

E. No. 8-81/2005-FC  
Government of India  
Ministry of Environment and Forests  
(FC Section)

Paryavaran Bhawan  
CGO Complex, Lodhi Road  
New Delhi-110 003

Dated : 24<sup>th</sup> April 2006

To

The Secretary (Forests),  
Government of Orissa,  
Bhubaneswar.

Sub: Diversion of 232.438 ha (originally proposed 539.4047 ha) of forest land in Gandhamardan Block-B for renewal of mining lease for iron-ore mining in favour of Orissa Mining Corporation (OMC) Limited in District Keonjhar, Orissa.

Sir,

I am directed to refer to your letter No. 10F(Cons)65/2005/5533/F&E dated 02.09.2005 whereunder the above mentioned proposal was submitted seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the above proposal was examined by the Forest Advisory Committee (FAC) constituted under Section-3 of the Act.

2. After careful consideration of the proposal of the State Government, and on the basis of recommendations of the FAC, the Central Government hereby agrees in-principle for diversion of 232.438 ha of forest land, which includes 72.4695 ha of broken up forest land and 159.9685 ha of fresh forest land, for Gandhamardan Block-B for renewal of mining lease for iron-ore mining in favour of Orissa Mining Corporation (OMC) Limited in District Keonjhar, Orissa, subject to fulfilment of following conditions: -

- (i) The Compensatory Afforestation shall be raised and maintained over non-forest land equivalent in extent to the fresh forest area being diverted, i.e., over 159.9685 ha, at the cost of the user agency.
- (ii) The non-forest land identified for Compensatory Afforestation shall be transferred and mutated in the name of State Forest Department and shall be declared as Reserved Forest under Indian Forest Act, 1927.
- (iii) The user agency shall create, fence and maintain a safety zone around the mining area. The user agency shall deposit funds with the Forest Department for the protection and regeneration of safety zone area and will also have to pay the cost of afforestation over one and a half times of safety zone area in degraded forest elsewhere.
- (iv) The reclamation of mines shall be carried out as per the reclamation plan and should be regularly monitored by the State Forest Department.
- (v) The State Government shall charge Net Present Value from the user agency for the entire diverted forest land, as directed by Hon'ble Supreme Court and as per the guidelines issued vide Ministry of Environment and Forests letters No. 5-1/98-FC (Pt-II) dated 18<sup>th</sup> September 2003 and 22<sup>nd</sup> September 2003.
- (vi) An undertaking from the user agency may also be obtained stating that in case the rates of NPV are revised upwards, the additional/differential amount shall be paid by the user agency.

- (vii) The State Government shall deposit all the above-mentioned funds with Compensatory Afforestation Fund Management and Planning Authority (CAMPA), which has already been constituted and notified by the Central Government on 23.04.2004. Till such time, the CAMPA intimates the Head of Account for deposition of funds, the funds will be maintained in the form of fixed deposits in the name of Nodal Officer or concerned Divisional Forest Officer of the State Government. The funds realized towards the NPV shall not be utilized by the State Government.
- (viii) The approved Mining Plan shall be submitted before grant of final approval.
- (ix) The permission granted under FC Act shall be co-terminus with the mining lease granted under MMRD Act or any other relevant Act or for a period of 20 years, whichever is less.
- (x) The user agency shall construct 4 feet high RCC pillars with forward and backward bearings to demarcate the area.
- (xi) The Wildlife Management Plan shall be implemented at the project cost.
- (xii) Adequate soil conservation measures shall be undertaken under supervision of State Forest Department to prevent soil erosion, at the project cost.
- (xiii) Other standard conditions as applicable to proposals related to mining shall apply in the instant case also.

After receipt of the compliance report from the State Government on fulfilment of the conditions mentioned above, the proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Yours faithfully,

(Pankaj Asthana)  
Assistant Inspector General of Forests

Copy to :-

1. The Principal Chief Conservator of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer, Forest Department, Government of Orissa, Bhubaneswar.
3. The Chief Conservator of Forests (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Guard File.
6. Monitoring Cell of FC Section.
7. PS to IGF (FC).

(Pankaj Asthana)  
Assistant Inspector General of Forests

**F. No. 8-81/2005-FC**  
**Government of India**  
**Ministry of Environment & Forests**  
**(FC Division)**

Paryavaran Bhawan,  
 CGO Complex, Lodhi Road,  
New Delhi - 110003

Dated: 17<sup>th</sup> August 2007

To

The Principal Secretary (Forests),  
 Government of Orissa,  
 Bhubaneswar.

Sub: Diversion of 232.438 ha (originally proposed 539.4047 ha) of forest land in Gandhamardan Block-B for 1<sup>st</sup> renewal of mining lease for Iron Ore mining in favour of M/s Orissa Mining Corporation Limited in Keonjhar District, Orissa.

Sir,

I am directed to refer to State Government's letter No.10.F. (Cons) / 65 / 2005 / 5533 / F&E dated 02.09.2005 on the subject cited above seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, in-principle approval for the said Mining Lease was granted vide this Ministry's letter of even number dated 24.04.2006 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 the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. 10.F. (Cons) / 65 / 2005 / 5210 / F&E dated 02.04.2007, approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 232.438 ha (originally proposed 539.4047 ha) of forest land in Gandhamardan Block-B for 1<sup>st</sup> renewal of mining lease for Iron Ore mining in favour of M/s Orissa Mining Corporation Limited in Keonjhar District, Orissa subject to fulfillment of the following conditions:

1. Legal status of the diverted forest land shall remain unchanged.
2. (i) Compensatory afforestation shall be raised and maintained by the State Forest Department at the project cost.
- (ii) Fencing, protection and regeneration of the safety zone area (7.5 metres 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 a half times the area under safety zone, shall also be done at the project cost.
- (iii) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.

