

Government of Odisha  
Forest & Environment Department

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No.10F (Con) 205/2015 26026 /F&E, Bhubaneswar, dated the 3.12.18

ORDER

Sub: Diversion of balance forest land of 517.888ha. including 9.392ha. for safety zone in addition to 133.112ha.. of forest land already diverted in favour of M/s Odisha Mining Corporation Ltd. within total Mining Lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division of Sundargarh District, Odisha

WHEREAS, Managing Director, OMC Ltd, OMC House, Bhubaneswar had applied for diversion of balance forest land of 517.888ha. including 9.392ha. for safety zone in addition to 133.112ha.. of forest land already diverted in their favour within total Mining Lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division of Sundargarh District, Odisha by them.

And whereas, the Ministry of Environment, Forests and Climate Change (hereinafter referred to as MoEF&CC ), Government of India, had accorded 'in-principle' approval for diversion of balance forest land of 517.888ha. including 9.392ha. for safety zone in addition to 133.112ha.. of forest land already diverted in favour of M/s Odisha Mining Corporation Ltd. within total Mining Lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division of Sundargarh District, Odisha vide its letter F.No. 8-113/2000-FC(Vol.II) dt. 25.2.2016(ANNEXURE-1).

And whereas, the MoEF&CC, Government of India, in consideration of the compliance of the conditions of the 'in-principle' approval, has accorded final approval for diversion of said 517.888ha. of forest land for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division of Sundargarh District, Odisha by Odisha Mining Corporation Ltd vide its letter F.No. 8-113/2000-FC(Vol.II) dt. 29.11.2018 (Annexure-2) under Section 2 of the Forest (Conservation) Act, 1980. Detailed land schedule of diverted forest land of 517.888ha. comprising of 9.392ha. in safety zone and 508.496ha. for mining and allied activities as has been diverted under this proposal duly authenticated by DFO, Bonai as received earlier from PCCF, Odisha vide his letter No. 833 dt 15.1.2015 is appended herewith as Annexure-3.

Now therefore, the Government of Odisha, do hereby allow diversion of above mentioned 517.888ha. of forest land in Bonai Forest Division of Sundargarh district in favour of M/s



Odisha Mining Corporation Ltd as per approved land use pattern subject to fulfillment of the conditions of final forest clearance order as stipulated by the MoEF&CC, Government of India.

The Collector of Sundargarh district and Divisional Forest Officer, Bonai Forest Division are authorized to handover the diverted forest land to the user agency **subject to having valid lease and compliance of Court's order, if any**, following due procedure of law. Before handing over the diverted 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 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 Pr. CCF, Odisha and to the Forest & Environment Department.

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

By order of Governor

  
(Debidutta Biswal)

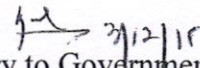
Special Secretary to Government

Memo No. 26027 /F&E, Dated: 3.12.18

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 Forest Division, Kalahandi(South) Division and user agency may be imparted for required follow up action at his end. It may be ensured by the Divisional Forest Officer, Bonai 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 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/Kalahandi(South) Division for facilitating monitoring of compliances.

Memo No. 26028 /F&E, Dated: 3.12.18

  
Special Secretary to Government

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.

Memo No. 26029 /F&E, Dated: 3.12.18 Special Secretary to Government

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.

Memo No. 26030 /F&E, Dated: 3.12.18 Special Secretary to Government

Copy along with the copy of annexures as above forwarded to the Regional Chief Conservator of Forests, Rourkela/RCCF, Bhawanipatna/ Collector, Sundargarh/Collector, Kalahandi /Divisional Forest Officer, Bonai Forest Division/Divisional Forest Officer, Kalahandi(South) 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 before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the user agency in 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/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. 26031 /Dated. 3.12.18 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. 26032 /Dated. 3.12.18 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.

Special Secretary to Government



Memo No. 26033 /Dated. 3.12.18

Copy along with the copy of the enclosures forwarded to Managing Director, OMC Ltd, 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 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/DFO, Kalahandi(South)RCCF, Rourkela/RCCF, Bhawanipatna/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 under appropriate head.*

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

Memo No. 26034 Dated- 3.12.18 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, 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. 26035 Dated- 3.12.18 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.

