

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA****ORIGINAL APPLICATION NO OF 2025****IN THE MATTER OF:****SANTANU KERKETTA AND ANOTHER APPLICANT****VERSUS****STATE OF ODISHA AND OTHERS ... RESPONDENTS****INDEX**

Sl	Description of Documents	Page
1	Memorandum of Application	1-31
2	Copy of the Stage-I clearance dated 04/02/2021 as ANNEXURE-1	32-37
3	Copy of the fact sheet as ANNEXURE-2.	38-50
4	Copy of Environmental Clearance dated 22/12/2020 as ANNEXURE-3	51-76
5	Copy of the approval dated 18/12/2021 as ANNEXURE-4	77-80
6	Copy of the stage-II clearance dated 06/12/2021 as ANNEXURE-5	81-84
7	Complaint letter dated 15/04/2022 written by Sarapanch Bhutuda as ANNEXURE-6.	85-86
8	Photographs of dumps and dried part of streams as ANNEXURE-7.	87-93
9	Copy of the letter dated 06/05/2025 written by Sarapanch of Bhutuda Panchayat as ANNEXURE-8	94-95

10	Copy of the undertaking issued by OMC as ANNEXURE-9	96
11	Copy of the site inspection report of DFO, Bonai Forest Division dated 13/08/2020 and RCCF, Rourkela Circle dated 26/09/2020 as ANNEXURE-10 series.	97-102
12	Copy of the photographs suggesting establishment of labour camp over the forest land as ANNEXURE-11.	103-106
13	Copy of the MOEFCC letter dated 03/08/2009 as ANNEXURE-12.	107-108
14	Copy of the newspaper clippings as ANNEXURE-13.	109
15	Copy of the news published on dated 08/05/2025 as ANNEXURE-14.	110
16	VAKALATNAMA	111

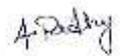
PLACE: Bhubaneswar

SANKAR PRASAD PANI



DATE: 29/05/2025

ASHUTOSH PADHY



ADVOCATE

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SYNOPSIS

That the present application is being filed challenging the continues violation and non-compliance of conditions Forest Clearance granted by MOEFCC to the M/S Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahsil Lahunipara, District Sudergarh (Odisha). Further the unscientific management of earth cuttings generated during construction of overhead piped conveyor belt has led to obstruct the perennial streams and spill over to the forest areas damaging much more trees than it is permitted.

List Of Dates

03/08/2009	MoEF&CC issued one circular regarding diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.
13/08/2020	Site inspection was done by DFO Bonai Forest Division
26/09/2020	Site inspection was done by Regional Chief Conservator of Forests, Rourkela Circle
22/12/2020	Environmental Clearance was granted by MoEF&CC to M/S Odisha Mining Corporation Limited for enhancement of iron ore production from 2.4 MTPA to 6.00 MTPA at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-

division, Sundergarh District, Odisha.

- 04/02/2021 Stage-I forest clearance was granted by the MoEF&CC to M/S Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahsil Lahunipara, District Sudergarh (Odisha).
- 08/02/2021 Corrigendum issued by MOEFCC
- 11/10/2021 Additional document sought by MoEF&CC regarding Record of consultation of Forest Right Committee and Gram Sabha.
- 06/12/2021 Stage-II forest clearance was granted by the Moefcc to M/S Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahsil Lahunipara, District Sudergarh (Odisha).
- 15/12/2021 Corrigendum issued by MOEFCC
- 18/12/2021 Final forest clearance approval was granted by Government of Odisha
- 15/04/2022 Complaint made by Sarapanch Bhutuda Gram Panchayat to all the concerned authorities regarding indiscriminate and illegal felling of trees by the M/S Odisha Mining Corporation Limited.
- 09/04/2024 Office of the Regional Controller of Mines issued one letter to M/s Odisha Mining Corporation Limited regarding violations of provisions of Mineral Conservation & Development Rules, 2017 in respect of your Kurmitar Iron Ore Mine (Mine Code: 30ORI13009) over an area of 651 Ha situated in

Sundargarh Dist of Odisha State

06/05/2025

Complaint made by Sarapanch Bhutuda Gram Panchayat to all the concerned authorities regarding construction of a conveyor belt line in Ranta and Siliguda villages and disturbing the sources of water streams by the M/S Odisha Mining Corporation Limited.

BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA**

(Under Section 18(1) read with Section 14(1), 15. 20 of the NGT Act 2010)

Original Application No -----/2025

INTHE MATTER OF:

1. Santanu Kerketta, C/o- Bicha Kerketta, aged about 38 years, At-Randa, Po- Bhutuda, Lahunipara, Dist- Sundergarh, Pin- 770041
2. RANJIT PATRA, aged about 35 years, , S/O Gurucharan Patra, At/P.O- Bhutuda, Lahunipara, Dist.- Sundargarh, Pin- 770041

APPLICANTS**VERSUS**

1. State of Odisha through Chief Secretary of Odisha, LokaSeva Bhawan, Bhubaneswar, 751001; Email - csori@nic.in
2. Additional Chief Secretary, Forest and Environment Department, Kharbela Bhawan, Bhubaneswar, Government of Odisha 751001; Email - fsec.or@nic.in _____
3. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Integrated Regional Office (EZ),A/3, Chandrasekharpur, Bhubaneswar – 751023,Email: roez.bsr-mef@nic.in
4. District Collector, Sundargarh, At/Po/Dist- Sundergarh, Odisha, 752001; Email - dm-sundergarh@nic.in

5. Divisional Forest Officer, Bonai, At/Po/Ps- RXC2+9P3, Bonaigarh, Odisha 770038, dfobonai.od@gov.in
6. Chairman, Odisha State Biodiversity Board, Bhubaneswar, At/Po-Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Odisha, msobb@rediffmail.com
7. M/s Odisha Mining Corporation Limited, represented through its Managing Director, At/Po- OMC HOUSE, POST BOX NO-34, BHUBANESWAR, ODISHA-751001, E-Mail: md@odishamining.in
8. Smt. Basanti Munda, Sarpanch, Bhutuda Gram Panchayat Office, AT-PO-Bhutuda, District-Sundargarh, Pin- 770041

...RESPONDENTS

It is Most Respectfully Showeth

1. That the present application is filed by two residents of Bhutuda gram panchayat under Lahunipada Tahasil of Sundargarh District challenging the construction of overhead conveyer on forest land without compliance of Forest Rights Act and in violation of conditions of Forest Clearance dated 04/02/2021, 06/12/2021, 18/12/2021 and EC dated 22/12/2020. Further the unscientific management of earth cuttings generated during construction of overhead piped conveyer belt has led to obstruct the perennial streams and spill over to the forest areas damaging much more trees than it is permitted.

2. That the present application is filed challenging the non compliance of forest clearance dated 06/12/2021 and unscientific dumping of earth removed for the purpose of conveyor belt construction resulting in blockage of streams/ water channels which are life line of villagers of Ranta and Bhutuda Grampanchayat.
3. It is needless to state that the **Sundargarh** is a **Schedule-V District**, wherein consultation with gramsabha (Village assembly) is pre requisite prior to acquisition of land for any industrial project. That the applicants and villagers have contributed their time and resources for protection of the gramya jungle and alienation of a forest land for industrial purpose without consultation with villagers is a violation of 73rd amendment of Constitution as well as provision of Panchayats Extension to Scheduled Areas (PESA) 1996.
4. That the forest clearance dated 04/02/2021 (Stage-I) having a specific condition No. 10 mandating compliance of Forest Rights Act prior to execution of the project and in the present case there has been no consent obtained from the Bhutuda Grampanchayat and the Gram sabhas under the Grampanchayats. The relevant portion of the condition is reproduced as follows *“The State Government shall ensure that User Agency obtains clearance. under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition*

of Forest Rights), Act, 2006 in accordance with the relevant guidelines issued by the MoEF&CC in this regard and a report on the same is submitted to the Ministry along with compliance of Stage-I approval.”

Copy of the Stage-I clearance dated 04/02/2021 is annexed here unto as **ANNEXURE-1**

5. It is further submitted that the stage-I forest clearance dated 04/02/2021 in condition No. 4 it is categorically mentioned that *“On analysis on Decision Support System(herein after referred as DSS) it was observed that a seasonal water stream/nalah exists on South-west boundary of the proposed dispatch area-2 is adjoining a seasonal water stream/nalah. The area between the banks of this seasonal stream/ nalah and the proposed dispatch area-2 shall be mapped and a green belt with native species shall be raised and maintained at the cost of user agency to protect the seasonal stream/nalah. Soil and moisture conservation measures in the dispatch area shall be planned and implemented at the cost of the user agency and effective measures shall be used by the user agency to prevent Iron ore leaching from the dispatch areas”* but in the present case instead of protecting the nalah the user agency intentionally blocking the stream of the Kurhadi nalah.
6. That the above mentioned condition is equally applicable to all other perennial/ seasonal streams / nalahs which should have been protected

and in the present case the nalahs passing through Ranta village are completely obstructed by the soil dumps which subsequently rolled over the seasonal nalahs and obstructed the streams, the photographs clearly depicts the nalah/streams which use to carry water have been dried and in one instance the stream has been obstructed but the seepage water comes in very feeble, which suggests the stream earlier there have been blocked.

7. That in the fact sheet of the proposal it is mentioned that **7447 No. of trees** are enumerated to be felled for the purpose of construction of conveyor belt. However much more than the permitted number of trees have been felled and not being counted in the garb of less than 30 CM girth. Copy of the fact sheet is annexed here unto as **ANNEXURE-2**.
8. That the Environmental Clearance was granted on dated 22/12/2020 for enhancement of capacity from **2.4 MTPA to 6.00 MTPA** at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-division, Sundergarh District, Odisha by M/s Odisha Mining Corporation Limited. Copy of Environmental Clearance dated 22/12/2020 is annexed here unto as **ANNEXURE-3**.
9. That the total mine lease area is of 651.0 Ha and is under forest land,

out of which Reserve Forest is 52.901 ha and Protected Reserve Forest is 598.099 ha. Project proponent was accorded the principle approval for an area of 133.112 ha under Section-2 of the Forest (Conservation) Act, 1980 vide letter no. 8-113/2000-FC(Vol-1) dated 10.04.2007 by Ministry of Environment and Forest. The Stage-1 Forestry clearance for remaining area of 517.888 Ha was accorded by MoEF & CC (FC Division) vide letter no. F. No. 8-113/2000-FC (Vol II) dated 25.02.2016 and Stage-II FC was issued vide letter no. 8-113/2000-FC(Vol-11) dated 29.11.2018.

10. That for the purpose of construction of overhead piped conveyor belt line from Kurmitar mining lease area of OMC to Barsuan Railway Siding having a **length of 17 km and width of 15 meter over an area of 86.479 Ha. of forest land** have been granted conditional approval under Forest conservation Act on dated 18/12/2021. Copy of the approval dated 18/12/2021 is annexed here unto as **ANNEXURE-4**
11. That the stage one (In principle) clearance was granted on dated 04/02/2021, stage-II was granted on dated 06/12/2021. Copy of the stage-II clearance dated 06/12/2021 is annexed here unto as **ANNEXURE-5** and final approval was granted by the state government on dated 18/12/2021.

12. That when the felling of the trees started the local Sarpanch of Bhutuda Gram panchayat along with the applicants have opposed the indiscriminate tree felling and to that effect filed complaint with authorities on dated 15/04/2022. Complaint letter dated 15/04/2022 written by Sarpanch Bhutuda is annexed here unto as **ANNEXURE-6.**

13. That again the local Sarpanch has **brought to the notice of all the authorities regarding the dumping of soil excavated for conveyor line was not been properly managed for which all those mock/dump were filled on various water channels/streams that use to feed Kurhadi river which finally join with Bramhani river.**

14. Needless to say that these streams are used to be the source of drinking water and all domestic purposes got blocked and stopped flowing for which the local villagers are not able to get any water from the stream as such these channels were dried up ad no more in existence. Photographs of dumps and dried part of streams are annexed here unto as **ANNEXURE-7.**

15. That the local Sarpanch of Bhutuda Panchayat along with the Applicants again on dated 06/05/2025 wrote a letter to all the concerned authorities stating **no prior approval/permission has been**

taken from the Panchayat office to dig/excavate earth from the forest land. Copy of the letter dated 06/05/2025 written by Sarapanch of Bhutuda Panchayat is annexed here unto as **ANNEXURE-8**

16. That the User Agency i.e. OMC have not taken any measures so as to preserve the soils that are excavated for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahasil Lahunipara, District-Sundargarh. The safety measures that the user agency should have taken to preserve the soil/earth are as follows; Slope Flattening and Bench Optimization, Garland Drains and Bunds, Drainage Systems, Retaining Walls. However no such measures have been taken by the OMC.

17. That in the Stage-I approval of forest clearance it is categorically mentioned that *“The State Government shall ensure that User Agency obtains clearance under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance with the relevant guidelines issued by the MoEF&CC in this regard and a report on the same is submitted to the Ministry along with compliance of Stage-I approval.”* But the fact is that, the user agency as on date has not obtained any clearance/NOC from the local panchayat and has filed one undertaking before the MOEFCC stating that they will obtain FRA certificate prior to grant of Stage-II

clearance. Copy of the undertaking issued by OMC is annexed here unto as **ANNEXURE-9**

18. That in the Stage-I approval of forest clearance in condition No. B,4 it is categorically mentioned that *“It was noticed during DSS analysis that 0.983 ha forest area is proposed to be used for infrastructure purpose adjoining the dispatch area-1. Since this is an isolated area, use of forest land for non-forestry purpose was not allowed considering larger impact it will have on remaining forest. Moreover, the user agency has sufficient area available, for this purpose in the land which had already been diverted in its favour;”* but in the present case the user agency has illegally felled trees from the forest land and unauthorizedly constructed a camp office near the Dispatch area-1.

19. That in the Stage-I approval of forest clearance in condition No. B,8 it is categorically mentioned that *“Overburden, if any to be generated from the project, shall not be dumped outside the width of the proposed conveyor corridor. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;”* However from the photographs of the alleged site in question it can be clearly seen that the user agency has failed to dispose the mucks at the designated dumping sites and the mucks generated from earth cuttings

are rolling down to the hill slopes.

20. That in the Stage-I approval of forest clearance in condition No. B,9 it is categorically mentioned 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;”*** It is submitted that the boundary pillars of the diverted forest land has not been erected so as to demarcate the allotted forest land for the construction of overhead piped conveyor belt from Barsuan Railway Siding to Kurmitar Iron Ore Mines.

21. That in the Stage-I approval of forest clearance in condition No. B,19 it is categorically mentioned that ***“The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly.”*** However as per the information of the applicant no such report has been filed by the user agency i.e. OMC.

22. It is further submitted that in the Stage-I approval of forest clearance in condition No. B,23 it is categorically mentioned that ***“Violation of any***

of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019." But as on date no action has taken by the concerned authorities for violation of the above mention conditions of Forest Clearance (Stage-I) granted on dated 04/02/2021.

23. It is not out of place to mention here that **as per Site Inspection report of DFO, Bonai Forest Division and RCCF, Rourkela Circle, the forest comprises predominantly by Sal (Shorea robusta), Bija (Pterocarpus marsupium), Sisoo (Dalbergia latifolia) , Char (Buchnanania /anzan) ,Kumbhi (Careya arborea), Mango (Mangifera indica), Mahula (Madhuca indica), Jamu (Syzigium cumin), Harida (Terminalia chebula), Asan (Terminalia tomentosa), Kendu (Diospyrus melanoxylon) , Kusum (Schleicheria oleosa), Bahada (Terminalia be/erica), etc. The wildlife like Common Langur, Rhesus Macaque, Squirrel, Jungle cats, Mongoose, Hare, Fox, Indian Mole Rat different kinds of snakes & birds are noticed in the proposed diversion area. Further the DFO Bonai Forest Division and RCCF, Rourkela Circle reported that the proposed forest land for diversion is often**

frequented by wild elephants. However prior to grant of Forest Clearance importance has not been given so as to protect the wildlife in the diverted forest land. Copy of the site inspection report of DFO, Bonai Forest Division dated 13/08/2020 and RCCF, Rourkela Circle dated 26/09/2020 is annexed here unto as **ANNEXURE-10 series.**

24. That the Stage-II clearance was granted on dated 06/12/2021 by the MOEFCC to the OMC with a specific condition in condition No. xvi stating ***“The State Government and the user agency shall ensure that overburden, if any to be generated from the project, shall not be dumped outside the width of the proposed conveyor corridor. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.”*** However in the present case no such measures has been taken by the State Government and user agency and the same is clearly visible from the photographs annexed to the Original Application.

25. That in the Stage-II clearance it is clearly mentioned in condition No. xvii 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.” However in the present case no such pillars have been erected by the user agency in the diverted forest land.

26. It is further submitted that in the Stage-II clearance dated 06/12/2021 in condition No. xix it is categorically mentioned that, ***“The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land and 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;”*** but in the present case from the photographs it is clear that the user agency has illegally constructed labour camp in the forest land without prior permission from the concerned authority and violating the Forest Clearance Stage-II condition No. xix. Copy of the photographs suggesting establishment of labour camp over the forest land is annexed here unto as **ANNEXURE-11**.

27. That the Government Of India MOEFCC came out with a resolution on dated 03/08/2009 wherein the MOEFCC has stated that a letter from each of the concerned Gram Sabhas, indicating that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensatory and ameliorative measures if any, having understood the purposes and details of proposed diversion is requires for

diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980. However in the present case no such letter has been issued by the Gram Panchayat and no Gram sabha has also been conveyed for the construction of overhead piped conveyor belt from Kurmitar ML 3 boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan. Copy of the MOEFCC letter dated 03/08/2009 is annexed here unto as **ANNEXURE-12**.

