



ବନଖଣ୍ଡ ଅଧୀକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ: ବଣାଇ ବନଖଣ୍ଡ I

OFFICE OF THE DIVISIONAL FOREST OFFICER: BONAI DIVISION.

Phone / Fax – 06626-244434: E-mail

At- dfobonai@rediffmail.com

No. 6003 /6F-(Mg.)Dt: 23-9 .2019

To

Sri Prabodh Mohanty,
Station Road, Barbil,
PO-Barbil, Dist-Keonjhar.

Sub: -

Proposal for diversion of balance forest land of 11.006 ha. (Safety Zone-9.778 ha. and area for public purpose – 1.228 ha.) excluding the 177.517 ha. of already diverted forest land out of total forest land of 188.523 ha. (within the applied ML area of 188.523 ha.) for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty.

Ref: -

1. Stage-II approval Letter No.8-45/2007-FC (Vol.) dt.26.8.2019 of the MoEF & CC, Govt. of India.
2. Memo No.17127/F&E dt.6.9.2019 of the F&E Deptt. Govt. of Odisha
3. Memo No.16098 dt.17.9.2019 of the Addl. PCCF, (Nodal), Bhubaneswar addressed to this office.

Sir,

With reference to above, this is to inform you that Stage-II approval has been accorded by the MoEF & CC, Govt. of India vide their Letter No.8-45/2007-FC (Vol) dt.26.8.2019 subject to fulfilment of **20 (twenty)** Conditions. Further, the State Govt. have imposed **3 (three)** Additional Conditions vide their Memo No.17123/F&E dt.6.9.2019 in pursuance of Order dt.7.11.2012 of the Hon'ble National Green Tribunal in Appeal No.7/2012. Copy of the Stage-II approval Order and the Additional Conditions imposed by the State Govt. have already been communicated to you vide Memo No.17130/F&E dt.6.9.2019. However, a copy of the same is **enclosed herewith** for ready reference.

Hence, you are requested to intimate your acceptance of the above 23 Conditions to this office, endorsing a copy to the Range Officer, Barsuan for taking further action.

Further, you are requested to submit your point-wise compliance each quarter preferably on 31st March, 30th June, 30th September and 31st December each year, endorsing copy thereof to the Range Officer, Barsuan Range.

Yours faithfully,

Encl :- As above.

23/9/19
Divisional Forest Officer,
Bonai Division.

Memo No. 6004 /6F-Dt: 23-9 .2019

Copy with copy of Memo No.17123/F&E dt.6.9.2019 of the F&E Deptt. Govt. of Odisha, Bhubaneswar containing the Stage-II approval and 3 additional Conditions imposed by the State Govt. forwarded to the Range Officer, Barsuan Range for information and necessary action. He is instructed to inspect the mines and verify the records, and submit his report to this office regarding compliance of each of the 23 Conditions immediately, and point out violation of the F.C. Act'1980, if any, from time to time.

23/9/19

6F
06.9.19

17.9.19

GOVERNMENT OF ODISHA
FOREST & ENVIRONMENT DEPARTMENT

No.10F (Cons) 21/19 17/123/F&E, Bhubaneswar, dated the

06-09-19

ORDER

10/9/19

Sub: Diversion of balance forest land of 11.006ha (safety zone-9.778ha and area for public purpose-1.228ha) excluding 177.517ha of already diverted forest land out of total forest land of 188.523ha within the applied mining lease area of 188.523ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty.

WHEREAS, Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty, Station Road, Barbil, Dist-Keonjhar, Odisha had applied for diversion of balance forest land of 11.006ha (safety zone-9.778ha and area for public purpose-1.228ha) excluding 177.517ha of already diverted forest land out of total forest land of 188.523ha within the applied mining lease area of 188.523ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District.

And whereas, the Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC), Govt. of India, New Delhi had accorded in principle approval / Stage-I Clearance for diversion of balance forest land of 11.006ha (safety zone-9.778ha and area for public purpose-1.228ha) excluding 177.517ha of already diverted forest land out of total forest land of 188.523ha within the applied mining lease area of 188.523ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty vide its letter F.No.8-45/2007-FC (Vol) dtd.29.06.2017 (**Annexure-I**).

And whereas, the Govt. of India, MoEF&CC, in consideration of the compliance of the conditions of the in principle approval, has accorded final approval for diversion of balance forest land of 11.006ha (safety zone-9.778ha and area for public purpose-1.228ha) excluding 177.517ha of already diverted forest land out of total forest land of 188.523ha within the applied mining lease area of 188.523ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District in favour of above mentioned User Agency vide its letter F.No.8-45/2007-FC (Vol) dtd.26.08.2019 (**Annexure-II**) under Section 2 of Forest Conservation Act, 1980.