Special Secretary to Government



*(300) . has been under Secy. 57 h/3 Annexure - 3 !*

**LAND SCHEDULE OF THE DIVERTED FOREST AREA (133.112 Ha), SAFETY ZONE AREA (9.392Ha) AND AREA PROPOSED FOR DIVERSION (508.496 Ha) IN VILLAGE-SAREIKALA, USKUDA, TILKUDA AND KHANDADHAR RESERVED FORESTS (KURMITAR) UNDER BONAI SUB-DIVISION OF SUNDARGARH DISTRICT OF M/S ODISHA MINING CORPORATION LIMITED.**

**1. DIVERTED FOREST AREA (133.112 Ha)**

Village	Khata No.	Plot No.	Area within ML (Acr)	Area in Acres	Kissam	Name of the RF/PRF
Uskuda	49 Abada Ajogya Anabadi	10	26.87	19.79	Pahad	Nagaria PRF
		11	20.12	16.72	Pahad	Nagaria PRF
Saraikela	36 Abada Ajogya Anabadi	23	40.22	12.84	Pahad	Sarkunda PRF
				20.65		Nagaria PRF
		25	40.00	4.63	Pahad	Nagaria PRF
		26	40.50	15.025	Pahad	Sarkunda PRF
				25.28		Nagaria PRF
		27	42.35	0.712	Pahad	Sarkunda PRF
				34.248		Nagaria PRF
		28	36.68	33.91	Pahad	Nagaria PRF
		29	32.05	31.80	Pahad	Nagaria PRF
		30	40.00	3.321	Pahad	Nagaria PRF
		31	38.40	25.98	Pahad	Nagaria PRF
		32	30.00	12.041	Pahad	Nagaria PRF
35	33.45	9.23	Pahad	Nagaria PRF		
Tilkuda	23 Abada Ajogya Anabadi	1	39.25	0.59	Pahad	Nagaria PRF
Sarkunda PRF			28.577 Acr			
Nagaria PRF			238.18 Acr			
Total			266.757 Acr or 107.953 Ha			
Khandadhar R.F.			25.159 Ha			
<b>Grand Total</b>			<b>133.112 Ha</b>			

**2. SAFETY ZONE AREA (9.392 Ha):**

Uskuda	Abada Ajogya Anabadi 49	27	5.587	0.558	Pahad	Nagaria PRF
		28	20.247	1.102	Pahad	Nagaria PRF
		29	19.202	1.102	Pahad	Nagaria PRF
		30	14.526	0.913	Pahad	Nagaria PRF
		31	14.970	0.917	Pahad	Nagaria PRF
		32	13.439	0.91	Pahad	Nagaria PRF
		33	2.416	0.71	Pahad	Nagaria PRF
Tilkuda	Abada Ajogya Anabadi 23	1	33.99	1.023	Pahad	Nagaria PRF
		2	30.238	1.091	Pahad	Nagaria PRF
		3	40.77	1.434	Pahad	Nagaria PRF
		4	0.25	0.25	Pahad	Nagaria PRF
		6	7.622	0.774	Pahad	Nagaria PRF
		55	0.20	0.20	Pahad	Nagaria PRF



Village	Khata No.	Plot No.	Area within ML (Acr)	Area in Acres	Kissam	Name of the RF/PRF
Sareikela	36 Abada Ajogya Anabadi	21	17.776	1.85	Pahad	Nagaria PRF
		22	26.056	1.08	Pahad	Sarkunda PRF
				0.73		Nagaria PRF
		33	21.61	0.717	Pahad	Nagaria PRF
		34	17.545	0.711	Pahad	Nagaria PRF
		36	35.042	0.82	Pahad	Nagaria PRF
		37	10.632	1.15	Pahad	Nagaria PRF
		90	29.64	1.08	Pahad	Nagaria PRF
		89	34.58	0.51	Pahad	Nagaria PRF
		88	13.60	1.641	Pahad	Nagaria PRF
92	10.845	1.09	Pahad	Nagaria PRF		
Sarkunda PRF			1.08 Acr			
Nagaria PRF			21.283 Acr			
Total			22.363 Acr or 9.054 Ha			
Khandadhar R.F.			0.342 Ha			
Grand Total			9.392 ha			