28. That the Applicants along with the villagers also demonstrated/protested against the illegal activities and pollution caused by the OMC and same was also widely covered by the Odia Newspaper namely Samaj on dated 25/05/2025. Copy of the news paper clipping is annexed here unto as **ANNEXURE-13**.

29. It is further submitted that the user agency commenced filling seasonal *nallahs* (streams) under the guise of constructing a conveyor belt. The Applicants and local villagers brought this concern to the attention of the Bhutuda Sarpanch, who subsequently wrote to all concerned authorities on May 6, 2025 (Annexure-8). Regrettably, no action has been taken by any authority in response to the Sarpanch's communication to date. That this issue is also widely covered by the vernacular Odia newspaper namely Samaj on dated

08/05/2025. Copy of the news published on dated 08/05/2025 is annexed here unto as **ANNEXURE-14**.

30. It is humbly submitted that the Apex Court Judgement in T N Godavarman Case where in the Hon'ble Court has clarified that the definition Forest has to be understood in dictionary meaning irrespective of the owner of such land and in this case the land in question is a physical forest and hence attract the provisions of Forest Conservation Act for any non-forestry activities.

31. That the objective of the Forest (Conservation) Act of 1980 is to prevent further destruction except where it was unavoidable and checks and balances could be built in. Thus, it has avoided arbitrary de-reservation of large blocks of forests.

32. Section 2 of Forest Conservation Act of 1980 says that "Restriction on the de-reservation of forests or use of forest land for non-forest purpose: Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing- (i) That any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved: (ii) That any forest land or any portion thereof may be used for any non-forest purpose: (iii) That any forest land or any

portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government:

(iv) That any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-forestation.

33. It is humbly submitted that construction activity has been carried out without Approval of Central Government under Section 2 of Forest Conservation Act 1980. In *K.M. Chinnappa v. Union of India*, 2003 AIR SCW 23, the Supreme Court observed that unless and until the Central Government's permission is obtained under the Forest (Conservation) Act, no forest land can be allowed to be used for non-forest purposes.

34. In *T.N. Godavarman Thirumulkpad vs. Union of India* WP© 202 of 1995 and order dated 12/12/1996, the Supreme Court examined the National Forest Policy and issued certain directions in the light of the provisions of the Central Act. Direction 1 is important and reads as under:

“In view of the meaning of the word "forest" in the Act, it is obvious that prior approval of the Central Government is required for any non-forest activity within the area of any "forest". In accordance with Section 2 of the Act, all on-going activity within any forest in

any State throughout the country, without the prior approval of the Central Government, must cease forthwith. It is, therefore, clear that the running of saw mills of any kind including veneer or plywood mills, and mining of any mineral are non-forest purposes and are, therefore, not permissible without prior approval of the Central Government. Accordingly, any such activity is prima facie violation of the provisions of the Forest Conservation Act, 1980. Every State Government must promptly ensure total cessation of all such activities forthwith”.

35. The Hon'ble Supreme court of India in T N Godavarman case (Supra) has clarified the scope of forest conservation act and definition of forest as the dictionary meaning irrespective of ownership. Relevant part of the judgment that is applicable in the present instance is reproduced here as follows:

“It has emerged at the hearing, that there is a misconception in certain quarters about the true scope of the Forest Conservation Act, 1980 (for short the ‘Act’) and the meaning of the word "forest" used therein. There is also a resulting misconception about the need of prior approval of the Central Government, as required by Section 2 of the Act, in respect of certain activities in the forest area which are more often of a commercial nature. It is necessary to clarify that position. The Forest Conservation

Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "forest: must be understood according to its dictionary meaning. This description cover all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof." This aspect has been made abundantly clear in the decisions of this Court in *Ambica Quarry Works and ors. versus State of Gujarat and ors.* (1987 (1) SCC 213), *Rural Litigation and Entitlement Kendra versus State of U.P.* (1989 Suppl. (1) SCC 504), and recently in the order dated 29th November, 1996 in *W.P.(C) No.749/95 (Supreme Court Monitoring Committee vs. Mussorie Dehradun Development Authority and ors.* The earlier decision of this Court in *State of Bihar Vs. Banshi Ram*

Modiandors. (1985 (3) SCC 643) has, therefore, to be understood in the light of these subsequent decisions. We consider it necessary to reiterate this settled position emerging from the decisions of this court to dispel the doubt, if any, in the perception of any State Government or authority. This has become necessary also because of the stand taken on behalf of the State of Rajasthan, even at this late stage, relating to permissions granted for mining in such area which is clearly contrary to the decisions of this court. It is reasonable to assume that any State Government which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay”.

GROUNDS

- I. That the grant of forest clearance is subject to compliance of FRA, 2006 on proposed forest land meant for diversion, hence this application requires the consideration of the Hon’ble Tribunal.
- II. That the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 Guidelines issued by the nodal Ministry under Sec 12 of the FRA unequivocally establishes the requirement of settlement of rights prior to eviction. Clause V(a) of the Guidelines states that:
 - V(a). Section 4(5) of the Act is very specific and provides that no member of a forest dwelling Scheduled Tribe or other traditional forest dwellers shall be evicted or removed from the forest land under his occupation till the recognition and verification

procedure is complete. This clause is of an absolute nature and excludes all possibilities of eviction of forest dwelling Scheduled Tribes or other traditional forest dwellers without settlement of their forest rights as this Section opens with the words “Save as otherwise provided”. The rationale behind this protective clause against eviction is to ensure that in no case a forest dweller should be evicted without recognition of his rights as the same entitles him to a due compensation in case of eventuality of displacement in cases, where even after recognition of rights, a forest area is to be declared as inviolate for wildlife conservation or diverted for any other purpose. In any case, Section 4(1) has the effect of recognizing and vesting forest rights in eligible forest dwellers. Therefore, no eviction should take place till the process of recognition and vesting of forest rights under the Act is complete.

III. The aforesaid guidelines make it incumbent on the State government to ensure that all diversion of forest land for non-forest purposes under the FCA, 1980 complies with the MoEF letter dated 30.07.2009 and 03.08.2009. Clause 5(b) of the Guidelines state that:

V (b). The Ministry of Environment & Forests, vide their letter No.11-9/1998-FC(pt.) dated 30.07.2009, as modified by their subsequent letter of the same number dated 03.08.2009, has issued directions, requiring the State/UT Governments to enclose certain evidences relating to completion of the process of settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, while formulating unconditional proposals for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980.

The State Government should ensure that all diversions of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 take place in compliance with the instructions contained in the Ministry of Environment & Forest's letter dated 30.07.2009, as modified on 03.08.2009.

- IV. That the Forest (Conservation) Rules, 2002 under Rule 9(6)(b)(ii) makes it incumbent on the State government to fulfil and comply with the settlement of rights under FRA, 2006 before issuing order for diversions, assignment of lease or de-reservation of forest land.
- V. That compliance of FRA, 2006 being a prerequisite for giving effect to the Forest Diversion proposal and in the present case, the same has not been complied with, hence the Forest Clearance dated 13.10.2022 is not absolute and subject to scrutiny by the Hon'ble Tribunal.
- VI. That FRA, 2006 being a progressive law with an objective to undo historical injustices, the non-compliance of the Act for a project of such nature will lead to further injustice towards the Schedule Tribe and Other Traditional Forest Dwellers.
- VII. That if the project is not stopped at this stage, it will lead to all evidences of forest rights to be wiped out which could have been determined by the Sub-Divisional Level Committee and District Level Committee in consultation with the concerned Gram Sabhas.
- VIII. As such, these above conditions are unequivocal in putting a restriction on transfer of land and change in land use prior to settling of rights under the FRA, 2006.
- IX. That the Honble NGT in **Paryawaran Sanrakshan Sangharsh Samiti Lippa vs. Union of India & Ors. Appeal No. 28/2013**, in order dated 04.05.2016 directed the State government to consult the Gram Sabhas

of concerned villages regarding forest clearance. The Gram Sabhas were further directed to consider all community and individual claims and take up mitigation measures to offset the adverse impact of the project. The Court directed that a Judicial Officer be deputed in order to ensure transparency and confidence of the villagers in the proceedings and for the proceedings to be completed in a time bound manner. In Para 20(1) the tribunal directs as follows:

“The Respondents No.1 and 2 shall ensure that the entire proposal pertaining to Forest Clearance in respect of Stages II and III of 130 MW Kashang Integrated Hydro Electric Project is placed before the Gram Sabha of villages Lippa, Rarang, Pangi and Telangi in Kinnaur District of Himachal Pradesh as prescribed under the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required under Condition 16 of the Forest Clearance dated 22.03.2011 issued by the Ministry of Environment and Forests;”

X. That the non-compliance of FRA, 2006 is in violation of the order of Hon’ble Supreme Court of India in *Orissa Mining Corporation vs. Ministry of Environment and Forests* (2013) 6 SCC 467. In the judgement the hon’ble court observes as follows:

“The Statement of Objects and Reasons of the Act states that forest dwelling tribal people and forests are inseparable and that the simplicity of tribals and their general ignorance of modern regulatory framework precluded them from asserting their genuine claims to resources in areas where they belong and depended upon and that only recently that forest management regimes have initiated action to recognize the occupation and other right of the forest

dwellers. Of late, we have realized that forests have the best chance to survive if communities participate in their conservation and regeneration measures. The Legislature also has addressed the long standing and genuine felt need of granting a secure and inalienable right to those communities whose right to life depends on right to forests and thereby strengthening the entire conservation regime by giving a permanent stake to the Schedule Tribes dwelling in the forests for generations in symbiotic relationship with the entire ecosystem.”

XI. That even prior to the passing of the FRA, 2006, the relationship between tribal and forest dwelling communities and the forests has been recognised by the Supreme Court in numerous decisions and the need for protecting the interest of tribal and forest dwelling communities defended through judicial decisions. In *Banwasi Seva Ashram v State of U.P. & Ors.* (1986) 4 SCC 753 the Supreme Court directed protection of tribal forest dwellers who were being ousted from Reserve Forest land. The Court observed that:

“It is common knowledge that the Adivasis and other backward people living within the jungle used the forest area as their habitat....and for generations had been using the jungles around for collecting the requirements for their livelihood-fruits, vegetables, fodder, flowers, timber, animals by way of sport and fuel wood”

XII. That the M/s Odisha Mining Corporation is constructing the overhead piped conveyor belt in violation of Forest Clearance conditions for which as per the condition No. 23 of Stage-I and condition No. xxx action is to be taken.

LIMITATION

That the present original application is being filed within 6 months from the letter issued by the Sarpanch of Bhutuda Gram Panchayat and there is a

continuing cause of action as the Odisha Mining Corporation is constructing the overhead piped conveyor belt, hence the application is not barred by limitation.

PRAYERS

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to

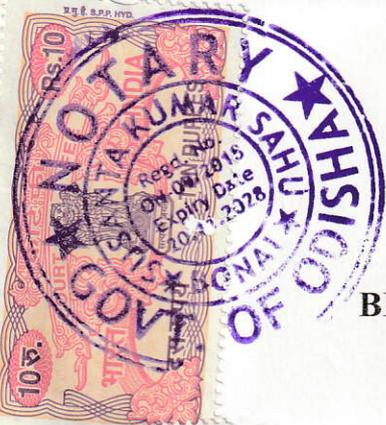
- a) Stay the forest clearance letter dated 18/12/2021 for non-compliance of conditions and more particularly pending the settlement of Forest Rights in the area proposed for diversion.
- b) Restrain the Odisha Mining Corporation and its agents from encroaching upon the forest land.
- c) Restore the streams already obstructed because of the roll over of earth cuts.
- d) Direct the state respondent to comply with the provisions of the FRA, guidelines, rules, and judicial precedent.
- e) Any other directions as the Hon'ble Tribunal deem fit in the interest of environment.

And for this act of kindness, the petitioners as in duty bound shall ever pray

APPLICANTS THROUGH

S.Pani *A.Padhy*

ADVOCATE



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.- _____ OF 2025

IN THE MATTER OF:

SANTANU KERKETTAAPPLICANT

VERSUS

STATE OF ODISHA AND OTHERSRESPONDENTS

AFFIDAVIT

I, SANTANU KERKETTA, aged about 38 years, Aadhaar No. 6140 3247 8782, S/O- Bicha Kerketta, At-Randa, P.O- Bhutuda, Lahunipara, Dist.- Sundargarh, Pin- 770041, do hereby solemnly affirm, and declare as under:

1. That, I am the APPLICANT in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That, I have read over the contents of the accompanying Original application and the same is true and correct and is drafted on my instruction.

Santanu Kerketta
Santanu Kerketta
DEPONENT

VERIFICATION

Verified on this the 29th day of May 2025 at Bonai that the contents of the above affidavit are true and correct. No part of it is false and nothing has been concealed therefrom.

Identified*By

Santanu Kerketta
DEPONENT

[Signature]
Advocate, Bonai

solemnly affirmed and declared
before me on identification
by *[Signature]*
Advocate, Bonai



[Signature]
Sri S. K. Sahu
Notary, Bonai



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.- OF 2025

IN THE MATTER OF:

SANTANU KERKETTAAPPLICANT

VERSUS

STATE OF ODISHA AND OTHERSRESPONDENTS

AFFIDAVIT

I, **RANJIT PATRA**, aged about 35 years, Aadhaar No. 5045 3667 0465, S/O- Gurucharan Patra, At/P.O- Bhutuda, Lahunipara, Dist.- Sundargarh, Pin- 770041, do hereby solemnly affirm, and declare as under:

1. That, I am the APPLICANT in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That, I have read over the contents of the accompanying Original Application and the same is true and correct and is drafted on my instruction.

Ranjit Patra

DEPONENT

[Signature]

VERIFICATION

Verified on this the 29th day of May 2025 at Bonai that the contents of the above affidavit are true and correct. No part of it is false and nothing has been concealed therefrom.

Ranjit Patra

Identified By

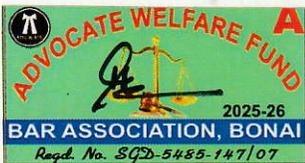
[Signature]
Advocate, Bonai

DEPONENT

solemnly affirmed and declared before me on identification by *[Signature]*
Advocate, Bonai

[Signature]

[Signature]
Sri S. K. Saha
Notary, Bonai



Mu SJB
[Signature]

Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira ParyavaranBhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 4th February 2021

To

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

Sub: Proposal seeking prior approval under the Forest (Conservation) Act, 1980 for non-forestry use of 86.479 ha of forest land, comprising of 85.175 ha of fresh forest land and 1.304 ha re-diversion of Forest land (which is a part of 11.912 ha forest land, granted Stage-II approval by ERO, MoEF&CC on 29.05.2020) in favour of M/s Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahsil Lahunipara, District Sudergarh (Odisha) – reg.

Sir,

I am directed to refer to the Government of Odisha's letter No. FE-DIV-FLD-0049-2020-17053/F & E dated 02.11.2020 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 proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords 'in-principle' approval under Section - 2 of the Forest (Conservation) Act, 1980 for non-forestry use of 86.479 ha of forest land, comprising of 85.175 ha of fresh forest land and 1.304 ha re-diverted forest land (part of 11.912 ha forest land, granted Stage-II approval by ERO, MoEF&CC on 29.05.2020) in favour of M/s Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway Siding in Tahsil Lahunipara, District Sudergarh (Odisha) subject to fulfilment of the following conditions:

- A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval**
- 1. Compensatory Afforestation**
 - i. Compensatory Afforestation, in lieu of forest land being diverted, shall be raised over 85.175 ha of non-forest land by the State Forest Department at the cost of User Agency; and
 - ii. The cost of compensatory afforestation at the prevailing wage rates as per

compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

2. The State Government shall charge the Net Present Value(NPV) for the 162.394 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
3. Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of CAMPA pertaining to the State concerned through **e-portal** (<https://parivesh.nic.in/>);
4. On analysis on DSS it was observed that a seasonal water stream/nalah exists on South-west boundary of the proposed dispatch area-2 is adjoining a seasonal water stream/nalah. The area between the banks of this seasonal stream/ nalah and the proposed dispatch area-2 shall be mapped and a green belt with native species shall be raised and maintained at the cost of user agency to protect the seasonal stream/nalah. Soil and moisture conservation measures in the dispatch area shall be planned and implemented at the cost of the user agency and effective measures shall be used by the user agency to prevent Iron ore leaching from the dispatch areas.
5. It shall be ensured that the trestles (pillars) of proposed conveyer belt are sufficiently high so that the movement of wildlife particularly elephant in the area is not hampered. A Site-Specific Wildlife Conservation Plan shall be prepared and approved by the competent authority and the cost of its preparation and implementation shall be borne by the user agency. The user agency shall also make proportionate contribution towards the cost of the Regional Wildlife Management Plan prepared and approved by the competent authority.
6. The state Forest Department shall also prepare a scheme of Assisted Natural Regeneration of the forest in 500 meter perimeter of the dispatch areas with a view to create dense green cover so as to minimise dust and other pollution on rest of the forest, and implement it at the cost of the user agency.
7. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department in the forest area being diverted. A scheme of the same shall be submitted along with compliance of Stage-I approval;
8. The User agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) for its implementation in right of way under the conveyer belt at the project cost;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department; and
10. The State Government shall ensure that User Agency obtains clearance under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance with the relevant

guidelines issued by the MoEF&CC in this regard and a report on the same is submitted to the Ministry along with compliance of Stage-I approval.

