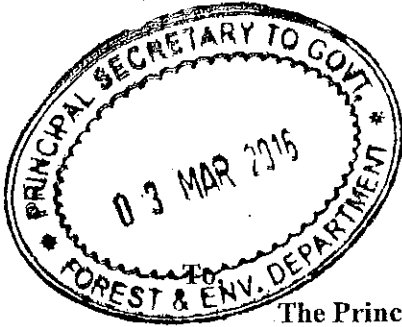


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F. No. 8-15/2000-FC (vol.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi -110 003
Dated: 25th February, 2016



Amare - 2

The Principal Secretary (Forests)
Government of Odisha
Bhubaneswar.

State go approval

Spl. Secy (DB)

Sub: Proposal for diversion of 279.351 hectares of forest land including 2.790 hectares for safety zone in addition to 146.047 hectares of forest land already diverted within total Mining Lease area of 552.457 hectares for Chromite Ore mining in Jajpur district by M/s. Odisha Mining Corporation Ltd. during 1st renewal of mining lease period.

Sir,

I am directed to refer to the Government of Odisha's letter No 10F (Cons) 389/2012/15428/ F&E Bhubaneswar dated 21.08.2014 on the above-mentioned subject, wherein prior approval of the Central Government for the diversion of 279.351 hectares of forest land including 2.790 hectares for safety zone in addition to 146.047 hectares of forest land already diverted within total Mining Lease area of 552.457 hectares for Chromite Ore mining in Jajpur district by M/s. Odisha Mining Corporation Ltd. during 1st renewal of mining lease period, was sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, in-principle approval for the said diversion was granted vide this Ministry's letter of even number dated 08th January 2015, subject to fulfilment 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 Government of Odisha vide their letter No. 10F (Cons)-76/2015/15301 F & E Bhubaneswar dated 27.08.2015, **final approval** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 279.351 hectares of forest land including 2.790 hectares for safety zone in addition to 146.047 hectares of forest land already diverted within total Mining Lease area of 552.457 hectares for Chromite Ore mining in Jajpur district by M/s. Odisha Mining Corporation Ltd. during 1st renewal of mining lease period, subject to fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged

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ii. Compensatory afforestation shall be raised and maintained over the non-forest land equal in extent to the forest land being diverted from funds realised from the user agency;

iii. The non-forest land which is 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 local Forest Act. The Nodal Officer must report compliance within a period of six (6) months and send a original notification of RF/ PF as the case may be to the Central Government for confirmation and record

iv. Following activities shall be ensured by the State Govt. at the project cost;

a)	An approved plan for appropriate mitigative measures to minimize soil erosion and choking of streams may 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 that angles of repose at any given place is less than 28°
e)	Strict adherence to the prescribed top soil management

v. 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;

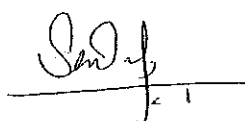
vi. The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;

vii. State Government shall raise penal compensatory afforestation at the cost of the user agency, over degraded forest land five times in extent to the forest land utilized for non-forest purpose without obtaining requisite approval under the FC Act.

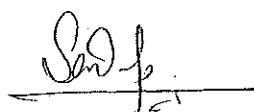
viii. The State Govt. and Regional Office (Eastern Zone), Bhubaneswar having jurisdiction over the forest land proposed to be diverted, shall ensure the compliance/direction of Hon'ble Court against the persons found guilty for violation of the Forest (Conservation) Act, 1980;

ix. The State Govt. and the user agency shall ensure land surrender schedule for surrender of the mined out and biologically reclaimed forest land as per approved mine plan and progressive mine closure plan. The biologically reclaimed forest land will also be surrendered to the State Forest Department as per approved schedule

x. The State Govt. and the user agency shall implement approved site-specific Wildlife Management Plan at the project cost as per guidelines of the Chief wildlife Warden, Odisha.



- xi. The State Govt. and the user agency shall ensure appropriate measures for creation of ponds and rain water harvesting structures, so as to ensure harvesting and storage of rain water and recharge of the groundwater.
- xii. The State Govt. and the user agency shall ensure approved plan for Afforestation of non-mineralised areas located within the mining lease at the cost of user agency.
- xiii. The user agency shall protect the top soil at the project cost.
- xiv. The State Govt. and user agency shall create and maintain alternate habitat/ home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project
- xv. Fencing, protection and regeneration of the safety zone area [7.5 meters strip all along the outer boundary of the mining lease area as recommended by the state govt.] shall be done at the project cost. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost
- xvi. 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, and the Rules framed there-under, subject to a maximum period of 20 years
- xvii. State Govt. shall ensure 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 meters from outer perimeter of the mining lease
- xviii. State Govt. shall ensure 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
- xix. State Govt. and User Agency shall ensure mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and 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 (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. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- xx. It shall be ensured that no labour camps are set up inside the forest area.
- xxi. Any tree felling shall be done only when it is absolutely necessary and unavoidable.
- xxii. 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.
- xxiii. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with



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its serial number, forward and back bearing and distance from pillar to pillar.

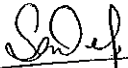
xxiv. The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.

xxv. Any other condition that the Regional Office (Eastern Zone), Bhubaneswar may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife.

xxvi. The user agency shall submit the annual report on compliance to conditions stipulated in the approval conditions and also the condition stipulated in Stage-I clearance to the State Government and the concerned Regional Office of this Ministry.

xxvii. 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.

Yours faithfully,


(Sandeep Sharma) 25/2/16

Assistant 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, O/o the Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar.
4. User agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(Sandeep Sharma)

Assistant Inspector General of Forests (FC)