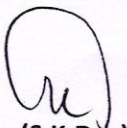
### 3. AREA PROPOSED FOR DIVERSION (508.496 Ha)

Uskuda	49 Abada Ajogya Anabadi	7	3.159	3.159	Pahad	Nagaria PRF
		8	25.46	25.46	Pahad	Nagaria PRF
		9	32.72	32.72	Pahad	Nagaria PRF
		10	26.87	7.08	Pahad	Nagaria PRF
		11	20.12	3.40	Pahad	Nagaria PRF
		12	41.32	41.32	Pahad	Nagaria PRF
		13	40.00	40.00	Pahad	Nagaria PRF
		14	40.00	40.00	Pahad	Nagaria PRF
		15	40.00	40.00	Pahad	Nagaria PRF
		16	21.482	21.482	Pahad	Nagaria PRF
		17	21.824	21.824	Pahad	Nagaria PRF
		18	40.00	40.00	Pahad	Nagaria PRF
		19	40.00	40.00	Pahad	Nagaria PRF
		20	40.00	40.00	Pahad	Nagaria PRF
		21	38.30	38.30	Pahad	Nagaria PRF
		22	26.22	26.22	Pahad	Nagaria PRF
		23	30.00	30.00	Pahad	Nagaria PRF
		24	30.00	30.00	Pahad	Nagaria PRF
		25	30.00	30.00	Pahad	Nagaria PRF
		26	16.918	16.918	Pahad	Nagaria PRF
		27	5.587	5.029	Pahad	Nagaria PRF
		28	20.247	19.145	Pahad	Nagaria PRF
		29	19.202	18.10	Pahad	Nagaria PRF
		30	14.526	13.613	Pahad	Nagaria PRF
		31	14.970	14.053	Pahad	Nagaria PRF
		32	13.439	12.529	Pahad	Nagaria PRF
		33	2.416	1.706	Pahad	Nagaria PRF
		6	0.10	0.10	Pahad	Nagaria PRF



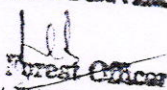
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Village	Khata No.	Plot No.	Area within ML (Acr)	Area in Acres	Kissam	Name of the RF/PRF
Sareikela	36 Abada Ajogya Anabadi	21	17.776	15.926	Pahad	Nagaria PRF
		22	26.056	20.920 3.326	Pahad	Sarkunda PRF Nagaria PRF
		23	40.22	6.74	Pahad	Sarkunda PRF
		24	40.00	40.00	Pahad	Nagaria PRF
		25	40.00	35.37	Pahad	Nagaria PRF
		26	40.50	0.195	Pahad	Sarkunda PRF
		27	42.35	2.33 5.06	Pahad	Sarkunda PRF Nagaria PRF
		28	35.774	1.864	Pahad	Nagaria PRF
		29	32.05	0.25	Pahad	Nagaria PRF
		30	40.00	36.679	Pahad	Nagaria PRF
		31	38.30	12.32	Pahad	Nagaria PRF
		32	30.00	17.959	Pahad	Nagaria PRF
		33	21.61	20.893	Pahad	Nagaria PRF
		34	17.545	16.834	Pahad	Nagaria PRF
		35	33.45	24.22	Pahad	Nagaria PRF
		36	35.042	34.222	Pahad	Nagaria PRF
		37	10.632	9.482	Pahad	Nagaria PRF
		88	13.60	11.959	Pahad	Nagaria PRF
		89	34.58	34.07	Pahad	Nagaria PRF
		90	29.64	28.56	Pahad	Nagaria PRF
91	40.00	40.00	Pahad	Nagaria PRF		
92	10.845	9.755	Pahad	Nagaria PRF		
Tilkuda	23 Abada Ajogya Anabadi	1	33.99	32.377	Pahad	Nagaria PRF
		2	30.238	29.147	Pahad	Nagaria PRF
		3	40.77	39.336	Pahad	Nagaria PRF
		6	7.622	6.848	Pahad	Nagaria PRF
Sarkunda PRF				30.185 Acr		
Nagaria PRF				1158.615 Acr		
Total				1188.80 Acr or 481.096 Ha		
Khandadhar R.F.				27.400 Ha		
Grand Total				508.496 Ha		