11. The KML files of diverted area and CA areas shall be uploaded on E green watch portal with all requisite details prior to Stage II approval

B. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval

1. Legal status of the diverted forest land shall remain unchanged;
2. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency;
3. After construction of the proposed overhead conveyer belt, State government will ensure that transportation of ore from the mines through existing road gets discontinued in a phased and time bound manner. To maximize utilization of the conveyor belt facility user agency shall not transport any ore material through road beyond a permissible quantity as specified by the State Government from time to time;
4. It was noticed during DSS analysis that 0.983 ha forest area is proposed to be used for infrastructure purpose adjoining the dispatch area-1. Since this is an isolated area, use of forest land for non-forestry purpose was not allowed considering larger impact it will have on remaining forest. Moreover, the user agency has sufficient area available, for this purpose in the land which had already been diverted in its favour;
5. Earlier approval was accorded for the parent proposal, i.e. use of forest area for mining in Kurmitar Iron and Manganese Mines vide this Ministry letter no 8-113/2000-FC (Vol.II) dated 29th November 2018. Compliance of the conditions specified in the approval shall be submitted by the State Government;
6. Besides, it is also to be ensured that title of the proposal should get changed as it also includes 1.304 ha of forest area is for re-diversion. The title of the proposal stands modified as under to avoid any confusion for future reference:

Proposal for diversion of 85.175 ha of fresh forest land and 1.304 ha re-diversion of Forest land (which is a part of 11.912 ha forest land, for which Stage-II approval has already been accorded by ERO, MoEF&CC on 29.05.2020) for construction of overhead piped conveyor belt from Kurmitar ML Boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan.

7. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
8. Overburden, if any to be generated from the project, shall not be dumped outside the width of the proposed conveyor corridor. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;
9. 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;

10. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
11. No labour camp shall be established on the forest land and 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;
12. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
13. The forest land shall not be used for any purpose other than that specified in the proposal;
14. 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;
15. No damage to the flora and fauna of the adjoining area shall be caused;
16. 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 period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
18. The mining lease holder shall, after ceasing mining operations, undertake re-grassing of the mining area and any other areas which may have been disturbed due their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.
19. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
20. 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;
21. 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;
22. The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>); and
23. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

After receipt of the compliance report on the fulfillment of the above mentioned conditions from the State Government, formal approval will be considered in this regard under Section - 2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator Forests, Government of Odisha,
Bhubaneswar
2. Regional Officer, Integrated Regional Office of the MoEF&CC at Bhubaneswar
3. The Nodal Officer (FCA), O/o the PCCF, Government of Odisha,
Bhubaneswar
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC
6. Guard file

Sub:- Proposal for diversion of 86.479 ha of forest land for construction of overhead piped conveyor belt from Kurmitar ML Boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan.

1. The State Government of Odisha vide their letter No. FE-DIV-FLD-0049-2020-17053/F & E dated 02.11.2020 has submitted the above subject fresh proposal for seeking prior approval of the Central Government under Section - 2(ii) of the Forest (Conservation) Act, 1980 .
2. The facts related to the proposal as contained in the State Government's letter dated 02.11.2020 are given below in the form of fact sheet:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 86.479 ha of forest land for construction of overhead piped conveyor belt from Kurmitar ML Boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan.
2.	Location i. State ii. District	Odisha Sundergarh
3.	Particulars of Forests: i. Name of Forest Division and Forest area involved. ii. Legal status/Sy.No.	Bonai Forest Division, Sundergarh 86.479 ha RF :60.825 ha PRF :25.654 ha Total: 86.479 ha
4.	Vulnerability to erosion	The applied area is not vulnerable to erosion.
5.	i. Vegetation i. Density No. of trees enumerated/to be actually felled i. Species-wise and diameter class wise enumeration of trees.	-- 0.5 (Eco Value Class-I) 7447 nos. of trees The details of Species-wise and diameter class-wise are given
6.	Whether area is significant from wildlife point of view	-

7.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, details of the area and comments of the Chief Wildlife Warden)	The applied area does not form part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve or Elephant Corridor, etc.
8.	Whether any RET species of flora and fauna are found in the area. If so details thereof	No rare/endangered/unique species of flora and fauna are found in the area.
9.	Approximate distance of the proposed site for diversion from boundary of forest.	The proposed site for diversion is coming within Khandadhar RF, Toda RF and Khandadhar PRF of Bonai division.
10.	Whether any protected archaeological/heritage site/defence establishment or any other important monuments is located in the area.	No protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.
11.	Whether any work of in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	No violation has been reported under Forest (Conservation) Act, 1980.
12.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project, if no recommended area item-wise with details of alternatives examined.	The requirement of forest land as proposed by the user agency in Part-I is unavoidable and barest minimum for the project.
13.	Whether clearance under the Environment (protection) Act, 1986 is required?	As reported by the RCCF, Rourkela Circle, Environmental clearance for the project proposal to establish Piped Conveyor System to transport iron ore will not be required.
14.	Compensatory Afforestation	
	i. Details of non-forest area/degraded forest area identified for CA, its distance from adjoining forest, number of patches, size of each patches.	The scheme for compensatory afforestation over 85.175 ha of Government non-forest land identified in village Champachuan under Thuamul-Rampur tehsil coming under Kalahandi District of Kalahandi (South) Forest Division.
	ii. Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	Submitted
	iii. Detailed CA scheme including species to be planted,	The detailed CA scheme is given

	implementing agency, time schedule, cost structure, etc.	
	iv. Total financial outlay for CA	Rs. 4,42,56,700/-
	v. Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	Joint site inspection report
15.	Catchment Area Treatment	NA
16.	Rehabilitation of Oustees a. No of families involved b. Category of families c. Details of rehabilitation plan	Nil Nil Nil
17.	Employment likely to be generated a. Whether the project is likely to generate employment b. Permanent/ Regular Employment (Number of person) c. Temporary Employment (Number of person-days)	Yes 50 50
18.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	F RA certificate is not given and undertaking given to provide before Stage-II
19.	Site Inspection Report by DFO	The Site Inspection is carried by DFO , Bonnai and his report is placed in file
20.	Cost Benefit Ratio	1:20
21.	Total Cost of the Project	Rs. 713.92 (lacs)
22.	Recommendation i. DFO ii. RCCF iii. PCCF/Nodal Officer iv State Government	The project may be considered The project may be considered for its approval under Section 2 (ii) of FCA, 1980 Recommended Recommended

23.	District Profile	
	i. Total Geographical area of the district/division	9712 sq km
	ii. Total Forest area/ Divisional Forest area	4957.32 sq. km
	iii. Total area diverted since 1980	6014.002 ha in 53 cases
	iv. Total CA stipulated since 1980 (Forest land)	
	a. Forest land including penal CA	
	b. Non Forest Land	8038.110 ha
	v. Progress of Compensatory Afforestation	1122.460 ha
	a. Forest land	
	b. Non Forest land	8038.110 ha
		1122.460 ha

3. State Government in their forwarding letter dated 02.11.2020 indicated the following:

- i. **Brief description:** Steel has the widest range of application among all materials. The wide range of alloy composition, mechanical properties and product forms possible, make it a versatile material that is used in components & products that may be small or large. M/s OMC Ltd , a State Government undertaking, is mandated to ensure uninterrupted supply of iron ore to various Iron & Steel Industries of the State, especially to those, who have signed MoU with the State Government. The upcoming Steel Plants in Rourkela, Angul, Dhenkanal, Athgarh areas are located close to M/s OMC Ltd owned Kurmitar, Rantha Iron ore mines. In order to meet a part of the additional demand of ore for the upcoming Steel plants, M/s OMC Ltd envisaged augmentation of production of Kurmitar mines from 2.4 MTPA to 6.00 MTPA by installing Crushing & Screening Plant inside Kurmitar ML area. The User Agency has obtained Environmental clearance for production of 2.4 MTPA vide MoEF Letter dtd 02.09.2008 & ToR granted for production of 6.0 MTPA vide MoEF & CC letter dtd 16.1.2019 . At present, the production of ore from Kurmitar mines is evacuated by about 2000 trucks per day, using the only available 12 kms long cement concrete Barsuan- Kurmitar public utility road, passing through ghat terrain, which cannot cater evacuation of the additional production by truck. To overcome the cited evacuation constraint and in consonance to means of ore transport mode suggested by CSIR-NEERI communicated by Jt. Secretary in MoEF &CC, Govt of India to Chief Secretary, Govt. of Odisha vide DO letter dtd 13.2.2018 , M/s OMC Ltd , initiated the proposal to establish overhead conveyor belt from ML area of Kurmitar Mines to proposed new Railway siding at Barsuan.

The entire stretch of proposed **8.315 km** long Kurmitar-Barsuan piped overhead conveyor belt & Railway siding at Barsuan is bounded by Latitude **N 21° 45' 31.31"-21° 50' 08.16"** & Longitude **E 85° 07' 0.40" - 85° 09' 12.48"** of Survey of India Topo Sheet No F45N1 on 1:50 000 scale . The proposed corridor runs through an undulating topography with elevation varying from 403 mrt to 927 mtr above MSL. The nearest Railhead to the project is at Barsuan located on Rourkela- Barsuan Rly

line of S.E. Railway. Barsuan is located on NH 215 at about 27 km away from Koira and 35 Km away from Rajamunda.

The project envisages installation of the conveyor belt in two segments with an interim stacking point in between. That place of interim stacking has been designated as Dispatch Area-1 (DA-1) & the ultimate designated delivery point of the conveyor project at Barsuan as Dispatch Area-2(DA-2). It has been designed to transport iron ore from Kurmitar mines to the tune of 6 MTPA after converting the ROM ore to desired size of Calibrated Lump Ore (CLO) & fines in crushing and screening plant, which is to be installed within the ML area of Kurmitar Mines of 651.0 ha. The converted CLO & fines from the crushing & screening point will be dispatched by conveyor belt to Dispatch Area-1 (DA-1) and the stock of CLO & fines received at DA-1 will either be transported to DA-2 directly through the conveyor belt or will be stored at DA-1 in bunkers for disposal from a truck loading point. There is provision in the project to ensure uninterrupted dispatch of produce from the crushing and screening unit & stack the ore at DA-1, when the DA-1 & DA-2 conveyor belt segment would be on maintenance. Thus, at DA-1 the conveyor project has both the inbuilt mechanical support system either to unload the received stock as per its grade in separate bunkers at DA-1 & to load them on trucks for disposal or to bypass DA-1 to carry forward the load to DA-1 -DA-2 conveyor to dispatch to DA-2 site , which is to be developed to a new railway siding near the existing Railway siding with provision for both mechanical wagon, truck loading system.

The conveying system is to run inside a fully covered steel galleries, erected upon 346 nos of steel trestles(pillars) at suitable interval on RCC pedestals. All galleries shall have maintenance walkway with clear headroom above floor level with provision of floor grating /chequered plates and floor of all transfer towers shall be provided with grating. The conveyor at receipt and discharge point will have dust suppressing system. At the end of the conveyor system at DA-2 provision of diverter gate will be provided for transfer of the received material either to wagon loading arrangement or to truck loading conveyor or to stock piling as per need. Both truck & wagon loading arrangement will be provided with reversible belt conveyor for directing the material into hoppers. Rail loading shall be done by flood loading or by loader loading arrangement with engine on load mechanism basis. **Out of proposed 346 steel trestles 344 will be erected on forest land and 02 in non-forest land.**

The User agency has furnished an undertaking to adopt latest technology to minimise generation of dust and noise during transportation of the ore as recommended by NEERI, Nagpur , enclosing copy of design of the pipe conveyor belt, As per the proposal, construction of the proposed Piped Conveyor System with two dispatch Areas as narrated above involves **86.606 ha of land, out of which 86.479 ha is Forest Land and 0.127 ha is of non-forest Govt land** . The forest land of 86.479 ha includes 2.184 ha of land of Khandadhar RF, 58.641 ha of Tohra RF, 25.654 ha of Khandadhar PRF. The non-forest Govt. land of 0.127 ha of Damalu village under Lahunipada Tahsil, involved in the project is of nallah kissam. As reported by the User Agency , the total forest land of 86.479 ha, required for the instant proposal , **includes 1.034 ha of forest land , which is a part of 11.912 ha forest land, for which Stage-II approval has been accorded by ERO MoEF & CC vide their letter dtd 29.05.2020** for infra-structure development to support mining at Kurmitar & Rantha ML in favour of the same User Agency i.e. M/s OMC Ltd. **The land schedule of forest land of 1.340 ha required for re-diversion for this project has been provided by the User Agency**, Besides this, it has been reported by RCCF, Rourkela that an area of 1.993 ha of forest land (i.e. Khandadhar RF -1.662 ha & Kandadhar PRF-0.331 ha) included under proposed forest area of 86.479 ha for diversion for the instant proposal, has also been included in another diversion proposal of Rantha ML initiated by M/s OMC Ltd, which is under processing . The instant proposal for diversion of 86.479 ha includes a satellite patch of Forest land of 0.983 ha (near Dispatch Area-1 , shown on map at Plate-VI), which is contiguous to previously diverted forest patch of 11.912 ha for infra-structure to support mining

at Kurmitar & Rantha ML in favour of M/s OMC Ltd, which has been projected for its use for development of Infra-structure for the instant project by the User Agency

The authenticated land schedule of forest and non-forest land involved in the project including status of forest and non-forest land as on 25.10.1980 duly authenticated by concerned Tahasildar, Lahunipda Tahsil and countersigned by DFO, Bonai Forest Division

Justification: As per the recommendation of CSIR-NEERI, M/s OMC Ltd came up with a proposal to set up a conveyor belt system to evacuate the enhanced production of iron ore of 6.0 MTPA up to nearest Railway head at Barsuan. In order to finalise the alignment of the proposed Conveyor Corridor, M/s OMC Ltd engaged M/s Engineering India Ltd, New Delhi and the said agency examining possible options recommended a corridor involving 217.927 ha of Forest Land, which was not acceptable to M/s OMC Ltd. Subsequently, engaging Mine Developer & Operator (MDO), ORSAC empanelled agency and other consulting Engineers, M/s OMC Ltd examined three feasible alternate routes for proposed conveyor corridors and finalised with the Alternate Route No-1, primarily for involvement of less Forest Area, gentle gradient of the route & less length of the conveyor belt.

The study report of three feasible routes, are as below:-

Alternate Route-1:- Involves 86.479 ha of forest land with relatively less vegetation, follows relatively gentle topographic gradient over a length of 8.315 km with limited other technical issues.

Alternate Route-2:- Involves 88.363 ha of forest land with relatively dense vegetation, follows more altitudinal difference along the route & steep gradient over a length of 9.471 km involving more other technical issues.

Alternate Route-3:- Involves 88.14 ha of forest land with relatively dense vegetation, follows more altitudinal difference along the route & steep gradient over a length of 10 km involving still more other technical issues.

No alternative suitable non-forest land is available for the project and this is the best location from among several alternatives considered and involving the barest minimum extent of forest land involved in the project. The User Agency has furnished page an undertaking to that effect

- iii. **Map:** The User Agency has furnished the necessary maps,
- iv. **Forest Land:** As per the application, construction of the Piped Conveyor Corridor Project from Kurmitar ML to the proposed new Railway Siding at Barsuan under Bonai Forest Division involves 86.606 ha of land, out of which 86.479 ha is of Forest Land.

The break-up of total land involved in this project under Bonai Forest Division is given below:

Forest land involved (in Ha.)					Non-forest land involved (in Ha.)			Grand Total (in Ha.)
RF	PRF	DLC	Rev. Forest	Total	Govt. land	Pvt. Land	Total	
60.825 (Khandadhar RF-2.184 & Tohra RF-58.641)	25.654- Khandadhar PRF	0	0	86.479	0.127	0	0.127	86.606

The village wise break-up of the total forest and non-forest land involved in this project under Bonai Forest Division, Lahunipada Tahasil, Sundergarh is given below:

Sl. No.	Name of Village/ Forest Block	Forest land involved (in Ha.)			Non-forest land involved (in Ha.)			Grand Total (in Ha.)
		RF	PRF	Total	Govt. land	Pvt. Land	Total	
1.	Damalu	0	2.258	2.258	0.127	0	0.127	2.385
2.	Rantha	0	20.983	20.983	0	0	0	20.983
3.	Sareikala	0	0.290	0.290	0	0	0	2.290
4.	Silguda	0	2.123	2.123	0	0	0	2.123
5.	Sub-Total	0	25.654	25.654	0.127	0	0.127	25.781
6.	Khandadhar RF	2.184	0	2.184	0	0	0	2.184
7.	Torha RF	58.641	0	58.641	0	0	0	58.641
14	Sub-Total	60.825	0	60.825	0	0	0	60.825
15	Grand Total	60.825	25.654	86.479	0.127	0	0.127	86.606

The component wise break-up of the total forest and non-forest land involved in this project is given below:

Land use Pattern details

S. N.	Pattern of utilisation	Forest land involved	Category of Forests in ha.			Non-Forest land in ha.			Grand Total in ha.
			RF	PRF	Total	Govt.	Pvt.	Total	
1.	Conveyor Corridor-1 including 0.623 ha. for construction of 127 nos. of trestle pillars (Khandadhar RF-63 & Khandadhar PRF-64)	Virgin Forest Land	1.018	1.142	2.160	0	0	0	2.160
		Re-diversion	0	0.031	0.031	0	0	0	0.031

2.	Inspection Path	Virgin Forest Land	1.166	1.273	2.439	0	0	0	2.439
		Re-diversion	0	0	0	0	0	0	0
Sub-Total			2.184	2.446	4.630	0	0	0	4.630
3.	Dispatch Area-1 (part of conveyor Corridor, Stack-yard, parking area Weigh-Bridge, Workshop, Rest Shelter, Canteen, Fire-Station, Electric Sub-Station and First Aid Centre)	Virgin Forest Land	0	13.329	13.329	0	0	0	13.329
		Re-diversion	0	1.273	1.273	0	0	0	1.273
4.	Dispatch Area-1 Infrastructure	Virgin Forest Land	0	0.983	0.983	0	0	0	0.983
Sub-Total			0	15.585	15.585	0	0	0	15.585
5.	Conveyor Corridor-2 including 1.073 ha. for construction of 219 nos. of trestle pillars (Torha RF-01 & Khandadhar PRF-216, Non-Forest land-02)	Virgin Forest Land	0.033	3.557	3.590	0.127	0	0.127	3.717
6.	Inspection Path	Virgin Forest Land	0.060	4.066	4.126	0	0	0	4.126
Sub-Total			0.093	7.623	7.716	0.127	0	0.127	7.843
7.	Dispatch Area-2 (part of conveyor Corridor, Stack-yard, parking area Weigh-Bridge, Workshop, Rest Shelter, Canteen, Fire-Station, Electric Sub-Station and First Aid Centre, Rail Infrastructure & Road)	Virgin Forest Land	58.548	0	58.548	0	0	0	58.548
Grand Total			60.825	25.65	86.479	0.127	0	0.127	86.606

- v. **Flora & Fauna:** In Part-II DFO, Bonai Forest Division reports that the applied forest area comes under **Eco-value-Class-I** with **canopy density of 0.5**, which has been reiterated by RCCF, Rourkela in his site inspection report. As per Site Inspection report of DFO, Bonai Forest Division and RCCF, Rourkela Circle, the forest comprises predominantly by Sal (*Shorea robusta*), Bija (*Pterocarpus marsupium*), Sisoo (*Dalbergia latifolia*), Char (*Buchnania /anzan*), Kumbhi (*Careya arborea*), Mango (*Mangifera indica*), Mahula (*Madhuca indica*), Jamu (*Syzigium cumin*), Harida (*Terminalia chebula*), Asan (*Terminalia tomentosa*), Kendu (*Diospyrus melanoxylon*), Kusum (*Schleichera oleosa*), Bahada (*Terminalia berberica*), etc.