Now, therefore, Govt. of Odisha do hereby allow as per approved land use pattern subject to fulfillment of the conditions of final forest clearance order as stipulated by the MoEF&CC, Govt. of India, New Delhi. Detailed land schedule of the diverted forest land of 11.006ha duly authenticated by the Tahasildar, Koira received from the PCCF, Odisha vide his letter No.16272 dtd.26.10.2015 appended herewith as **Annexure-III**.

OFFICE OF THE
REGIONAL FOREST OFFICER
BONAI DIVISION

5593
11.09.2019


S/L

The Collector, Sundargarh district, and DFO, Bonai Forest Division are authorized to hand over the diverted forest land to the User Agency subject to having valid lease and compliance of Courts 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 of 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, 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 the PCCF, 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. 17124 /F&E, Dated: 06.09-19

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

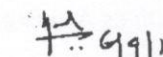
Appropriate instruction to the Divisional Forest Officer, Bonai Forest Division & the User Agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer that compensatory levies including NPV, as due, in this project of User Agency as well as for any other projects of the same agency, is deposited by them in appropriate head of account 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, Bonai, Forest Division for facilitating monitoring of compliances.

Memo No. 17125 /F&E, Dated: 06.09-19

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. Director General of Forest (Central), MoEF&CC, Government of India, ERO, A/3, Chandrasekharapur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of the Hon'ble NGT dtd.07.11.2012 in Appeal No.7/2012 communicated by the MoEF, Govt. vide their F.No.7-23/2012-FC dtd.24.07.2013.

Memo No. 17126 /F&E, Dated: 06.09-19

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


Special Secretary to Government

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Memo No. 17127 /F&E, Dated: 06-09-19

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 that compensatory levies including NPV, as due, for 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 before allowing use of the forest land by the user agency. Besides, any other funds due to be deposited by the user agency in this project shall also be deposited by the agency before the forest land is allowed to be utilized for the purpose of mining. 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, Bonai Forest Division is also instructed to ensure that the direction given to the user agency are executed immediately.

H. 9919

Memo No. 17128 /F&E, Dated: 06-09-19 Special Secretary to Government

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

H. 9919

Memo No. 17129 /F&E, Dated: 06-09-19 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.

H. 9919

Memo No. 17130 /F&E, Dated: 06-09-19 Special Secretary to Government

Copy along with the copy of the enclosures forwarded to Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty, Station Road, Barbil, Dist-Keonjhar, Odisha 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.7/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012-FC dtd.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 Forest Division/RCCF, Rourkela Circle/ PCCF, Odisha/ Forest & Environment Department for reference.*

Besides the above, the user agency is also asked to deposit compensatory levies including NPV, as due 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 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.

H. 9919

Special Secretary to Government

Memo No. 17131 /F&E, Dated: 06-09-19

Copy with copy of enclosure forwarded to the O.I.C., State Portal, N.I.C., I.T. Department, Odisha Secretariat, Bhubaneswar 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.07.11.2012 in Appeal No.7/2012. Hence this may be done unfailingly.**

H. G. 19

Memo No. 17132 /F&E, Dated: 06-09-19

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.

H. G. 19

Special Secretary to Government



27/08/2019
25-9-2019

F. No. 8-45/2007-FC (Vol.)
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

SOC (Dy)

4-9

ANNEXURE-II

1315 138

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-1100 03

Dated: 26th August, 2019

To,

The Principal Secretary (Forests),
Government of Odisha,
Bhubaneswar

Sub: Diversion of balance forest land of 11.006 ha (safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty.

Sir,

I am directed to refer to the State Government's letter no. 10F(Cons) 324/2015/8879/F&D Bhubaneswar, dated 28.10.2015 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of 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/ Stage-I approval for above subject proposal was granted vide this Ministry's letter of even number dated 29.06.2017 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.