B. Following activities shall be undertaken by the State Forest Department at the project

- (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
  - (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
  - (iii) Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
4. The period of diversion under this approval shall be twenty (20) years subject to possession of valid lease by User Agency under the MMDR Act, 1957.
  5. (i) The User Agency shall take up planting work on the static dumps during the advance mining operations.  
(ii) All the dumps shall be fully reclaimed by afforestation immediately after closure of the mine in the shortest possible period under supervision of the State Forest Department.
  6. Any tree felling shall be done only when it is absolutely necessary and unavoidable, and that too under strict supervision of the State Forest Department.
  7. No damage to the flora and fauna of the area shall be caused.
  8. Reclamation Plan shall be strictly implemented which shall be monitored regularly by the State Forest Department.
  9. It shall be ensured that no labour-camps are set up inside the forest area.
  10. The mining lease area shall be demarcated on ground at the project cost, using four feet high RCC pillars, with each pillar inscribed with the serial number, forward and backward bearings and distance between two adjacent pillars.
  11. The forest land shall not be used for any purpose other than that specified in the proposal.
  12. Any other condition that the CCF (Central), Regional Office, Bhubaneswar, may impose from time to time for protection and improvement of flora and fauna in the forest area, shall also be applicable.

Yours faithfully,

(C.D. Singh)

Assistant Inspector General of Forests

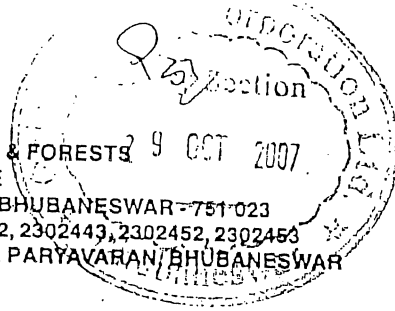
Copy to :-

1. The Principal Chief Conservation of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer, O/o the PCCF, Government of Orissa, Bhubaneswar.
3. The Chief Conservator of Forests (Central), Regional Office, Bhubaneswar.
4. User Agency,
5. Guard file.
6. Monitoring Cell of FC Section.

(C.D. Singh)

Assistant Inspector General of Forests

GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT & FORESTS  
EASTERN REGIONAL OFFICE  
A/3, CHANDRASEKHARPUR, BHUBANESWAR-751 023  
TEL. : (Off.) 2301213, 2302432, 2302443, 2302452, 2302453  
FAX : 0674-2302432. GRAM : PARYAVARAN/BHUBANESWAR  
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भारत सरकार  
पर्यावरण एवं वन मंत्रालय,  
पूर्वी क्षेत्रीय कार्यालय  
ए/3, चन्द्रशेखरपुर, भुवनेश्वर -751 023  
तार - पर्यावरण, भुवनेश्वर

5-ORA014/2005-BHU

October 18, 2007

To

6343  
11/11/07  
The Principal Secretary,  
Forest & Environment Department,  
Govt. of Orissa,  
Bhubaneswar.

Sub:- Diversion of 232.438 ha (originally proposed 539.4047 ha) of forest land in Gandhamardan Block-B for 1st renewal of mining lease for Iron Ore mining in favour of M/s Orissa Mining Corporation Limited in Keonjhar district. Orissa.

Ref:- Ministry's approval letter No. 8-81/2005-FC dated. 17.08.2007.

Sir,

With reference to above cited subject. I am directed to inform that the following three conditions are added as condition no13 to 15 to the final approval accorded by the Ministry vide letter referred above.

13. The User agency shall submit an undertaking to contribute proportionately towards Elephant Depredation Scheme as required and to be prepared by the State Forest Department.
14. An Undertaking from the user agency shall also be obtained to the effect that the required funds or proportionate contributions for Biodiversity Conservation Plan of the district/zone shall be provided by the project authority to the Forest Department as per the requirement and as may be asked by the Forest Department.
15. The User Agency shall submit a land use map every year using the latest satellite imagery of highest resolution within a buffer of 5 (five) Km around project site, prepared from ORSAC. The first reference land use map from ORSAC shall be furnished by the user agency to this office within 6 months or before carrying out any mining operation, which ever is earlier.

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The above said undertaking form the user agency shall be submitted to the Ministry with copy to this Regional Office within one month of receipt of this letter.

In addition to the above, you are requested to direct the Forest Department to prepare the required Scheme without delay for the compliance of the conditions No. 2(iii).3(i), (ii) & (iii) for Afforestation measures in the blanks within the lease area as well as along the roads outside, proper mitigative measure to minimize soil erosion chocking of streams, plantation to arrest soil erosion and construction of check-dam/ retaining wall respectively as stated in the final approval letter No. 8-81/2005-FC dated 17.08.2007 and to raise the required fund from the user agency for implementation of the schemes.

Yours faithfully.

(A.K. BISWAL)  
DY. CONSERVATOR OF FORESTS (CENTRAL)

Copy to:-

1. The Asst. Inspector General of Forests(FC), Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003 for kind information.
2. The Principal Chief Conservator of Forests, Govt. of Orissa, Aranya Bhawan, C.S.Pur, Bhubaneswar - 16.
3. The Nodal Officer, O/o the Princijal Chief Conservator of Forests, Govt. of Orissa, Aranya Bhawan, C.S.Pur, Bhubaneswar - 16.
4. The Divisonal Forest Officer, Keonjhar Forest Divison, Keonjhar.
5. The General Manager, Orissa Mining Corporation Limited, OMC House, Bhubaneswar - 751 001.
6. Guard File.

  
DY. CONSERVATOR OF FORESTS (CENTRAL)