The wildlife like Common Langur, Rhesus Macaque, Squirrel, Jungle cats, Mongoose, Hare, Fox, Indian Mole Rat different kinds of snakes & birds are noticed in the proposed diversion area. No rare or endangered species of flora or fauna has been reported by DFO, Bonai Forest Division. However, DFO Bonai Forest Division and RCCF, Rourkela Circle reported that the proposed forest land for diversion is often frequented by wild elephants.

- vi. **Tree Enumeration:** In the Site Inspection Report of RCCF, Rourkela & DFO Boani Forest Division respectively, it has been reported that 7447 nos tree have been enumerated from the proposed forest land of 86.479 ha for diversion. The abstract of the tree enumerated duly signed by DFO, Bonai Forest Division. The girth class wise distribution of tree enumerated in Forest Land involved in the project has been tabulated below, which is enclosed with species wise details authenticated by DFO, Bonai Forest Division reports that there is no tree standing on the Govt. non-forest land involved in the project. DFO,

Bonai Forest Division & RCCF, Rourkela in their Site Inspection Report, have mentioned that 7447 nos trees enumerated in the Forest land involved in the project will be required to be felled and this will have some impact on the eco-system.

Girth Class wise distribution of trees enumerated standing on Forest Land involved in the Project							
Name of Division	31-59 cm	60-89 cm	90-119 cm	120-149 cm	150/-179cm	180 & Above cm	Total
Bonai	868	1520	1586	1577	1029	867	7447

Girth Class wise distribution of trees enumerated standing on Forest Land involved in the Project							
Name of Division	31-59 cm	60-89 cm	90-119 cm	120-149 cm	150-179 cm	180 & Above cm	Total
Bonai	Nil						

The Forest Block wise nos of trees enumerated in the forest land proposed for diversion is furnished below:

Sl. No.	Name of the Forest Block	Area proposed for diversion	Nos. of trees enumerated
	Khandadhara RF	2.184 ha	419
	Khandadhara PRF	25.654 ha	3436
	Tohra RF	58.641 ha	3592
	Total	86.479 ha	7447

- vii. **Environmental Clearance:** As reported by the RCCF, Rourkela Circle, Environmental clearance for the project proposal to establish Piped Conveyor System to transport iron ore will not be required. As per MoEF & CC, GOI circular vide F No J -11013/56/2004-IA-(ii)(i) dtd 14.09.2006 is silent on need of EC for such projects. However, the User Agency has furnished an undertaking to obtain "Consent to Establish" (NOC) from State Pollution Control Board after grant of Stage-II approval.
- viii. **Cost-Benefit Analysis:** As submitted by the User Agency the total benefit of this project comes to Rs.99.04 Crore and as reported by DFO, Bonai Forest Division, the loss in forest including environmental loss, NPV cost etc. comes Rs.19.85 Crore. Hence, the cost benefit ratio is **1:20** .
- ix. **Compensatory Afforestation:** The forest land applied for diversion is 86.479 ha. As reported by DFO, Bonai Forest Division in his Part-II report and RCCF, Rourkela Circle in his Site Inspection Report, 85.175 ha of Govt. Non-Forest Land in village Champachuan of Thuamul- Rampur Tahsil in Kalahandi District under Kalahandi (South) Division has been identified for compensatory Afforestation. RCCF, Rourkela Circle has reported that the instant proposal involves **86.479 ha of Forest land, which includes diversion of 85.175 ha of fresh Forest land and re-diversion of 1.304 ha.** MoEF & CC, Govt of India has accorded Stage-II clearance vide their letter 29.05.2020, for diversion of 11.912 ha of Forest land in favour of M/s OMC Ltd for Infrastructure development in Kurmitar & Rantha ML , which includes the presently proposed re-diversion of 1.304 ha for the instant proposal. As per the stipulation in Stage-I approval vide ERO MoEF & CC vide Letter dtd 29.11.2018, against the above diversion of 11.912 ha forest land, the cost of approved Compensatory Afforestation scheme over identified non-forest land 11.912 ha in village Barakaudi as demanded by DFO Bonai Forest division vide letter dtd 07.02.2019, has been deposited by

UA in full vide e-challan dtd 11.04.2019 . Hence, the area required for compensatory afforestation for the instant proposal comes to 85.175 ha i.e. (86.479 ha-1.304 ha). Accordingly, DFO, Bonai has enclosed the CA scheme for 85.175 ha area, prepared by by DFO, Kalahandi (South) Forest Division to be executed over identified Govt non-Forest land of 85.175 ha in village Champachuan under Thuamul-Rampur Tahsil of Kalahandi District. The identified Govt Non-Forest land of 85.175 ha as per the land schedule given below, has been allotted by Collector, Kalahandi district for the purpose of Compensatory afforestation against the instant project vide his Letter No 2173 dtd 03.06.2020.

Details of Govt Non-Forest land identified for Compensatory afforestation

Name of the Division	Name of the tahsil	Name of the village	Khata No.	Plot No.	Area of the plot identified		Kissam
					Total plot area in Ac.	For CA in Ac	
Kalahandi (South)	Th.-Rampur	Champachuan	114 (AAA)	01	41.73	19.39	Dangar
				75	38.45	30.66	Dangar
				86	27.63	21.85	Dangar
				173	23.38	17.59	Dangar
				186	12.35	7.68	Dangar
				413	20.33	10.96	Dangar
				414	21.93	15.66	Dangar
				425	19.10	8.25	Dangar
				581	36.83	31.60	Dangar
				582	53.70	46.83	Dangar
		Total (10 plots)				210.47 or say 85.175 ha	

The joint verification of the above identified Govt Non-Forest land has been conducted by staff of Forest & Revenue Deptt and the report . The non- encroachment, non-encumbrances, not being a DLC land certificate for the above identified CA land has been furnished by Tahsildar concerned in the joint verification report. The suitability certificate for the identified CA land has been furnished by DFO, Kalahandi (South) Division. DFO, Kalahandi(South) Division has prepared the compensatory Afforestation Scheme over the identified Govt Non-Forest CA land of 85.175 ha with provision of Plantation in bald hill mode @ 1600 plants/ha having provision for plantation of local species like Neem (*Azadiracta Indica*), Karanja (*Pongamia pinata*), Ba hada(*Terminia/ia belerica*),Harida (*Terminalia chebula*) Kano(*Mangifera indica*), Amla (*Emblica officinalis*), Sisoo(*Dalbergia sisoo*) Asan(*Terminalla tomentosa*), Arjun(*Terminalia arjuna*), Sunari (*Cassia fistula*) etc. and with in-built provision of SMC works in the plantation and 10 years maintenance.The Compensatory afforestation Scheme submitted by DFO, kalahandi has been accorded Technical approval by PCCF(FD, Diversion & Nodal Officer , FC Act) with total Financial out lay of **Rs 4,42,30,400.00** at prevailing minimum wage rate of Rs 303.40/MD

The map of non-forest land of 85.175 ha identified for compensatory afforestation in village Champachua under Thuamul-Rampur tahsil under Kalahandi (South)Forest division in the district of Kalahandi , on Cadastral sheet No 4 duly signed by DFO Kalahandi(South) Forest Division and Tahsildar Thuamul-Rampur Tahsil has been enclosed as **Plate-V**. GPS coordinate of boundary pillars of the identified CA land , forward & backward bearing of pillar points and inter-pillar distance has been furnished. Location of the identified CA land has been shown on reduced photocopy of Survey of India **Topo sheet No.**

E44E15, not on scale, countersigned by DFO, Kalahandi(South) Division and Tahasildar, 'Thuamul-Rampur Tahsil has been enclosed

The User Agency has furnished an undertaking to pay entire amount of compensatory afforestation, in lieu of diversion of 86.479 ha (including re-diversion of 1.304 ha) of forest land for construction of Conveyor Corridor from boundary of Kurmitar ML of M/s OMC Ltd to proposed new Railway siding at Barsuan, under Lahunipada Tahsil of Bonai Forest Division by M/s OMC Ltd in , Sundergarh District in the State of Odisha as per prevailing wage rate at the time of plantation .

- x. **Wildlife Management Plan:**
- a. **Regional Wild Life Management Plan:-** DFO, Bonai Forest Division in his site Inspection Report has mentioned that the area is often frequented by wild elephants. Accordingly, RCCF, Rourkela Circle has reported that although the proposed area for diversion for the project does not come under any National Park, Sanctuary or Eco-Sensitive zone of PA but for protection of the wild animals using the forest to be diverted, the User Agency will have to contribute for implementation of the comprehensive Wild Life Management Plan prepared for the forest area of Bonai & Keonjhar, as would be decided by the State Government. The User Agency has furnished an undertaking to bear the cost of contribution towards Regional Wildlife Management Plan as would be decided by the State Government & demanded by DFO, Bonai for this project
 - b. **Site Specific Wild Life Conservation Plan:-** RCCF, Rourkela has suggested for submission of a Site Specific Wild Life Conservation Plan by the Project Proponent for the instant proposal and reported that the User Agency has furnished an undertaking to bear the cost towards Site Specific WL Conservation Plan, as would be decided by the State Government.
- xi. **Certificate under Forest Right Act, 2006:** The User Agency has submitted that the process of obtaining the required certificate has been initiated and furnished an undertaking to the effect that the required FRA certificate under FRA-2006, over 86.479 ha of Forest land involved in the proposed instant overhead conveyor Project will be submitted before grant of Stage-II forest clearance.
- xii. **Resettlement & Rehabilitation:** The instant project does not involve displacement of any people, hence resettlement & rehabilitation plan is not required.
- xiii. **Violation:** As reported by the DFO, Bonai Forest Division & RCCF, Rourkela Circle in their part-II & Part-III reports respectively, no violation has been committed by the User Agency under Forest (Conservation) Act, 1980.
- xiv. **Net Present Value (NPV):** The User Agency has furnished an undertaking to pay the NPV of the forest land proposed to be diverted and also to pay the differential amount on upward revision of rate of NPV against the proposed diversion of Forest land for the instant project. It is pertinent to mention here that the User Agency, M/S OMC Ltd has already paid the NPV against the Forest land of 11,912 ha already diverted in their favour for Infra Structure development for Kurmitar & Rantha ML as per the demand raised by DFO, Bonai vide his letter dtd 24.12.2018 . This instant proposal involves re-diversion of 1.304 ha of forest land out of above mentioned diverted 11.912 ha forest land.
4. The State Government has recommended the proposal with the following conditions:
- i. The user agency shall pay the evaluated royalty of trees existing over forest land before commencement of work on final forest clearance.
 - ii. Trees should be felled only when it is absolutely necessary and in a phased manner.
 - iii. In case, separate environmental clearance/ CTE/ CTO are required for this infrastructure project, the same shall be obtained by the user agency from the competent authority.
 - iv. The user agency shall bear the cost of contribution towards Regional Wildlife Management Plan.

- v. The user agency shall submit a Site Specific Wildlife Conservation Plan for its implementation at the project cost.
5. The KML file of the instant proposal has been examined by the DSS Cell and their report is placed in file and major observation are :

a. In Case of Land proposed for Diversion:

- i. Proposed forest area for diversion falls under Sundargarh district of Odisha State.
- ii. The calculated area through KML file available on the parivesh portal is found 78.84 Ha. instead of 86.479 ha Forest area. A table showing the comparison among the various segment area figures in (Ha) as mentioned in the Parivesh portal and the area of the same segment in (Ha) as calculated through KML file of the instant project is furnished below:

<i>Segments</i>	<i>Segment Area (in ha.) as mentioned in Form-A PART-I of Parivesh</i>	<i>Segment Area (in ha.) as calculated through GIS Software</i>
1	4.63	4.62
2	14.602	14.60
3	0.983	0.98
4	7.693	0.07
5	58.571	58.57
Total	86.479	78.84

- iii. Proposed area for Diversion classified as Inviolable area or In High Conservation value (in HCV) based on Decision Rule No. 1 & 2. As per the DSS Rule-1 the instant project is falling on Very Dense Forest layer and as per the DSS Rule-2, total 9 grids of 1x1 sq km is covering the instant project and out of these 9, total 8 grids are having average score above 70. Thus the instant project is falling on inviolable category on both DSS Rule-I & Rule-II parameters.
- iv. Forest Cover: Out of total 79 Ha (as per DSS Calculated) forest area proposed for diversion, 6 ha of land is characterized with Very Dense Forest, 65 ha of land as Moderately Dense Forest, 2 ha. of land as Open forest and 6 ha. of land as Non Forest (land devoid of tree cover) in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- v. Forest Types details: 3C/2e (iii) Moist Peninsular Valley Sal Forest 57 Ha, 5B/C1 c Dry Peninsular Sal Forest: 16 ha, 5B/C2 Northern Dry Mixed Deciduous Forest: 2 ha, & Non-Forest: 4 ha.

b. In Case of Compensatory Afforestation Land:

- i. The CA has been proposed in total two patches and these CA patches are proposed under Khata No. 114, Champachuan Village of Kalahandi district of Odisha State.
- ii. CA has been proposed in revenue land equal in extent to the forest land being diverted and calculated area of CA land is found 85.175 Ha (DSS calculated).
- iii. Out of total 85 ha area proposed for CA, 9 ha. of land is having Scrub and remaining 76 ha. of land is Non-Forest (land devoid of tree cover) in terms of forest classes (as per the ISFR 2019)

based on the interpretation ⁵⁰ of satellite data period 2017-2018.

6. The area discrepancy in the KML file submitted by state government also clarified by state forest Department and revised KML file has been submitted for entire 86.479 ha. of forest land by the state forest department through email.

Scanned



No. 23-237/2018-IA.III (V)
 Government of India
 Ministry of Environment, Forest and Climate Change
 Impact Assessment Division

Indira Paryavaran Bhavan,
 Prithvi Wing, 2nd Floor, Aliganj,
 Jor Bagh Road, New Delhi-110 003

Dated: 22nd December, 2020

To

M/s Odisha Mining Corporation Limited,
 OMC House, Post Box No. 34,
 Bhubaneswar-751001, Odisha.
 Email: envcl.omc@gmail.com.

Subject: Proposed enhancement of iron ore production from 2.4 MTPA to 6.00 MTPA at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-division, Sundergarh District, Odisha by M/s Odisha Mining Corporation Limited-Environmental Clearance.

Ref.:- Online proposal no. IA/OR/MIN/142102/2018.

Sir,

This has reference to your online application for Environmental Clearance (EC) for enhancement of iron ore production from 2.4 MTPA to 6.00 MTPA at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-division, Sundergarh District, Odisha. The mine lease area falls under Toposheet No. F45N1 & F45N2 (Old Topo-sheet no. 73G/1&73G/2). The Latitude falls between 21^o44'08" N to 21^o45'32" N and Longitude 85^o08'55" E to 85^o10'57" E.

2. As per EIA Notification dated 14th September, 2006 as amended from time to time, the project falls under Category A as the mining lease area is more than 100 Ha.

3. The Project proponent applied online on 10.04.2018 vide proposal no IA/OR/MIN/74053/2018 for prescribing Terms of Reference (ToR) under violation notification S.O 804(E) dated 14.03.2017 and submitted Form-1 and Prefeasibility report and other documents. The proposal was considered by the EAC (Violation sector) in its 13th meeting held during 18th - 19th September, 2018 and September 28-29, 2018, wherein the EAC prescribed the Standard TOR along with the specific conditions and the Ministry issued the TOR letter on 16.01.2019.

O/C
 Issued
 22-12-2020

Sanjay Verma

4. The Project proponent applied vide proposal no. IA/OR/MIN/142102/2018 for grant of Environmental Clearance online on 09.07.2020 and submitted the EIA/EMP report after conducting the Public Hearing. The proposal was placed in 35th EAC meeting (Violation) held on 06th - 7th August, 2020 wherein, the EAC deferred the proposal for want of requisite information. Project Proponent submitted the information to the Ministry on 09.09.2020, accordingly proposal was considered in the 36th EAC meeting (Violation) held on 21-22nd September, 2020 wherein the Committee recommended the proposal for grant of Environmental Clearance subject to the compliance of following Specific conditions in addition to all Standard conditions applicable for such projects.