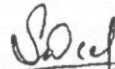
In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Odisha vide their letters No.5192/9F(MG)-161/2007 dated 16.03.2019 and No. 11612/9F(MG)-161/2007 dated 02.07.2019, Stage-II/ Final approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of balance forest land of 11.006 ha (safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. **Compensatory afforestation**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 1.228 ha non-forest in village Babu-Naugaon of Bonai Tehsil of Bonai Range under Bonai Forest Division at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
 - b) 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 declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980 may report compliance within a period of six (6) months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Office for information and record;
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

[Signature]
26.06.19

5. User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.
6. User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986.
7. The State Govt. ensure that State Forest Department shall implement the approved plan for fencing, protection and afforestation of the safety zone area (7.5 meter strip shall be kept within the mining lease or mining cluster, as applicable and such other areas as specified in the approved mining plan) from the funds provided and deposited in CAMP account. Area of safety zone of a mining lease shall be a part of the total area of the mining lease.
8. The period of diversion of the said forest land shall be co-terminus with the period of the mining lease granted under the Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder.
9. The user agency shall undertake mining and reclamation of the mined out area as per the approved mining plan and the directions of the concerned Divisional Forest Officer.
10. No labour camp shall be established on the forest land.
11. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on forest areas.
12. The boundary of the diverted forest land, mining lease area and safety zone shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
13. The forest land shall not be used for any purpose other than that specified in the project proposal.
14. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
15. The State Govt. ensure that the State Forest Department shall carry out afforestation on identified degraded forest land against one and half time in extent to the area used for safety zone from the funds provided and deposited in CAMP account.
16. The change in the layout plan of the mining lease, if required, shall be done as prescribed in the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
17. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
18. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
19. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
20. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife. The State Government shall ensure compliance of all the above conditions.

Yours faithfully,


(Sandeep Sharma) 3.8.19

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Orissa, Bhubaneswar.
2. The Nodal Officer (FCA), O/o PCCF, Government of Orissa, Bhubaneswar.
3. The Dy. Director General (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Monitoring Cell
6. Guard File.

ANNEXURE-III

Annexure-XI

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**Land Schedule of Safety Zone Area & Area used for Public Purpose over
11.006 ha. (9.778 ha. + 1.228 ha.)
of KIST Iron, Manganese & Bauxite Mine.**

(1) SAFETY ZONE AROUND MAGZINE AREA IN HECT.

VILLAGE NAME	PLOT NO	K.F.	PRF	DLC	TOTAL AREA IN HECT.
Tantigram	2		0.786		
TOTAL			0.786		0.786

(2) SAFETY ZONE 7.5Mtr ALONG THE BOUNDARY

VILLAGE NAME	PLOT NO	K.F.	PRF	DLC	TOTAL AREA IN HECT.
Sidimba	63			0.343	
	64			0.347	
	65			0.555	
	60			0.373	
	59			0.399	
Sub Total				2.017	2.017
Kalmanga	12			0.276	
	18			0.302	
	20			0.283	
Sub Total				0.861	0.861
Tantigram	3		0.283		
	2		0.616		
	1		0.325		
	67	0.362			
	68	0.122			
	69	0.198			
Sub Total		0.682	1.224		1.906
Jaldihi	29		0.297		
	32		0.114		
	27		0.203		
	26		0.394		
	25		0.329		
	24		0.291		
Sub Total			1.628		1.628
Grand Total		0.682	2.852		6.412

(3) SAFETY ZONE OF 10 Mtr ALONG THE PUBLIC ROAD

VILLAGE NAME	PLOT NO	K.F.	PRF	DLC	TOTAL AREA IN HECT.
Sidimba	63			1.568	
Jaldihi	27		0.197		
	29		0.039		
	25		0.776		
TOTAL			1.012	1.568	2.580

18/7/14
Major Surveyor,
Mining Office, Koira

22/7/14
Deputy Director of Mines
Kolkata
Dist. Sunderganj

18/7/14
Forest Range Officer
Bansuan Range

18/7/14
Tehsildar
KOIRA

(4) AREA FOR PUBLIC PURPOSE IN HECT.

VILLAGE NAME	PLOT NO	K.F.	PRF	DLC	TOTAL AREA IN HECT.
Sidimba	63				
Jaldihi	27			0.713	
	29		0.215		
	25		0.061		
TOTAL			0.239		
			0.515	0.713	1.228

ABSTRACT DETAILS OF SAFETY ZONE AREA IN HECT.

Sl.No		K.F	PRF	DLC	TOTAL
1	Safety zone arround magazine		0.786		0.786
2	Safety zone 7.5Mtr along the boundary	0.682	2.852	2.878	6.412
3	Safety zone of 10Mtr along the public road		1.012	1.568	2.580
4	Area for public purpose		0.515	0.713	1.228
	Grand Total	0.682	5.165	5.159	11.006

[Signature]
Tehsildar
KOIRA

[Signature]
Forest Range Officer
Barsuan Range

[Signature]
Senior Surveyor.
Mining Office, Kotra

[Signature]
Deputy Director of Mines
Koira
Dist. Sundergarh

COUNTERSIGNED

[Signature]
Divisional Forest Officer
Bansal Division

[Signature]
J8