised after mine life and small water bodies can be created for water recharge, irrigation and other uses so that the final land use remain comparable to the pre mining land use without affecting the long term food security adversely. Accordingly, appropriate fund should be generated/kept reserve from the beginning with proposal of concurrent reclamation, which shall be periodically monitored by the State Forest Department and report be submitted to Regional Office in this regard.

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- 14. The user agency shall conserve top soil and store it in proper condition for subsequent reclamation and successful afforestation. For reclamation the depth of top soil should be one meter and any short fall in top soil will be met by importing from outside by the user agency at the project cost.
- 15. The user agency shall undertake mitigative measures to minimize soil erosion and choking of streams of the area.
- 16. The user agency shall give special emphasis on the improvement of tree cover in the surrounding villages to check further pressure on forest.
- 17. 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.
- 18. The user agency shall take appropriate measures to stabilize the overburden dumps by appropriate grading/benching so as to ensure that the angles of repose at any given place is less than 28°.
- 19. No additional or new path will be constructed outside the leased forest area for transportation of minerals or any other materials.
- 20. The user agency shall furnish an undertaking to abide by the policy decision of the State Government issued vide Steel and Mines Department Notification bearing No. SRO 37/2004 dated 15.01.2004 regarding grant of mining lease in Scheduled areas.
- 21. Trees standing in the diverted area shall be felled strictly as per requirement and with prior permission of the Divisional Forest Officer.
- 22. No labour camps shall be established on the adjoining forest land.
- 23. The user agency shall provide alternate fuel to the labourers and staff working at the site so as to avoid any damage and pressure on the adjacent forest area.
- 24. The user agency shall ensure that no damage to the available wildlife or to the forest flora in the adjoining forest is caused by labourers/workmen engaged by the project authorities or contractor working under them during the mining lease period.
- 25. The forest land shall not be used for any purpose other than that specified in the proposal.
- 26. The User Agency shall obtain environmental clearance under provision of EIA Notification issued under Environment (Protection) Act, as may be applicable.
- 27. 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.

Signature

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18/8
28. In case of non-compliance of any of the above conditions, the concerned Divisional Forest officer shall report through the State Govt. to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest(Conservation) Act, 1980 on 25.10.1992.

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 shall 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)

DY. 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 (FC), Govt. of Orissa, Aranya Bhawan, C.S. Pur, Bhubaneswar - 16.
4. The Divisional Forest Officer, Bonai Forest Division, Bonai.
5. M/s Orissa Manganese & Minerals Pvt. Ltd., Lansdowne Towers, 6th Floor, 2/1A, Sarat Bose Road, Kolkata-20.
6. Guard File.

DY. CONSERVATOR OF FORESTS (CENTRAL)