5. The Project proponent submitted that the initially mine lease deed was executed on 29.04.1965 for a period of 20 years, which expired on 28.04.1985. Further, the State Government vide order no. III (B) SM-02/2015 1160/SM dated 08.02.2016 extended the original lease period from 29.04.1965 to 28.04.2015 for a period of 50 years as per the rule 3 (1) of Mineral (Mining by Government) Company rules, 2015. Now PP reported that as per the section 3(3) of said rules, the validity period of the lease is extended for a further period of 20 years from 29.04.2015 to 28.04.2035.

6. PP submitted that the Review of Mining Plan of Kurmitar Iron Ore mine along with Progressive Mine Closure Plan (PMCP), over an area of 651.0 ha has been approved by IBM, Bhubaneswar vide letter no. RMP/A/39-ORI/BHU/ 2019-20/2095 dated 14.01.2020. The method of mining is Opencast Mining (Fully mechanized) carried out by drilling, blasting followed excavation of loosened material by hydraulic excavators and loading them onto tipper trucks and dumpers. PP submitted that the life of the mine with enhanced rated production capacity is expected to be 25 years. PP submitted that the post mining land use will be 496.948 Ha under excavation, 61.30 Ha under Dumps, 8.63 under built-up area, 9.392 Ha under Green belt and 74.73 Ha under mineral storage. Thus, the total area put in use will be 651.0 Ha.

7. PP submitted that total mine lease area of 651.0 Ha is under forest land, out of which Reserve Forest is 52.901 ha and Protected Reserve Forest is 598.099 ha. PP accorded the principle approval for an area of 133.112 ha under Section-2 of the Forest (Conservation) Act, 1980 vide letter no. 8-113/2000-FC(Vol-I) dated 10.04.2007 by Ministry of Environment and Forest. The Stage-I Forestry clearance for remaining area of 517.888 Ha was accorded by MoEF & CC (FC Division) vide letter no. F. No. 8-113/2000-FC (Vol II) dated 25.02.2016 and Stage-II FC was issued vide letter no. 8-113/2000- FC(Vol-II) dated 29.11.2018. PP also submitted that The Site Specific Wildlife Conservation Plan has been prepared and approved by PCCF(WL) & CWLW, Odisha vide letter no. No. 9518/1WL(C) SSP-96/2012 dt. 02.12.2013 with a total financial outlay of 1372.67 lakhs. OMC has deposited Rs.781.15 lakhs (for the core and buffer zone) through RTGS mode bearing No. UTR ANDBH 14004187130 dt. 03.01.2014, towards the approved activities to be taken up by the DFO, Bonai Division in the zone of influence (10km radius) to be completed within 10 years of operation.

PP submitted that the ultimate pit limited has been envisaged to be 786-1062 m AMSL and the existing ground water level is 735 m AMSL. The mine working will not intersect ground water table. PP also submitted that the Industrial water requirement is 350 m³/d (0.1430570 cusecs) and Domestic/Drinking water requirement is 25 m³/day. A total of 81 m³/day water will be recycled & utilized for green-belt development, drilling & spraying and dust suppression, treated using existing facilities before being distributed. PP obtained NOC to abstract 25 m³/day of Ground Water has been obtained from CGWA, Govt. of India vide NOC No. 5-22/SER/CGWA/2014-575 dt. 19.06.2014 and Surface water drawl of 350 m³/d (0.143 cusecs) has been obtained from Department of Water Resources, Govt. of Odisha vide letter no. 3434/WR dated 06.02.2019.

9. PP submitted that at present 6.85 ha within the lease area have been covered by plantations. Additional 54.45 ha for plantations will be developed over external waste dumps and 48.60 ha over backfill areas. PP also submitted that in the next 5 years total 16,000 saplings will be planted on 10.0 Ha area (@ 3200 saplings/year on 2.0 Ha area). The budget proposed by PP for Green belt development & maintenance is Rs 18 Lakh for 5 years.

10. PP submitted that the baseline data for specific micro-meteorology data, ambient air quality, noise level, soil and flora & fauna has been collected during winter season December, 2018 – January, 2019. The monitoring results of ambient air, surface water, soil, ambient noise and ground water have been reported and no major divergence was observed with respect to concentration values of various parameters of collected samples.

11. The Project proponent reported that the Odisha State Pollution Control Board conducted Public Hearing for enhancement of iron ore production from 2.4 MTPA to 6.00 MTPA at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-division, Sundergarh District, Odisha of M/s. The Odisha Mining Corporation Ltd. on 19.11.2019 at 11.00 A.M in Upper Ranta Play Ground, Bhutuda Gram Panchayat, Lahunipada. The advertisement for public hearing was published in "The Indian Express" and "Samaja" on 16.10.2019. Dr. Yeddula Vijay, IAS, Additional District Magistrate, Rourkela presided over the public hearing. The issues raised during Public hearing were i). Environment protection & Pollution Control, ii). Peripheral development including infrastructure development, iii). Drinking water facility, iv). Employment to local villagers and v). Livelihood generation. PP submitted that the Corporate Environment Responsibility (CER) is estimated to be Rs. 133 lakhs. and will be spent over the period of validity of the EC granted for the project on various identified social areas. However, PP has decided to spend Rs. 560 Lakh under the CER for addressing the needs/ requirements of various stakeholders came during public hearing. This amount will be spent separately as CER over and above CSR. PP also submitted that there is no displacement of population and hence Rehabilitation and Resettlement Plan (R & R) has not envisaged.

12. PP has submitted the damage cost of Rs 23.60 crores and prepared the

Remediation plan (RP), Natural Resource Augmentation plan (NRAP) and Community Resource Augmentation plan (CRAP) accordingly.

13. The Consultant MECON Limited submitted an undertaking that the EIA-EMP report has been prepared as per ToR prescribed by MoEFCC, New Delhi vide letter no. F.No.23-237/2018-IA.III(V) dated 16.01.2019 and one full season baseline environmental data monitored during winter season, 2018-19 covering three months i.e. December'18, January'19 and February'19 for the above mentioned project has been complied while conducting the EIA-EMP studies and the data submitted is factually correct. PP also submitted an undertaking that the contents (information and data) as given by the our consultant in the EIA report are factually correct with full knowledge of the undersigned. PP submitted the past production details duly authenticated by DDM, Koira vide Memo no. 2703/Mines, dated 08.06.2018. Project proponent reported that the payment of Rs.508,36,73,474 on 27.04.2018 has been paid against demand notice no. 5078/Mines dated 02.09.2017 against violation of E(P) Act, 1986 during 2000-01 to 2010-11 and under the provisions of Sections 21 (5) of the MMDR Act,1957. The amount of Rs.206,23,106 on 29.12.2017 has been paid as per the demand compensation against notice no. 5904/Mines dated 24.10.2017 against violation of F(C) Act, 1980 during 07.01.1998 to 31.03.2011, under the provisions of Sections 21 (5) of the MMDR Act, 1957. The amount of Rs 104,17,56,321 for violation of mining plan/CTO raised by DDM Koira has been stayed by the Revision Authority, Ministry of Mines, Govt. of India vide RA.No. 22/50/2017/RC-I. PP submitted that One case bearing case no. 2 (C) C 36/2013 under section-15 of EP Act, 1986 is sub-judice in the court of Sub-divisional Magistrate, Bonai.

14. Project Proponent submitted that the total Capital cost for expansion of Kurmitar Iron & Manganese ore mining project is Rs 14346.40 lakhs. Presently, Kurmitar mine employ 110 persons. The expanded mine shall employ a total of 412 persons.

15. Based on the revised R.P, NRAP and CRAP before the EAC (Violation) presented by the PP in the meeting held on on 36th EAC meeting (Violation) held on 21-22nd September, 2020, the EAC after detailed deliberation on the information submitted by the PP (EIA/EMP report, PH issues, Compliance report, Form 2, Additional information, Annexures etc), recommended the proposal for grant of Environmental Clearance subject to the compliance of following Specific conditions in addition to all Standard conditions applicable for such projects.

16. The Ministry of Environment, Forest & Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 as per Notification vide S.O 804 (E) dated 14.03.2017 further amendments thereto hereby accords the Environmental Clearance under the provisions thereof to the above mentioned proposal of M/s The Odisha Mining Corporation Ltd for enhancement of iron ore production from 2.4 MTPA to 6.00 MTPA at Kurmitar Iron & Manganese Ore mining project (651 Ha), located at Village Tilkuda, Uskuda, Sareikala & Khandadhar RF, Bonai Sub-division, Sundergarh District, Odisha subject to compliance of the followings terms and conditions and environmental safeguards mentioned below:-

A. SPECIFIC CONDITIONS

- i. EAC recommended for an amount of Rs **2360.06** Lakhs towards Remediation plan and Natural and Community Resource Augmentation plan to be spent within a span of three years. The details of Remediation plan, Natural resource Augmentation plan and Community Resource Augmentation plan with budgetary provision are mention below:
- ii. Total budgetary provision with respect to Remediation plan and Natural & Community Resource Augmentation plan is Rs. **2360.06** lakhs. Therefore, project proponent shall be required to submit a bank guarantee of an amount of Rs. **2360.06** lakhs towards Remediation plan and Natural and Community Resource Augmentation plan with the SPCB prior to the grant of EC.
- iii. Remediation plan shall be completed in 3 years whereas bank guarantee shall be for 5 years. The bank guarantee will be released after successful implementation of the remediation plan and Natural and Community Resource Augmentation Plan, and after the recommendation by regional office of the Ministry, Expert Appraisal Committee and approval of the Regulatory Authority.

Remediation plan with budgetary provision

	Activity Proposed	Yr. 1	Yr. 2	Yr. 3	Total
		Lakh	Lakh	Lakh	Lakh
Air & Noise Environment	Additional Health Camps to monitor the pulmonary diseases, malaria, Hypertension and O & G related health status of nearby villages (2 camps per month at 4 villages= 24 camps/ Year @ Rs.50,000/Camp) at Villages Sareikela, Tilkuda, Rantha and Uskuda.	12	12	12	36
	Free distribution of medicine to the nearby villagers (Uskuda, Tilkuda, Sareikela, Rantha, Siligora) @ Rs. 50,000/Month i.e. Rs. 6,00,000 /Year.	6	6	6	18
	Road Sweeping Machine for the mineral carrying main road to reduce dust pollution	75	75	75	225

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	(@ 75 lakhs/year).				
	Installation of CAAQMS - In downwind of per- dominant wind direction.	130	0	0	130
Total Air Environment		223	93	93	409
Water Environment	Construction of series of check dams on adjoining nallas (seasonal streams) to ensure clarified water for downstream users @30 lakhs/year within radius of 5 Km.	30	30	30	90
	Construction garland drain, retaining wall, settling pits @ 30 lakhs/year	30	30	30	90
Total Water Environment		60	60	60	180
Biological Environment (Flora Fauna)	• Plantation of locally growing variety of trees and other Non-Timber Forest Produce (NTFP) in consultation with District administration & local panchayats in periphery of Kurmitar Mines and in nearby villages such as Rantha, Siligora, Bhutuda, Sashyakala and Damalu etc. along community buildings & barren lands.	255	0	0	255
	• Maintenance of plantation for 2 nd year and 3 rd year @ 5 lakh per year.	0	5.53	5.53	11.06
	Plantation through the State Forest Department.	45	0	0	45
	Free distribution of 80,000 saplings of locally growing fruit trees procured from State Forest Department @ Rs.15 per sapling (Rate charged by State Forest Dept.)	36	0	0	36
	Total Biological Environment	336	5.53	5.53	347.06

Total Fund for Damage Remediation Measures	619	158.53	158.53	936.06
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Natural resource Augmentation plan with budgetary provision

	Activity Proposed	Yr. 1	Yr 2	Yr 3	Total
		Lakh	Lakh	Lakh	Lakh
1	Drinking Water Facility (Construction of bore wells with pressure filters and water towers with solar power) in villages Uskuda, Tilkuda, Sareikela, Rantha, Siligora, Bhutuda, Sashyakala, Damalu, Randa and Basuan etc.	15	20	20	55
2	Rainwater Harvesting in township, de-silting/dredging of ponds, wells etc. in nearby villages Sareikela, Tilkuda and Rantha. Digging of 2 numbers of ponds with bathing Ghat in Uskuda village.	5	15	15	35
3	Plantation of ~10000 trees in Forest Blanks outside ML Area at cost of ₹ 500 per tree in consultation with concerned local Government officials. (Plantation near Singtola village)	50	0	0	50
Total Fund for Natural Resource Augmentation Plan		70	35	35	140

Community resource Augmentation plan with budgetary provision

	Activity Proposed	Yr. 1	Yr. 2	Yr. 3	Total
		Lakh	Lakh	Lakh	Lakh
1	Skill Development & Livelihood Generation				
	a. Support for establishment and operation of a Sports Academy(Archery, shooting, swimming, athletics, cycling, boxing & Hockey).	5	5	5	15
	b. Support for skill development & livelihood generation for peripheral villages and corpus for sustainability of educational initiatives in villages Uskuda, Tilkuda, Sareikela, Rantha, Siligora, Bhutuda, Lasi, Sashyakala, Damalu, Randa and Basuan.	5	5	5	15
	c. Providing Smart class/ digital support/ equipment / text- books for school library for supporting schools in line with the Vidya-Bharti Model of the New Education Policy.	4	4	4	12

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	Sub Total	14	14	14	42
2	Construction / repairing of school building & amenities	Yr. 1 Lakh	Yr. 2 Lakh	Yr. 3 Lakh	Total Lakh
	Activity Proposed				
	a. Construction of additional building at Uskuda primary school.				
	b. Repair & renovation of Rantha primary school.				
	c. Construction of Building at Rajabasa Ashram school	20	20	25	65
	d. Construction of Bathing Complex for Girl students at Phuljhar SSD High school				
	e. Completion of Staff Quarters at Rajabasa Ashram school				
	f. Construction of Toilet & Hand Wash Facility at Rantha Anganwadi Center				
	g. Construction of School Building at Kuliposh High School				
	h. Construction of building at Barsuan Mission School				
3	Infrastructure Development				
	a. Providing Infrastructure / Medical Equipments at Health Centre	14	15	15	44
	b. Providing Infrastructure for Community development Centre				
	•Construction of multipurpose resource centre one in each Sareikela, Tilkuda, Rantha and Uskuda, Budhabhuin, Nuagaon etc.	10	20	20	50
	•Construction of Anganwadi Centre (AWC) Building in Sareikela village.				
	c. Construction of Toilets at Sareikela, Tilkuda, Uskela&Rantha etc. under ODF Programme	11	11	11	33
	Sub-total	35	46	46	127
4	Construction of Roads &Pucca Houses				
	a. Construction of roads & conversion of unpaved roads to paved roads in villages				
	• Construction of CC Road at Hatigoda to Chadasahi	150	150	150	450
	• Construction of CC Road at Village Rantha				
	• Construction of CC Road from Chadha Sahi to BhuyanSahi				
	• Construction road from Sareikela to Tilikuda				

b. Construction of Pucca Houses for villagers of Sareikela, Tilkuda, Rantha&Uskela etc.	300	200	100	600
Sub-total	450	350	250	1050
Total Fund for Community Resource Augmentation Plan	519	430	335	1284

Summary

Sl. No.	Activity Proposed	Total (in Rs. lakh)
1.	Cost of Damage Remediation Plan	936.06
2.	Natural Resources Augmentation Plan	140.00
3.	Community Resources Augmentation Plan	1284.00
Total Fund		2360.06

- iv. Approval/permission of the CGWA/SGWA shall be obtained before drawing ground water for the project activities, if applicable. State Pollution Control Board (SPCB) concerned shall not issue Consent to Operate (CTO) till the project proponent obtains such permission.
- v. Wild life Conservation plan as approved by the Competent Authority shall be implemented.
- vi. The Environmental Clearance will not be operational till such time the Project Proponent complies with all the statutory requirements and judgment of Hon^{ble} Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.
- vii. State Government concerned shall ensure that mining operation shall not commence till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of judgment of Hon^{ble} Supreme Court dated the 2nd August 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India and Ors.
- viii. Effective dust suppression system shall be adopted at the transportation site and in the other parts of the mining lease to arrest the fugitive dust emission.
- ix. Project proponent shall take necessary other clearances/permissions under various Acts and Rules if any, from the respective authorities / department.

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- x. The mining lease holder shall, after ceasing mining operations, under take re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to condition which is fit for growth of fodder, flora and fauna etc.
- xi. The Project Proponent shall submit the time- bound action plan to the concerned regional office of the Ministry within 6 months from the date of issuance of environmental clearance for undertaking the activities committed during public consultation by the project proponent and as discussed by the EAC, in terms of the provisions of the MoEF&CC Office Memorandum No.22-65/2017-IA.III dated 30th September, 2020.

