

F. No. 8-46/2016-FC  
Government of India  
Ministry of Environment, Forests & Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi: 110003,

Dated: 25<sup>th</sup> September, 2017

To,

The Principal Secretary,  
Government of Odisha,  
Bhubaneswar.

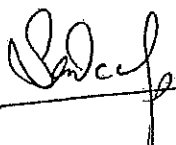
**Sub: Diversion of 434.935 ha of forest land (428.075 ha forest land within Kodingamali Bauxite Mining lease area including 18.098 ha of forest land in safety zone and 6.860 ha of forest land out- side the ML area for construction of approach road to the mining lease) for mining of bauxite in Kodingamali Bauxite Mines located in Koraput & Rayagada districts of Odisha by Odisha Mining Corporation Ltd.**

Sir,

I am directed to refer to the State Government of Odisha's letter No 10F (Cons) 99/2013/17199/F&E dated 19<sup>th</sup> August 2013 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 (FAC) constituted under section-3 of the said Act, *In-principle approval /Stage-I* Clearance was granted vide this Ministry's letter of even number dated 17.04.2017 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.

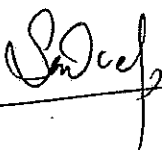
In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Odisha vide their letter No. 19261/9F (MG)- 400/2016 dated 01.09.2017, *Final/Stage-II approval* of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 434.935 ha of forest land (428.075 ha forest land within Kodingamali Bauxite Mining lease area including 18.098 ha of forest land in safety zone and 6.860 ha of forest land out- side the ML area for construction of approach road to the mining lease) for mining of bauxite in Kodingamali Bauxite Mines located in Koraput & Rayagada districts of Odisha by Odisha Mining Corporation Ltd subject to fulfilment of 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 on the identified land within three years from the date of issue of Stage -II Clearance by the State Forest Department and maintained thereafter as per approved plan at the cost of the User Agency;
- (iii) The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified 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 local Forest Act. The Nodal officer must report compliance within a period of 6 months from the date of grant

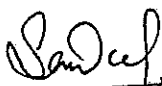
  
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of final approval and send a copy of the notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record;

- (iv) The State Government shall ensure that no residential buildings shall be allowed within the diverted forest land;
- (v) State Government shall implement the approved soil conservation plan at the cost of user agency;
- (vi) Fencing, protection and regeneration of the safety zone area [7.5 meters strip shall be kept within the mining lease boundary and area of the safety zone shall be part of the total area of mining lease as per the Ministry's guidelines dated 27.05.2015] shall be done within three years at the project cost as per approved scheme. In addition, afforestation as selected towards one & a half times the area under safety zone on identified degraded forest land of 27.174 ha shall also be done at the project cost;
- (vii) 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 and Regulation) Act, 1957, as amended and the Rules framed there-under;
- (viii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (ix) State Government shall ensure that no labour camp shall be established on the forest land;
- (x) State Government shall ensure that 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;
- (xi) State Government 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, distance from pillar to pillar and GPS co-ordinates;
- (xii) State Government shall ensure that 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 are satisfactorily executed;

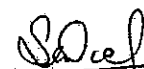
  
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- (xiii) State Government shall ensure that the layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- (xiv) State Government shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- (xv) State Government shall ensure that 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;
- (xvi) State Government shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- (xvii) State Government 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;
- (xviii) State Government shall ensure that the following activities/plan, as per approved plan / schemes, shall be undertaken by the State Forest Department at the cost provided by the user agency;
  - (a) Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year 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 dams, retention /toe walls 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 28o; and
  - (e) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- (xix) State Government shall ensure that 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 at the cost provided by the user agency;
- (xx) State Government shall ensure that the User Agency shall implement the plan for de-silting on identified existing village tanks and other water bodies for which GPS co-ordinates provided within five km. from the mine lease boundary to mitigate the impact of siltation of such tanks/water bodies;

  
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- (xxi) State Government shall ensure that the User Agency shall submit the annual self-compliance report in respect of the above stated conditions and also to the conditions stipulated in Stage-I Clearance to the State Government, concerned Regional Office of MoEF&CC and this Ministry by the end of March every year;
- (xxii) 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
- (xxiii) The user agency shall comply all 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,




(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Orissa, Bhubaneswar.
2. The Addl. Principal Chief Conservator of Forests (Central) Regional Office, Bhubaneswar.
3. The Nodal Officer, O/o PCCF Government of Orissa, Bhubaneswar.
4. The User Agency
5. The Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.



(Sandeep Sharma)

Assistant Inspector General of Forests (FC)