(S.K.Das)

Dy.General Manager (Geo)  
 Authorised signatory  
 Odisha Mining Corporation Ltd.  
 S.K. Das  
 Dy. General Manager (Geo)  
 Power of Attorney Holder  
 Odisha Mining Corporation Ltd.  
 Bhubaneswar-751001

**COUNTERSIGNED**  
  
 Divisional Forest Officer  
 Bhubaneswar Division



27/11/2018  
7.12.2015

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F. No. 8-113/2000-FC (Vol. II)  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)  
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Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi - 110510  
Date: 27<sup>th</sup> November, 2018

To,  
✓ The Principal Secretary (Forests),  
State Governments of Odisha,  
Bhubaneswar.

Stage-II approval order

**Sub: Diversion of balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha.**

Sir,

So (Dy)  
34/11

I am directed to refer to the State Government of Odisha's letter no. 10F (Cons) 179/2014/1689 Forest & Environment, Bhubaneswar dated 28.01.2015 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted under Section-3 of the said Act, *in-principle* approval was granted vide this Ministry's letter of even number dated 25.02.2016 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

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2. In this connection, I am directed to say that on the basis of the compliance report furnished by the vide their letters No. 7415/9F (MG)-72/2014 dated 05.04.2018 and 15830/9F (MG)-72/2014 dated 21.07.2018, *Stage-II/Final* approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha subject to the following conditions:

- 1 Legal status of the diverted forest land shall remain unchanged;

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2. Compensatory afforestation over identified non-forest land equal in extent to the forest land being diverted, and penal compensatory afforestation on identified degraded forest land shall be raised by the State Forest Department within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan from the funds deposited in Ad-hoc CAMPA account by the user agency;
  3. The non-forest land transferred so mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage-II approval;
  4. 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;
  5. Following activities shall be undertaken by the user agency at their cost as per approved plan;
    - (a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three years with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.
    - (b) Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme;
    - (c) Construction of check dam, retention / toe walls along the contour to arrest sliding down of the excavated material along the contour in accordance with the approved scheme;
    - (d) Stabilize the overburden dumps by appropriate grading / benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than  $28^{\circ}$ , and
    - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
  6. 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;
  7. The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
  8. The State Govt. shall ensure that user agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
  9. The State Govt. and the user agency shall ensure that the boundary of the diverted forest land, 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, forward and back bearing, distance from pillar to pillar and GPS coordinates;
  10. The State Government shall ensure that the process of settlement of rights has been completed in accordance with provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;





11. The State Govt. and the user agency shall ensure that layout plan of the mining plan/proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
12. 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 & Regulating) Act, 1957, or Rules framed there under;
13. The State Government ensure that *the State Forest Department will implement the approved Regional Wildlife Management and approved Site Specific Wildlife Conservation Plan from the funds deposited by the user agency in the account of Adhoc CAMPA* ;
14. The State Govt. shall ensure that the State Forest Department will implement the approved plan scheme for fencing, protection and regeneration of the safety zone area ;
15. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
16. The State Govt. and the user agency shall explore the possibility of 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;
17. The State Govt. shall ensure that State Forest Department will implement the approved plan from the funds deposited in Ad-hoc CAMPA account by the user agency for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests located in the area within 100 m. from outer perimeter of the mining lease;
18. The State Govt. ensure that the user agency shall carry out mining in a phased manner as per the approved mining plan and take due care for reclamation of the mined over area and the concurrent reclamation plan shall also be executed by the User Agency as per the approved mining plan/scheme. An annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office, 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. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
19. The State Govt. ensure that the User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF along with indicators for monitoring and expected observable milestones;
20. The State Govt. ensure that the user agency shall carry out de-silting of the village tanks and other water bodies located within five km from the mine