B. Recommendation of CSIR-NEERI Report on "Carrying Capacity Study for Environmentally Sustainable Iron and Manganese Ore Mining Activity in Keonjhar, Sundargarh and Mayurbhanj districts of Odisha State: The Committee has also deliberated the various specific recommendations of carrying capacity study report conducted by CSIR-NEERI w.r.t. mining proposal of Iron Ore and/or manganese in the State of Odisha. There are recommendation which needs to be implemented by the State Govt. of Odisha and Project Proponent. Based on detailed deliberations on the recommendations of the carrying capacity study report, the Committee has also **recommended the following specific conditions viz.**

- 1) Project Proponent and Department of Steel & Mines, Govt. of Odisha shall ensure the implementation of recommendations of carrying capacity study report conducted by CSIR-NEERI w.r.t. mining proposal of Iron Ore and/or manganese in the State of Odisha.
- 2) Department of Steel & Mines, Govt. of Odisha should prepare 5 years regional plan for annual iron ore requirement from the state, which in turn shall be met from different mines/zones (e.g. Joda, Koira.) in the state. Accordingly, sustainable annual production (SAP) for each zone/mine may be followed adopting necessary environmental protection measures.
- 3) Project Proponent shall construct the cement concrete road from mine entrance and exit to the main road with proper drainage system and green belt development along the roads and also construction of road with minimum 300 m inside the mine. This should be done within one year for existing mines and new mine should have since beginning. The Department of Steel & Mines, Govt. of Odisha should ensure the compliance and should not issue the Mining Permits, if mine lease holder has not constructed proper cement concrete road as suggested. **This Environmental Clearance for the expansion project shall be operated only after the compliance of the above mentioned specific condition.**

- 4) The Committee observed that as per the recommendations of NEERI report the PP needs to do regular vacuum cleaning of all mineral carrying roads aiming at "zero dust re-suspension" within 3 months. **This Environmental Clearance for the expansion project shall be operated only after the compliance of the above mentioned specific condition.**
- 5) Project Proponent shall monitor the environmental quality parameters as per EC and CTE/CTO conditions, and implementation of suggested measures for control of road dust and air pollution. Odisha State Pollution Control Board has to ensure the compliance of CTE/CTO. Regional office of the MoEF&CC, Bhubaneswar shall monitor the compliance of the EC conditions. Regional office of the Indian Bureau of Mines (IBM) shall monitor the compliance of mining plan and progressive mine closure plan. Any violation by mine lease holder may invite actions per the provisions of applicable Acts.
- 6) Project Proponent shall ensure the compliance of Suggested Ore Transport Mode (SOTM) with association of the State Government of Odisha. All existing mines should ensure adoption of SOTM within next 5 years. New mines or mines seeking expansion should incorporate provision of SOTM in the beginning itself, and should have system in place within next 5 years.
- 7) The State Govt. of Odisha shall ensure dust free roads in mining areas wherever the road transportation of mineral is involved. The road shoulders shall be paved with fence besides compliance with IRC guidelines. All the roads should have proper drainage system and apart from paving of entire carriage width the remaining right of way should have native plantation (dust capturing species). Further, regular maintenance should also be ensured by the Govt. of Odisha. Progress on development of dust free roads, implementation of SOTM, increased use of existing rail network, development of additional railway network/conveyor belt/ pipelines etc. shall be submitted periodically to Regional office of the MoEF&CC.
- 8) Project Proponent shall develop the parking plazas for trucks with proper basic amenities/ facilities inside the mine. This should be done within one year for existing mines and new mines should have since beginning. **This Environmental Clearance for the expansion project shall be operated only after the compliance of the above mentioned specific condition.**
- 9) Department of Steel & Mines shall ensure the construction of NH 215 as minimum 4 lane road with proper drainage system and plantation and subsequent regular maintenance of the road as per IRC guidelines. Construction of other mineral carrying roads with proper width and drainage system along with road side plantation to be carried out. This shall be completed within 2 Years.

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354/1390

- 10) Regular vacuum cleaning of all mineral carrying roads aiming at "Zero Dust Re-suspension" shall be adopted by PWD / NHAI/ Mine Lease Holders within a time Period of 3 months for existing roads. **This Environmental Clearance for the expansion project shall be operated only after the compliance of the above mentioned specific condition.**
- 11) In case the total requirement of iron ore exceeds the suggested limit for that year, permission for annual production by an individual mine may be decided depending on approved EC capacity (for total actual dispatch) and actual production rate of individual mine during last year or any other criteria set by the State Govt., i.e. Dept. of Steel & Mines. Department of Steel and Mines in consultation with Indian Bureau of Mines-RO should prepare in advance mine-wise annual production scenario so that demand for iron ore can be anticipated, and actual production/dispatch does not exceed the suggested annual production.
- 12) R&D studies towards utilization of low-grade iron ore should be conducted through research/academic institutes like IMMT, Bhubaneswar, NML, Jamshedpur, and concerned metallurgical departments in IITs, NITs etc., targeting full utilization of low-grade iron ore (Fe content upto 45% by 2020 and upto 40% by 2025). In fact, life cycle assessment of whole process including environmental considerations should be done for techno-economic and environmental viability. R&D studies on utilization of mine wastewater having high concentration of Fe content for different commercial applications in industries such as cosmetics, pharmaceutical, paint industry should also be explored. Responsibility: IBM, Dept. of Steel & Mines, Individual Mine Lease Holders.
- 13) The mining activity in Joda-Koira sector is expected to continue for another 100 years, therefore, it will be desirable to develop proper rail network in the region. Rail transport shall not only be pollution free mode but also will be much economical option for iron ore transport. The rail network and/or conveyor belt system upto public railway siding needs to be created. The total length of the conveyor belt system/ rail network to be developed from mines to nearest railway sidings by 11 mines in Joda region is estimated to be about 64 km. Similarly, in Koira region, total length of rail network/ conveyor system for 8 mines (under SOTM 1 & 2) is estimated to be around 95 km. Further, it is suggested to develop a rail network connecting Banspani (Joda region) and Roxy railway sidings in Koira region. Responsibility: Dept. of Steel & Mines, Govt. of Odisha and Concerned Mines along with Indian Railways. Time Period: Maximum 7 years (by 2025). The Department of Steel & Mines, Govt. of Odisha should follow-up with the concerned Departments and railways so that proposed proper rail network is in place by 2025.
- 14) State Govt. of Odisha shall make all efforts to ensure exhausting all the iron & manganese ore resources in the existing working mines and from disturbed



mining leases/zones in Joda and Koira region. The criteria suggested shall be applicable while suggesting appropriate lease area and sustainable mining rate. Responsibility: Dept. of Steel & Mines, Govt. of Odisha.

- 15) **Mining Operations/Process Related:** Project Proponent shall implement the following mitigation measures: (i) Appropriate mining process and machinery (viz. right capacity, fuel efficient) should be selected to carry out various mining operations that generate minimal dust/air pollution, noise, wastewater and solid waste. e.g. drills should either be operated with dust extractors or equipped with water injection system. (ii) After commencement of mining operation, a study should be conducted to assess and quantify emission load generation (in terms of air pollution, noise, waste water and solid waste) from each of the mining activity (including transportation) on annual basis. Efforts should be made to further eliminate/ minimize generation of air pollution/dust, noise, wastewater, solid waste generation in successive years through use of better technology. This shall be ensured by the respective mine lease holders. (iii) Various machineries/equipment selected (viz. dumpers, excavators, crushers, screen plants etc.) and transport means should have optimum fuel/power consumption, and their fuel/power consumption should be recorded on monthly basis. Further, inspection and maintenance of all the machineries/ equipment/ transport vehicles should be followed as per manufacturer's instructions/ recommended time schedule and record should be maintained by the respective mine lease holders. (iv) Digital processing of the entire lease area using remote sensing technique should be carried out regularly once in 3 years for monitoring land use pattern and mining activity taken place. Further, the extent of pit area excavated should also be demarcated based on remote sensing analysis. This should be done by ORSAC (Odisha Space Applications Centre, Bhubaneswar) or an agency of national repute or if done by a private agency, the report shall be vetted/ authenticated by ORSAC, Bhubaneswar. Expenses towards the same shall be borne by the respective mine lease holders. Responsibility: Individual Mine Lease Holders.
- 16) **Air Environment Related:** Project Proponent shall implement the following mitigation measures: (i) Fugitive dust emissions from all the sources should be controlled regularly on daily basis. Water spraying arrangement on haul roads, loading and unloading and at other transfer points should be provided and properly maintained. Further, it will be desirable to use water fogging system to minimize water consumption. It should be ensured that the ambient air quality parameters conform to the norms prescribed by the CPCB in this regard. (ii) The core zone of mining activity should be monitored on daily basis. Minimum four ambient air quality monitoring stations should be established in the core zone for SPM, PM10, PM2.5, SO2, NOx and CO monitoring. Location of air quality monitoring stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board (based on Emission Load Assessment Study). The

352-888

number of monitoring locations may be more for larger capacity mines and working in larger area. Out of four stations, one should be online monitoring station in the mines having more than 3 MTPA EC Capacity. (iii) Monitoring in buffer zone should be carried out by SPCB or through NABET accredited agency. In addition, air quality parameters (SPM, PM10, PM2.5, SO2, NOx and CO) shall be regularly monitored at locations of nearest human habitation including schools and other public amenities located nearest to source of the dust generation as applicable. (iv) Emissions from vehicles as well as heavy machinery should be kept under control and regularly monitored. Measures should be taken for regular maintenance of vehicles used in mining operations and in transportation of mineral. (v) The vehicles shall be covered with a tarpaulin and should not be overloaded. Further, possibility of closed container trucks should be explored for direct to destination movement of iron ore. Air quality monitoring at one location should also be carried out along the transport route within the mine (periodically, near truck entry and exit gate), Responsibility: Individual Mine Lease Holders and SPCB.

17) **Noise and Vibration Related:** Project Proponent shall implement the following mitigation measures: (i) Blasting operation should be carried out only during daytime. Controlled blasting such as Nonel, should be practiced. The mitigation measures for control of ground vibrations and to arrest fly rocks and boulders should be implemented. (ii) Appropriate measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs/muffs. (iii) Noise levels should be monitored regularly (on weekly basis) near the major sources of noise generation within the core zone. Further, date, time and distance of measurement should also be indicated with the noise levels in the report. The data should be used to map the noise generation from different activities and efforts should be made to maintain the noise levels with the acceptable limits of CPCB (CPCB, 2000) (iv) Similarly, vibration at various sensitive locations should be monitored atleast once in month, and mapped for any significant changes due to successive mining operations. Responsibility: Individual Mine Lease Holders.

18) **Water/Wastewater Related:** Project Proponent shall implement the following mitigation measures: (i) In general, the mining operations should be restricted to above ground water table and it should not intersect groundwater table. However, if enough resources are estimated below the ground water table, the same may be explored after conducting detailed geological studies by GSI and hydro- geological studies by CGWB or NIH or institute of national repute, and ensuring that no damage to the land stability/ water aquifer system shall happen. The details/ outcome of such study may be reflected/incorporated in the EIA/EMP report of the mine appropriately. (ii) Natural watercourse and/or water resources should not be obstructed due to any mining operations. Regular monitoring of the flow rate of the springs and perennial nallas should be carried out and records should be maintained. Further, regular monitoring of

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water quality of nallas and river passing thorough the mine lease area (upstream and downstream locations) should be carried out on monthly basis. (iii) Regular monitoring of ground water level and its quality should be carried out within the mine lease area by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring should be carried out on monthly basis. (iv) In order to optimize water requirement, suitable conservation measures to augment ground water resources in the area should be undertaken in consultation with Central Ground Water Board (CGWB). (v) Suitable rainwater harvesting measures on long term basis should be planned and implemented in consultation with CGWB, to recharge the ground water source. Further, CGWB can prepare a comprehensive plan for the whole region. (vi) Appropriate mitigation measures (viz. ETP, STP, garland drains, retaining walls, collection of runoff etc.) should be taken to prevent pollution of nearby river/other water bodies. Water quality monitoring study should be conducted by State Pollution Control Board to ensure quality of surface and ground water sources on regular basis. The study can be conducted through NABL/ NABET approved water testing laboratory. However, the report should be vetted by SPCB. (vii) Industrial wastewater (workshop and wastewater from the mine) should be properly collected, treated in ETP so as to conform to the discharge standards applicable. (viii) Oil and grease trap should be installed before discharge of workshop effluents. Further, sewage treatment plant should be installed for the employees/colony, wherever applicable. (ix) Mine lease holder should ensure that no silt originating due to mining activity is transported in the surface water course or any other water body. Appropriate measures for prevention and control of soil erosion and management of silt should be undertaken. Quantity of silt/soil generated should be measured on regular basis for its better utilization. (x) Erosion from dumps site should be protected by providing geotextile matting or other suitable material, and thick plantation of native trees and shrubs should be carried out at the dump slopes. Further, dumps should be protected by retaining walls. (xi) Trenches / garland drain should be constructed at the foot of dumps to arrest silt from being carried to water bodies. Adequate number of check dams should be constructed across seasonal/perennial nallas (if any) flowing through the mine lease areas and silt be arrested. De-silting at regular intervals should be carried out and quantity should be recorded for its better utilization, after proper soil quality analysis. (xii) The water so collected in the reservoir within the mine should be utilized for the sprinkling on hauls roads, green belt development etc. (xiii) There should be zero waste water discharge from the mine. Based on actual water withdrawal and consumption/ utilization in different activities, water balance diagram should be prepared on monthly basis, and efforts should be made to optimize consumption of water per ton of ore production in successive years. Responsibility: Individual Mine Lease Holders, SPCB and CGWB.

- 19) **Land/ Soil/ Overburden Related:** Project Proponent shall implement the following mitigation measures: (i) The top soil should temporarily be stored at

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earmarked site(s) only and it should not be kept unutilized for long. (no more than 3 years or as per provisions mentioned in the mine plan / scheme) The topsoil should be used for land reclamation and plantation appropriately. (ii) Fodder plots should be developed in the non-mineralised area in lieu of use of grazing land, if any. (iii) Over burden/ low grade ore should be stacked at earmarked dump site (s) only and should not be kept active for long period. The dump height should be decided on case to case basis, depending on the size of mine and quantity of waste material generated. However, slope stability study should be conducted for larger heights, as per IBM approved mine plan and DGMS guidelines. The OB dump should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles should be undertaken for stabilization of the dump. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Proper records should be maintained regarding species, their growth, area coverage etc. (iv) Catch drains and siltation ponds of appropriate size should be constructed to arrest silt and sediment flows from mine operation, soil, OB and mineral dumps. The water so collected can be utilized for watering the mine area, roads, green belt development etc. The drains should be regularly de-silted, particularly after monsoon and should be maintained properly. Appropriate documents should be maintained. Garland drain of appropriate size, gradient and length should be constructed for mine pit, soil, OB and mineral dumps and sump capacity should be designed with appropriate safety margin based on long term rainfall data. Sump capacity should be provided for adequate retention period to allow proper settling of silt material. Sedimentation pits should be constructed at the corners of the garland drains and de-silted at regular intervals. (v) Backfilling should be done as per approved mining plan/scheme. There should be no OB dumps outside the mine lease area. The backfilled area should be afforested, aiming to restore the normal ground level. Monitoring and management of rehabilitated areas should continue till the vegetation is established and becomes self-generating. (vi) Hazardous waste such as, waste oil, lubricants, resin, and coal tar etc. should be disposed off as per provisions of Hazardous Waste Management Rules, 2016, as amended from time to time. Responsibility: Individual Mine Lease Holders.

- 20) **Ecology/Biodiversity (Flora-Fauna) Related:** Project Proponent shall implement the following mitigation measures: (i) All precautionary measures should be taken during mining operation for conservation and protection of endangered fauna namely elephant, sloth bear etc. spotted in the study area. Action plan for conservation of flora and fauna should be prepared and implemented in consultation with the State Forest and Wildlife Department within the mine lease area, whereas outside the mine lease area, the same should be maintained by State Forest Department. (ii) Afforestation is to be done by using local and mixed species saplings within and outside the mining lease area. The reclamation and afforestation is to be done in such a manner like exploring the growth of fruit bearing trees which will attract the fauna and thus maintaining the biodiversity of the area. As afforestation done so far is

very less, forest department needs to identify adequate land and do afforestation by involving local people in a time bound manner. (iii) Green belt development carried out by mines should be monitored regularly in every season and parameters like area under vegetation/plantation, type of plantation, type of tree species /grass species/scrubs etc., distance between the plants and survival rate should be recorded. (iv) Green belt is an important sink of air pollutants including noise. Development of green cover in mining area will not only help reducing air and noise pollution but also will improve the ecological conditions and prevent soil erosion to a greater extent. Further, selection of tree species for green belt should constitute dust removal/dust capturing plants since plants can act as efficient biological filters removing significant amounts of particulate pollution. Thus, the identified native trees in the mine area may be encouraged for plantation. Tree species having small leaf area, dense hair on leaf surface (rough surface), deep channels on leaves should be included for plantation. (v) Vetiver plantation on inactive dumps may be encouraged as the grass species has high strength of anchoring besides medicinal value. (vi) Details of compensatory afforestation done should be recorded and documented by respective forest divisions, and State Forest Department should present mine-wise annual status, along with expenditure details. Responsibility: Individual Mine Lease Holders and State Forest & Wildlife Department.

- 21) **Socio-Economic Related:** Project Proponent shall implement the following mitigation measures: (i) Public interaction should be done on regular basis and social welfare activities should be done to meet the requirements of the local communities. Further, basic amenities and infrastructure facilities like education, medical, roads, safe drinking water, sanitation, employment, skill development, training institute etc. should be developed to alleviate the quality of life of the people of the region. (ii) Land outtees and land losers/affected people, if any, should be compensated and rehabilitated as per the national/state policy on Resettlement and Rehabilitation. (iii) The socio-economic development in the region should be focused and aligned with the guidelines/initiatives of Govt. of India/ NITI Aayog around prosperity, equality, justice, cleanliness, transparency, employment, respect to women, hope etc. This can be achieved by providing adequate and quality facilities for education, medical and developing skills in the people of the region. District administration in association with mine lease holders should plan for "Samagra Vikas" of these blocks well as other blocks of the district. While planning for different schemes in the region, the activities should be prioritized as per Pradhan Mantri Khanij Kshetra Kalyan Yojna (PMKKKY), notified by Ministry of Mines, Govt. of India, vide letter no. 16/7/2017-M.VI (Part), dated September 16, 2015. Responsibility: District Administration and Individual Mine Lease Holders.
- 22) **Road Transport Related:** Project Proponent shall implement the following mitigation measures: (i) All the mine lease holders should follow the suggested ore transport mode (SOTM), based on its EC capacity within next 5 years. (ii) The mine lease holders should ensure construction of cement road o

appropriate width from and to the entry and exit gate of the mine. Further maintenance of all the roads should be carried out as per the requirement to ensure dust free road transport. (iii) Transportation of ore should be done by covering the trucks with tarpaulin or other suitable mechanism so that no spillage of ore/dust takes place. Further, air quality in terms of dust, PM₁₀ should be monitored near the roads towards entry & exit gate on regular basis and be maintained within the acceptable limits. Responsibility: Individual Mine Lease Holders and Dept. of Steel & Mines.

- 23) **Occupational Health Related:** Project Proponent shall implement the following mitigation measures: (i) Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects periodically. (ii) Occupational health surveillance program for all the employees/workers (including casual workers) should be undertaken periodically (on annual basis) to observe any changes due to exposure to dust, and corrective measures should be taken immediately, if needed. (iii) Occupational health and safety measures related awareness programs including identification of work related health hazard, training on malaria eradication, HIV and health effects on exposure to mineral dust etc., should be carried out for all the workers on regular basis. A full time qualified doctor should be engaged for the purpose. Periodic monitoring (on 6 monthly basis) for exposure to respirable minerals dust on the workers should be conducted, and record should be maintained including health record of all the workers. Review of impact of various health measures undertaken (at an interval of 3 years or less) should be conducted followed by follow-up or actions, wherever required. Occupational health centre should be established near mine site itself. Responsibility: Individual Mine Lease Holders and District Administration (District Medical Officer).

C. STANDARD CONDITIONS

As Ministry's O.M No 22-34/2018-IA.III dated 8.01.2019 and Ministry's O.M No 22-34/2018-IA.III dated 16.01.2020 and modified to make monitorable and relevant to the sector)

I. Statutory compliance

- 1) This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 2) The Project proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors before commencing the mining operations.

- 3) The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
- 4) The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".
- 5) A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- 6) State Pollution Control Board/Committee shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- 7) The Project Authorities should widely advertise about the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.
- 8) The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

II. Air quality monitoring and preservation

- 9) The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM2.5, NO2, CO and SO2 etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCI/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site

346
1382

condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.

10) Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipments/ machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

III. Water quality monitoring and preservation

11) In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.

12) Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.

13) The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease including upstream and downstream. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre-monsoon (April May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution

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Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.

14) Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

15) Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC annually.

16) Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.

17) The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC and State Pollution Control Board/Committee.

IV. Noise and vibration monitoring and prevention

18) The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.

19) The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.

20) The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in

344/1380

dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

V. Mining plan

21) The Project Proponent shall adhere to approved mining plan, inter alia, including total excavation (quantum of mineral, waste, over burden, inter burden and top soil etc.); mining technology; lease area; scope of working (method of mining overburden & dump management, O.B& dump mining, mineral transportation mode ultimate depth of mining, concurrent reclamation and reclamation at mine closure land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life; etc.).

22) The shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self sustaining. The compliance status shall be submitted half-yearly to the MoEFCC and its concerned Regional Office.

VI. Land reclamation

23) The Overburden (O.B.), waste and topsoil generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB / waste dumps / topsoil dump like height, width and angle of slope shall be governed as per the approved Mining Plan and the guidelines/circulars issued by D.G.M.S. The topsoil shall be used for land reclamation and plantation.

24) The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.

25) Catch drains, settling tanks and siltation ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dump to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation

sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

26) Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains.

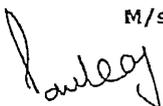
VII. Transportation

27) No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a 'bypass' road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers. [If applicable in case of road transport]

28) The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

VIII. Green Belt

29) The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area.



347/378

The development of greenbelt shall be governed as per the EC granted by the Ministry irrespective of the stipulation made in approved mine plan.

30) The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

31) The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

IX. Public hearing and human health issues

32) Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

X. Miscellaneous

34) The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEF&CC.

35) The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

36) The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.

A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC.

38) The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) by furnishing the requisite data / information / monitoring reports.

39) In pursuant to Ministry's O.M No 22-34/2018-IA.III dated 16.01.2020 to comply with the direction made by Hon'ble Supreme Court on 8.01.2020 in W.P. (Civil) No 114/2014 in the matter Common Cause vs Union of India, the mining lease holder shall after ceasing mining operations, undertake regrassing the mining area and any other area which may have been disturbed due to other mining activities and restore the land to a condition which is fit for growth of fodder, flora, faun

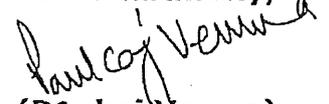
17. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

18. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

19. The above conditions will be enforced and inter-alia, under the provisions of the Water (Prevention & Control of Pollution Act, 1974 the Air (Prevention & Control of Pollution Act, 1981, the Environment (Protection) Act, 1986 and the public liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme court of India/High Court and any other Court of Law relating to the subject matter.

20. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,


(Pankaj Verma)
Scientist 'E'

Copy to:

- 1). **The Secretary**, Ministry of Mines, Government of India Shastri Bhawan, New Delhi.
- 2). **The Secretary**, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
- 3). **The Secretary**, Department of Mines and Geology, Government of Odisha,

Secretariat, Bhubaneswar.

- 4). **The Secretary**, Department of Forests, Government of Odisha, Secretariat, Bhubaneswar.
- 5). **The Member Secretary**, Central Pollution Control Board, Parivesh Bhawan, CBD-cum- Office Complex, East Arjun Nagar, Delhi-110032.
- 6). **The Additional Principal Chief Conservator of Forests (C)**, Ministry of Environment, Forest and Climate Change, Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar - 751023.
- 7). **The Member Secretary**, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
- 8). **The Controller General**, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur- 440 001.
- 9). **The Member Secretary**, Central Ground Water Authority, 18/11, Jam Nagar House, Man Singh Road, New Delhi-110011.
- 10). **The District Collector**, Sundargarh District, State of Odisha.
- 11). **Guard File.**
- 12). **PARIVESH website.**

Pankaj Verma
(Pankaj Verma)
Scientist 'E'

GOVERNMENT OF ODISHA
FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

No. FE-DIV-FLD-0049-2020-22264 /FE&CC, Bhubaneswar, dated the 18.12.21
10F (Cons) 162/2020

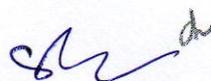
ORDER

Sub: Proposal for diversion of 85.175 ha of fresh forest land and 1.304 ha re-diversion of Forest land (which is a part of 11.912 ha forest land, for which Stage-II approval has already been accorded by ERO, MoEF&CC on 29.05.2020) for construction of overhead piped conveyor belt from Kurmitar ML Boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan.

WHEREAS, the General Manager (Geology), Odisha Mining Corporation Ltd., Bhubaneswar had applied for diversion of 86.479 ha of forest land (including re-diversion of 1.304 ha of forest land) for construction of overhead piped conveyor belt from Kurmitar ML Boundary of M/s OMC Ltd to new proposed Railway siding at Barsuan in the district of Sundargarh, Odisha.

And whereas, the Ministry of Environment, Forest & Climate Change, Government of India, New Delhi had accorded 'in-principle' approval under Section 2 of the Forest (Conservation) Act, 1980 for non-forestry use of 86.479 ha of forest land, comprising of 85.175 ha of fresh forest land and 1.304 ha re-diverted forest land (Part of 11.912 ha forest land, granted Stage-II approval by ERO, MoEF&CC on 29.05.2020) in favour of M/s Odisha Mining Corporation Limited for construction of overhead piped conveyor belt from Kurmitar ML Boundary to proposed Railway siding in Tahasil Lahunipara, Dist-Sundargarh, Odisha, subject to fulfilment of certain conditions vide its letter File No.8-113/2000-FC (Vol-III) dtd.04.02.2021 (**Annexure-IA**) and letter File No.8-113/2000-FC (Vol-III) dtd.08.02.2021 (**Annexure-IB**).

And whereas, the MoEF&CC, Government of India, New Delhi in consideration of the compliance of the conditions of the 'in-principle' approval, have accorded final approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 85.175 ha of fresh forest land and 1.304 ha re-diversion of Forest land (which is a part of 11.912 ha forest land, for which Stage-II approval has already been accorded by ERO, MoEF&CC on 29.05.2020) for construction of overhead piped conveyor belt from Kurmitar ML Boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan vide its letter



File No.8-113/2000-FC (Vol-III) dtd.06.12.2021 (**Annexure-IIA**) & subsequent Corrigendum vide letter File No.8-113/2000-FC (Vol-III) dtd.15.12.2021 (**Annexure-IIB**) subject to conditions as stipulated therein.

Now therefore, the Government of Odisha, do hereby allow non-forestry use of above mentioned 86.479 ha forest land (85.175 ha of fresh forest land & 1.304 ha re-division of forest land) in favour of user agency, as per approved land schedule furnished by PCCF, Odisha vide their letter No.18394 dtd.20.10.2020 subject to fulfilment of the conditions of final forest clearance order as stipulated by the MoEF&CC, Government of India, New Delhi. The details land schedule of forest land as received from PCCF, Odisha vide their letter No.18394 dtd.20.10.2020 are appended herewith as **Annexure-III (2 Pages)**.

The Collector, Sundargarh and the Divisional Forest Officer, Bonai Forest Division as the case may be are hereby authorized to handover the forest land coming within their jurisdiction, after necessary compliance as has been finally diverted 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 the forest land for this project for which approval has been obtained shall be deposited in full, at applicable rates.

The Divisional Forest Officer, Bonai Forest Division and Divisional Forest Officer, Kalahandi (South) Forest Division are 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 Principal Chief Conservator Forests & HoFF, Odisha and to the Forest, Environment & Climate Change Department.

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

By order of Governor

18/12/2021
(Lingaraj Otta)

Special Secretary to Government

Memo No. 22265 / FE&CC Date 18.12.21

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

Appropriate instruction to the Divisional Forest Officer, Bonai Forest Division and user agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer, Bonai Forest Division that Net Present Value

of the forest land involved in this project of the 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/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer, Bonai Forest Division for facilitating monitoring of compliances.

distinction

Special Secretary to Government

Memo No. 22266 / FE&CC Date 18.12.21

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/ Deputy Director General of Forests (Central), MoEF&CC, Government of India, IRO, A/3, Chandrasekharpur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012- FC dtd.24.07.2013.

distinction

Special Secretary to Government

Memo No. 22267 / FE&CC Date 18.12.21

Copy along with the copy of Annexures as above forwarded to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha / Director, Environment, Forest, Environment & Climate Change Department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

distinction

Special Secretary to Government

Memo No. 22268 / FE&CC Date 18.12.21

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 / Divisional Forest Officer, Kalahandi (South) Division for information and immediate necessary compliance.

It may be ensured by the Divisional Forest Officer, Bonai Forest Division that Net Present Value of the forest land involved in this project of the user agency shall be deposited by them in full, at applicable rates in appropriate head before handing over of the forest land to the user agency. Besides, funds, if any, due to be deposited by the user agency for 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 / wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer, Bonai Forest Division 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.

distinction

Special Secretary to Government

Memo No. 22269 / FE&CC Date 18.12.21

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

distinction

Special Secretary to Government

Memo No. 22270 / FE&CC Date 18.12.21

Copy along with the copy of Annexures as above forwarded to the Private Secretary to Minister of Forest, Environment & Climate Change for kind information of Hon'ble Minister.

Special Secretary to Government

Memo No. 22271 / FE&CC Date 18.12.21

Copy along with the copy of the Annexures forwarded to the General Manager (Geology), Odisha Mining Corporation 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 dtd.07.11.2012 in Appeal No.07/2012 communicated by the MoEF, Government of India vide their letter F. No.7-23/2012-FC dtd.24.07.2013.

- 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, Panchayats 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 & HoFF, Odisha / Forest, Environment & Climate Change Department for reference.*

Besides the above, the user agency is also asked to deposit Net Present Value of forest land for this project in full, if not deposited yet, at applicable rates. 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, Bonai Forest Division in every quarter, for the purpose of monitoring by him.

Special Secretary to Government

Memo No. 22272 / FE&CC Date 18.12.21

Copy with copy of Annexures forwarded to the Head, State Portal, I.T. Centre, Odisha Secretariat, Bhubaneswar for information and necessary action. He is requested to upload this order along with its enclosures in the website of Forest, Environment & Climate Change Department **immediately** for information of all concerned. **This is required in compliance to order of Hon'ble National Green Tribunal dtd.07.11.2012 in Appeal No.7/2012. Hence this may be done unflinchingly.**

Special Secretary to Government

Memo No. 22273 / FE&CC Date 18.12.21

Copy with copy of Annexures forwarded to the Under Secretary to Government, Office Establishment Section, Forest, Environment & Climate Change Department for information and necessary action with reference to their letter No.12939/F&E dtd.16.07.2016.

Special Secretary to Government

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

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

Dated: 6th December, 2021

To,

The Addl. Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Proposal for diversion of 85.175 ha of fresh forest land and 1.304 ha re-diversion of Forest land (which is a part of 11912 ha forest land, for which Stage-II approval has already been accorded by ERO MoEF & CC on 29.05.2020) for construction of overhead piped conveyor belt from Kurmitar ML 3 boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan - re.

Sir,

I am directed to refer to the Government of Odisha's letter No. FE-DIV-FLD-0049-2020-17053/F&E dated 02.11.2020 on the above-mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal, and acceptance of the recommendation of the Forest Advisory Committee by the competent authority in the Ministry, 'in-principle' approval to the proposal under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 04.02.2021 read with 08.02.2021 subject to fulfilment of conditions prescribed therein. 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.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. 15517/9F(Misc)-51/2020 dated 07.09.2021 and letter no. 18889/9F(Misc)-51/2020 dated 09.11.2021, final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 85.175 ha of fresh forest land and 1.304 ha re- diversion of Forest land (which is a part of 11912 ha forest land, for which Stage-II approval has already been accorded by ERO MoEF&CC on 29.05.2020) for construction of overhead piped conveyor belt from Kurmitar ML 3 boundary of OMC Ltd to new proposed Railway siding at Barsuan for transportation of mineral with provision for one dispatch area in between the route and the other at terminal point at Barsuan, subject to following conditions:

A. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Government

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

ii. Compensatory Afforestation

a. The State Government shall ensure that compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised within three years from the date of issue of Stage –II Clearance and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency. At least 1000 saplings per ha shall be planted over admissible CA land. If it is not possible to

plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescription of the Working Plan at the cost of the User Agency. In such cases CA cost will be revised and duly approved by the competent authority and deposited online in the CAF managed by the CAMPA;

- b. 25% of the CA cost additionally will be spent towards soil and moisture conservation activities in the proposed CA area as per site requirement and funds deposited in CAF.

ii. Net Present Value

- a. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and guidelines issued by this Ministry in this regard. Additional NPV if becomes due as per final order of Hon'ble Supreme Court, shall be paid by the User Agency;
 - b. 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.
- iii. Compensatory levies for this project, if any to be realized in future from the User Agency, shall be deposited to into the account of CAMPA of the State concerned through e-portal (<https://parivesh.nic.in>);
- iv. The State Government and the user agency shall ensure that area between the banks of seasonal stream/nalah and the proposed dispatch area-2 shall be mapped and a green belt with native species shall be raised and maintained at the cost of user agency to protect the seasonal stream/nalah. Soil and moisture conservation measures in the dispatch area shall be planned and implemented at the cost of the user agency and effective measures shall be used by the user agency to prevent Iron ore leaching from the dispatch areas.
- v. The State Government and the user agency shall ensure that the trestles (pillars) of proposed conveyer belt are sufficiently high so that the movement of wildlife particularly elephant in the area is not hampered.
- vi. The State Government and the user agency shall ensure implementation of approved scheme of Assisted Natural Regeneration of the forest in 500 meter perimeter of the dispatch areas to create dense green cover and o as to minimise dust and other pollution on rest of the forest implemented at the cost of the user agency.
- vii. The State Government and the user agency shall ensure that comprehensive soil conservation measures shall be implemented as per approved scheme at the project cost in consultation with the State Forest Department in the forest area being diverted.
- viii. The State Government and the user agency shall ensure that as per approved scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) shall be implemented in right of way under the conveyor belt at the project cost.
- ix. The User Agency shall pay towards cost of removal of trees enumerated before commencement of work on Stage-II approval and tree felling should be taken up in phases strictly as per requirement under the supervision of the Divisional Forest Officer, Keonjhar Forest Division.