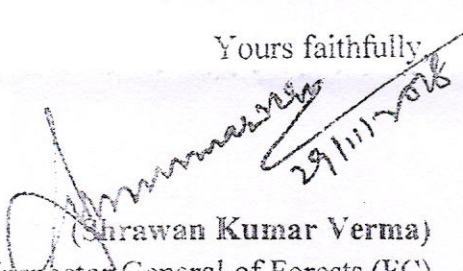




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lease boundary so as to mitigate the impact of siltation of such tanks/water bodies at their cost in consultation with State Forest Department;

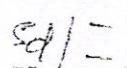
21. The State Govt. and the user agency shall ensure that the annual self-compliance report in respect of the above conditions and also to the conditions stipulated in stage-I Clearance dated 25.02.2016 for which undertakings given, shall be submitted to the State Government, concerned Regional Office and this Ministry by the end of March every year regularly;
22. The State Govt. and the user agency shall ensure that any other condition that the concerned Regional Office of this Ministry, may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
23. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Yours faithfully

  
(Shrawan Kumar Verma)  
Deputy Inspector General of Forests (FC)

**Copy to:**

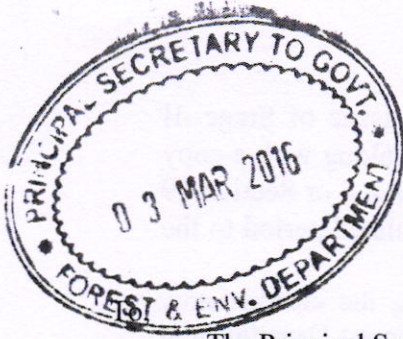
1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, the Forest (Conservation) Act, 1980 Forest Department, Government of Odisha, Bhubaneswar.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. User Agency.
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.
6. Guard File.

  
(Shrawan Kumar Verma)  
Deputy Inspector General of Forests (FC)



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F. No. 8-113/2000- FC (Vol.II)  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)  
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Indira ParyavaranBhawan,  
Aliganj, Jorbagh Road,  
New Delhi - 110510

*Indira Paryavaran Bhawan - I*

Date: 25<sup>th</sup> February, 2016

The Principal Secretary (Forests),  
State Governments of Odisha,  
Bhubaneswar.

*Stage - I approval order*

*SS(DP)*

**Sub: Diversion of balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha.**

Sir,

I am directed to refer to the State Government of Odisha's letter no. 10F (Cons) 179/2014/1689 Forest & Environment, Bhubaneswar dated 28.01.2015 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that proposal was considered by the Forest Advisory Committee constituted by the Central Government under section-3 of the aforesaid Act in its meeting held on 03.06.2015 and the Committee, after detailed examination recommended the proposal for diversion of forest land.

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2. After careful consideration of the proposal of the State Government of Odisha and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees to accord **stage-I approval** under the Forest (Conservation) Act, 1980 for the balance forest land of 517.888 ha including 9.392 ha for safety zone in addition to 133.112 ha of forest land already diverted in favour of M/s Odisha Mining Corporation Limited (OMC) within the total mining lease area of 651.00 ha for Iron and Manganese Ore mining in Kurmitar Iron and Manganese Mines in Bonai Forest Division in Sundergarh District in the State of Odisha, subject to the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance;
- (iv) The land identified for the purpose of CA shall be clearly depicted on a Survey of India top-sheet of 1:50,000 scale;
- (v) The non-forest land transferred so mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest

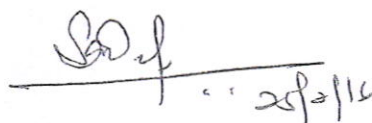
*SOJ*  
*25/2/16*



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Act, 1927 latest within a period of six months from the date of issue of Stage--II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;

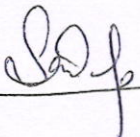
- (vi) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate as directed and advised by State Forest Department in the Ad-hoc Campa account of the State concern through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (vii) The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the 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. The requisite funds shall be transferred through online portal into Ad-hoc CAMPAs account of the State Concerned.
- (viii) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (ix) Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred into Ad-hoc CAMPAs account of the State Concerned.
- (x) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (xi) No labour camp shall be established on the forest land;
- (xii) The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xiii) The boundary of the diverted forest land, 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, forward and back bearing, distance from pillar to pillar and GPS coordinates;
- (xiv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xv) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xvi) 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;
- (xvii) No damage to the flora and fauna of the adjoining area shall be caused;
- (xviii) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xix) *The user agency shall deposit the proportionate contribution of Regional Wildlife Management Plan @ revised rate of Rs.43,000/- per ha over the total mining lease area of 651 ha, which comes to Rs. 2,79,93,000/-, as worked out by the state government.*
- (xx) *The state Government in coordination with the user agency shall implement Site Specific Wildlife Conservation Plan as approved by PCCF(WL) & CWLW.*
- (xxi) *In addition to mitigative measures required to be taken by the user agency within the lease area as per standard conditions stipulated in the approval for mining leases the state Government, in consultation, of the user agency for the area surrounding the lease and implement it at the project cost.*
- (xxii) *The State Government shall raise penal Compensatory Afforestation over degraded forest land equal in extent to 11.05 ha of forest land utilized for non-forest purpose (dumping, Mining, and Road beyond the diverted area) without obtaining approval under the FC Act at the project cost.*

  
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- (xxiii) The State Government shall also realize from the user agency penal NPV @ 20% of the rates applicable on the date of grant of the stage-I approval, of 11.05 ha of forest land utilized for non-forest purpose (dumping, Mining, and Road beyond the diverted area) without obtaining approval under the FC Act, for each year or fraction thereof. In case a patch of forest land has been utilized for non-forest purpose without obtaining approval under the FC Act for 3 years, penal NPV to be realized in respect of such forest land will be at the rate of 60 % of the rates applicable on the date of grant of stage-I approval.
- (xxiv) *The State Government shall raise penal Compensatory Afforestation over degraded forest land 20% in extent to 133.112 ha of forest land as penalty for delaying the compliance to the conditions stipulated in stage II approval granted on 10/04/2008 at the project cost. Further, as recommended by the Regional office, compliance of the conditions shall be submitted within one year.*
- (xxv) The user agency will abide by the applicable recommendations of the State Government.
- (xxvi) Following activities shall be undertaken by the User Agency at the project cost:
  - (a) Preparation and implementation of a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams.
  - (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 along the contour to arrest sliding down of the excavated material.
  - (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28°.
- (xxvii) Strict adherence to the prescribed top soil management.
- (xxviii) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 and 05.07.2013, in support thereof;
- (xxix) 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 & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years;
- (xxx) 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 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- (xxxi) 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, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned 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 or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.
- (xxxii) The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the mining lease or mining cluster, as applicable, and such other areas as specified in the approved mining plan) at the project cost.
- (xxxiii) The User Agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone.

  
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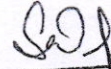


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- (xxxiv) In case of underground mines, areas on surface shall be fenced and afforested from the funds to be provided by the User Agency.
- (xxxv) The User Agency shall implement the R&F Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF along with indicators for monitoring and expected observable milestones.
- (xxxvi) The User Agency shall undertake de-silting of the village tanks and other water bodies located within five km. from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies, whenever required.
- (xxxvii) The User Agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly;
- (xxxviii) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxxix) 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.

3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Odisha, final/ stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of to the said forest land to the user agency shall not be affected by the State Government of Odisha till final/stage-II approval for its diversion is issued by this Ministry.

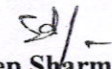
Yours faithfully,

  
(Sandeep Sharma) 25/1/16

Assistant Inspector General of Forests

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, the Forest (Conservation) Act, 1980 Forest Department, Government of Odisha, Bhubaneswar.
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6. Guard File.

  
(Sandeep Sharma)

Assistant Inspector General of Forests