- x. The State Govt. shall ensure that 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&CC along with indicators for monitoring and expected observable milestones;
- xi. The User Agency shall pay the proportionate cost for implementation of Regional Wildlife Management Plan as per revised cost norm. Besides, the Site Specific Wildlife Conservation Plan for the project as well as its impact area shall be prepared by the user agency and approved by CWLW, Odisha for its execution at project cost.
- xii. The State Government shall ensure that correct KML files of diverted area, the CA areas, SMC works area and the WLMP area have been uploaded on the e-Green watch portal with all requisite details prior to handing over forest land to user Agency;
- xiii. The State Government shall ensure that after construction of the proposed overhead conveyer belt, transportation of ore from the mines through existing road gets discontinued in a phased and time bound manner. To maximize utilization of the conveyor belt facility, user agency shall not transport any ore material through road beyond a permissible quantity as specified by the State Government from time to time;
- xiv. DSS analysis that 0.983 ha of forest area is proposed to be used for infrastructure purpose adjoining the dispatch area-1. Since this is an isolated area, use of forest land for non-forestry purpose was not allowed considering larger impact it will have on remaining forest. Moreover, the user agency has sufficient area available, for this purpose in the land which had already been diverted in its favour;
- xv. The State Government and the user agency shall ensure that no additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvi. The State Government and the user agency shall ensure that overburden, if any to be generated from the project, shall not be dumped outside the width of the proposed conveyor corridor. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;
- xvii. 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;
- xviii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xix. The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land and 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;
- xx. The State Govt. and the user agency shall ensure that the layout plan of the proposal shall not be changed without the prior approval of the Central Government;

- xxi. The State Govt. and the user agency shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- xxii. The State Govt. and the user agency 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;
- xxiii. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- xxiv. 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;
- xxv. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xxvi. The mining lease holder shall, after ceasing mining operations, undertake re-grassing of the mining area and any other areas which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna, etc.;
- xxvii. The State Govt. shall ensure that the User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and this Ministry by the end of March every year;
- xxviii. Any other condition that the concerned Integrated Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xxix. The State Govt. shall ensure that the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- xxx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

Sd/-
(Charan Jeet Singh)
Scientist 'D'

Copy to:

- i. Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
- ii. Regional Officer (Central), Integrated Regional Office of the MoEF&CC at Bhubaneswar.
- iii. Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
- iv. Monitoring Cell of FC Divisions, MoEF&CC, New Delhi.
- v. Guard file.

Signed by Charan Jeet
Singh
Date: 06-12-2021 10:26:52
Reason: Approved

ENGLISH TRANSLATION ⁸⁶ OF ANNEXURE-6

To

The managing Director OMC (KIOM Khandadhar)

Today, 15/04/2022 at 12 noon, I came to know from the news of my panchayat residents that many valuable trees were being cut down illegally near the OMC (KIOM) mining office under my panchayat. When I reached the spot, I saw that some people had cut down more than 100 large Sal trees with the help of a tree-cutting machine.

The place where the trees have been cut down is being used by my panchayat residents as a market. According to the government rules, it is mandatory to take permission from the people for any development work or mining in the panchayat through a village meeting, but without my knowledge or without any village meeting, the people of my panchayat are very sad and scared that such trees are being cut down and the market used by my panchayat residents is being destroyed. Therefore, if the government gives permission for OMC (KIOM) mining, then please provide copies of all the documents to the panchayat office.

1- Submit a copy of the permits for cutting trees obtained from both the central and state governments to the Panchayat office.

2- Has a village meeting been held in the panchayat and permission taken from the people of the panchayat to cut thousands of trees? If so, please submit a copy of the said village meeting to the panchayat office.

Yours Faithfully

Bhutuda Sarpanch

Basanti Munda

Copy to- 1- Collector & DM Sundargarh 2- Sub Collector Bonaigarh 3- SP Rourkela, 4- DFO Bonai

OF 11.05.2025
THAT THE BELOW ATTACHED PHOTOGRAPHS SUGGESTS THE PROJECT PROPONENT IS NOT STACKING THE EARTH EXCAVATED FOR PILLAR PROPERLY.



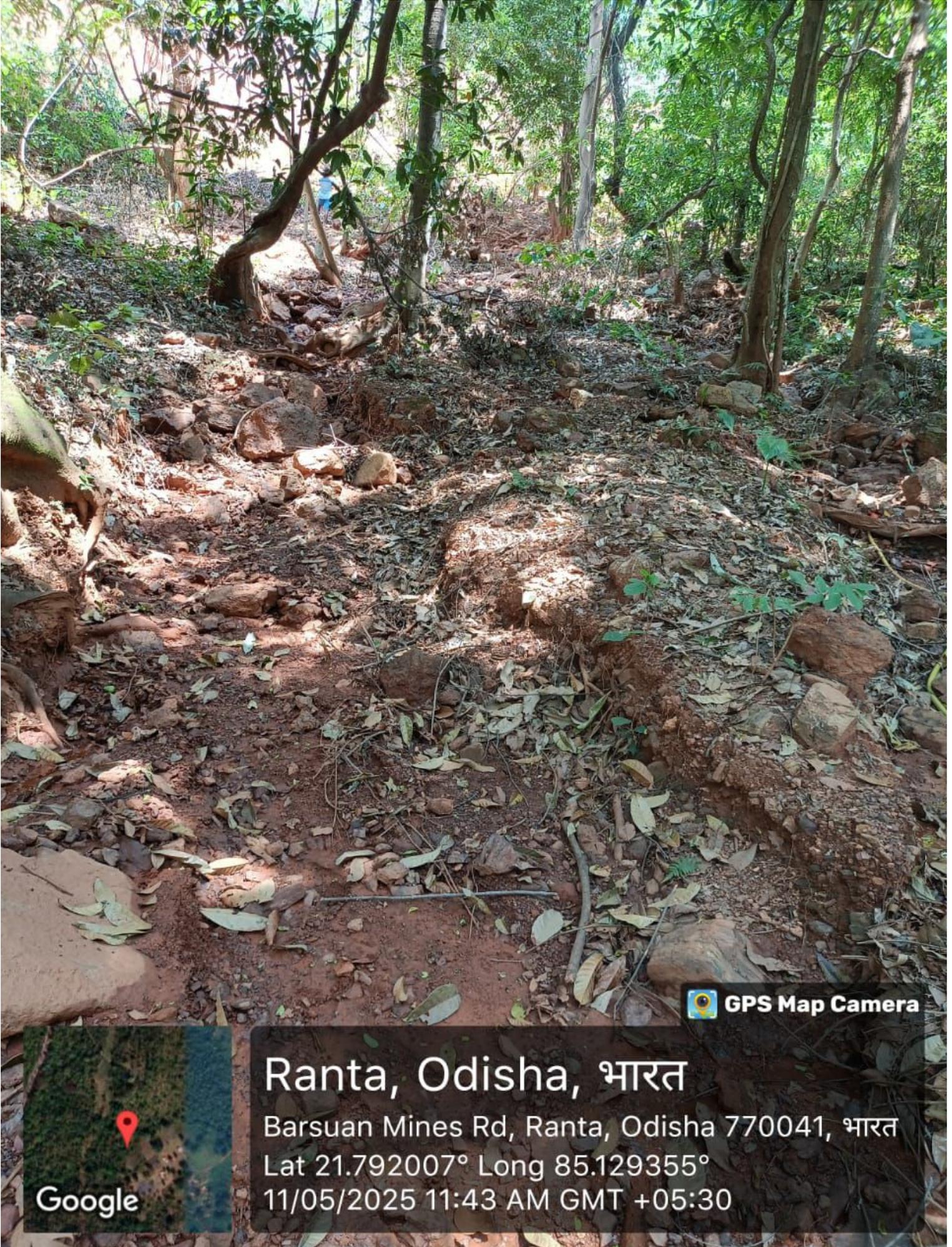












 **GPS Map Camera**

Ranta, Odisha, भारत

Barsuan Mines Rd, Ranta, Odisha 770041, भारत

Lat 21.792007° Long 85.129355°

11/05/2025 11:43 AM GMT +05:30



OFFICE OF THE BHUTUDA GRAM PANCHAYAT
AT/PO- BHUTUDA, DIST- SUNDARGARH (ODISHA) 770041

Ref No. 101/2025

Date 6/5/2025

To

The Collector Sundargarh

Subject: Significant concerns regarding the activities of the OMC (KIOM) Authority related to the construction of a conveyor belt line in Ranta and Siliguda villages and disturbing the sources of water streams.

Respected Sir,

I, on behalf of the people of Bhutuda Panchayat would like to bring about a serious issue on the subject cited above for your kind knowledge and immediate redressal.

Illegal Activities: The OMC authority illegally allowing digging and destructing the forest land as they have not taken prior approval from the Panchayat, and we suspect whether they have taken any such prior permission from the Department of Forests (DFO), and the Pollution Control Board. This has already resulted in the destruction of thousands of precious trees, on which locals are dependent on the collection of minor products for their daily chores and selling for income.

Environmental Impact: This is posing a serious environmental concern, that excavation activities have impacted the sources of five streams that feed into Kuradhi Nala as they are disposing digging earth material on the areas of stream sources. This alteration threatens the natural flow of water and ecosystem integrity, affecting local flora and fauna including the local people in terms of fulfilling their domestic needs. The only sources of water in the region are not only getting polluted on the surface but also disturbing the natural recharge of underground water. We fear the underground water will significantly lower down in future. There is an urgent need of revival of the sources of water streams to their natural original stage.

Impact on Villagers: The construction activities are endangering the lives and health of several indigenous communities residing in the villages of Ranta, Siliguda, Rajabasa, Randa, and Bhutuda. The situation is that it may have potential health hazard due to contamination of natural water resources, impact on livelihood, domestic animals, and biodiversity which are largely dependent on the streams.

Call to Action: This issue seems to require urgent attention from local authorities to ensure compliance with environmental regulations and to protect the rights and livelihoods of the local residents. I as a concerned resident of the region and the villagers alike can't turn a blind eye after witnessing the plight of the residents and also foresee the dangers that lie ahead. The future seems to be very grim if urgent remedial actions will not be taken up on a serious note. In a democratic country like ours and in any civic society one should not be allowed to let the people be pushed to death traps in the name of economic progress and development.

Prayer: Urging the appropriate authority the immediate cessation of the conveyor belt line work, to ensure proper guidelines are established following legal processes, and advocating for penalties and criminal proceedings against those responsible for environmental destruction and trying to snatch away the livelihood of indigenous people for their selfish greed.

Thank You
With Regards

Date- 06-05-2025

Place- Bhutuda

Basanti Munda
Basanti Munda

Sarpanch of Bhutuda G.P

Sarpanch
Bhutuda Gram Panchayat

Copy to:

- 1- State Pollution Contril Board, Odisha
- 2- The Managing Director, Odisha Mining Corporation (OMC), Bhubaneswar
- 3- The Chairman Odisha Mining Corporation (OMC), Bhubaneswar
- 4- Hon'ble Minister of Mines Odisha, Shri Bibhuti Bhusan Jena
- 5- The Chief Secretary of Odisha



ANNEXURE-II

UNDERTAKING

I Dr. (Mrs.) Tilottama Basa, General Manager (Geology), Authorised signatory of M/s Odisha Mining Corporation Limited do hereby undertake to submit the certificate under FRA, 2006 over 86.479 ha of forest land involved in the proposed overhead conveyor project from Barsuan new Railway siding to Kurmitar Mining lease boundary in Sundargarh district of Odisha before grant of stage-II forest clearance.

A handwritten signature in blue ink that reads 'T. Basa'.

[Dr. (Mrs.) Tilottama Basa]
 Addl. General Manager (Geology)
 Authorised signatory
T. Basa
 Addl. General Manager (Geo)
 Power of Attorney Holder
 Odisha Mining Corporation Ltd.
 Bhubaneswar

THE Odisha Mining Corporation Ltd.

(A Gold Category State PSU)

Registered Office : OMC House, Bhubaneswar -751001, India
 Tel : 0674-2377400/2377401, Fax: 0674-2396889, www.omcltd.com

CIN : U131000R1956SGC000313

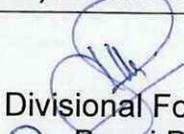
ANNEXURE-XXXIISITE INSPECTION REPORT

1.	Name of the Project	:-	Proposal for diversion of 86.479 ha. Forest land for construction of overhead conveyor belt from Barsuan Railway Siding to Kurmitar Iron Ore Mines of M/s OMC Ltd. Proposal No.FP/OR/Others/44967/2020 (State Sl. No.OR-046/2020) dt.19.6.2020	
2.	Name of the District / Division	:-	Sundargarh District / Bonai Division.	
3.	Date of Inspection	:-	13.08.2020	
4.	Name and designation of Inspecting Officer	:-	Sri Sanath Kumar N., IFS Divisional Forest Officer, Bonai Forest Division.	
5.	Name and Designation of other officers who attended the inspection including representative of User Agency.	:-	<ol style="list-style-type: none"> 1. Sri Nabin Chandra Pradhan, Dy. Ranger, I/C Barsuan Range. 2. Sri Chaitanya Bhumij, Fr., Barsuan Section. 3. Sri Barun Kumar Jena, FG, Bhutuda Beat. 4. Sri Abani Kumar Pradhan, Regional Manager, OMC Ltd., Koira. 5. Sri Baishnabh Charan Malik, Mines Manager, OMC Ltd. (Kurmitar Mines) Koira. 6. Sri Sanjiv Kumar Tripathy, DGM, OMC Ltd., Kurmitar Mines. 7. Sri Ajay Kumar Rout, Surveyor of OMC Ltd., Kurmitar Mines. 8. Sri Bishnu Kumar Nayak, Surveyor of OMC Ltd., Kurmitar Mines. 	
6.	Legal Status of forest land with area proposed for diversion	:-	RF - 60.825 Ha.	PRF - 25.654 Ha.
			Total :-	86.479 Ha.
7.	If area required for diversion has been demarcated on the ground	:-	Yes	
8.	<u>Item-wise break-up of forest land proposed for diversion.</u>			
	The item-wise break-up of forest land proposed for diversion is as follows;			
	i)	Conveyor Corridor-1	:-	2.191 Ha.
	ii)	Inspection path	:-	2.439 Ha.
	iii)	Despatch Area-1 (Part conveyor Corridor, Stack yard, Parking space, Weigh bridge, Workshop, Rest Shelter, Canteen, Fire Station, Electric sub-station and First Aid Centre & Road)	:-	15.585 Ha.
	iv)	Conveyor Corridor-2	:-	3.590 Ha.
	v)	Inspection Path	:-	4.126 Ha.
	vi)	Despatch Area-2 (Part conveyor Corridor, Stack yard, Parking space, Weigh bridge, Workshop, Rest Shelter, Canteen, Fire Station, Electric sub-station, First Aid Centre, Rail Infr. & Road)	:-	58.548 Ha.
	TOTAL		:-	86.479 Ha.

Contd.2...

9.	Condition of vegetation and type of forest in applied area	:-	<p>The density of vegetation is 0.5 (Zero point Five) (Eco value class-I).</p> <p>Sal (<i>Shorea robusta</i>), Bija (<i>Pterocarpus marsupium</i>), Asan (<i>Terminalia tomentosa</i>), Sisoo (<i>Dalbergia latifolia</i>) Jamu (<i>Syzygium cuminii</i>), Kendu (<i>Diospyros melanoxylon</i>), Mahul (<i>Madhuca indica</i>), Mango (<i>Mangifera indica</i>), Harida (<i>Terminalia chebba</i>), Bahada (<i>Terminalia belerica</i>) Kumbhi (<i>Careya arborea</i>), Kusum (<i>Schleichera oleosa</i>), Char (<i>Buchanania lanjan</i>), etc constitute the flora of the prosed area for diversion.</p>
10.	Position of Wildlife in general	:-	<p>Movement of Wild elephants is often noticed in the applied area as well as in the nearby area. Rat, Common Langur, Common Mongoose, Indian hare, Indian Mole Rat, Jungle Cat, Rhesus Macaque, Squirrel, and different type of birds and snakes are noticed in the area. No rare or endangered flora or fauna has reported from the applied area.</p>
11.	Whether the applied area is involved with any eco-sensitive zone / National Park / Sanctuary.	:-	<p>The applied area is not involved with any eco-sensitive zone / National Park / Sanctuary.</p>
12.	Number of trees to be felled and its impact on the eco-system	:-	<p>Total tree enumeration has been taken up over applied forest area of 86.479 ha. comes to 7447 nos., which are above 30 cm girth. The abstract of tree enumeration has been furnished at (174-179/DP).</p> <p>Hence, 7447 nos. of trees above 30 cm girth may be required to be felled / removed in applied forest area during construction of overhead conveyor belt from Barsuan Railway Siding to Kurmitar Iron Ore Mines of M/s OMC Ltd. The density has been reported to be 0.5. Felling of trees will have some impact on the eco-system. Further, no trees available in the non-forest land involved in the project.</p>
13.	Details of broken-up area and reclamation done, if any. (Mining cases)	:-	<p>N.A.</p>
14.	Position of displacement of people and adequacy of rehabilitation, if any	:-	<p>The project does not involve displacement of people.</p>
15.	Position of rare and endangered species available or importance of area from eco-social point of view.	:-	<p>No rare and endangered species have reported from the area and the proposed area has no importance from eco-social point of view.</p>

16.	Non-forest land used in the project, and non-forest land selected for Comp. Affn. is included in the D.L.C. report or not.	: -	<p>0.127 ha. of non-forest land is required for the present project, which has not been included in the DLC.</p> <p>An area of 85.175 ha. of Govt. non-forest land identified in village Champachuan under Thuamul-Rampur Tehsil coming under Kalahandi District of Kalahandi (South) Forest Division for Compensatory Afforestation which is not included in the DLC report.</p>
17.	Suitability of the identified non-forest land / degraded forest land for Comp. Affn.	: -	<p>The identified non-forest land is for Comp. Afforestation is suitable for the purpose. The suitability certificate is enclosed in the C.A. Scheme (Page-180-197/DP).</p>
18.	Violation of F.C. Act., if any,	: -	<p>No violations of provisions of Forest (Conservation) Act'1980 has reported.</p>


 Divisional Forest Officer,
 (K) Bonai Division.

100
**SITE INSPECTION REPORT OF THE REGIONAL CHIEF CONSERVATOR
OF FORESTS, ROURKELA CIRCLE**

1.	Name of the Project	Proposal for diversion of 86.479 ha. of forest land (including 1.304 ha. of forest land for re-diversion) for construction of overhead conveyor belt from Kurmitar ML boundary of M/s OMC Ltd. to proposed new Railway Siding at Barsuan by M/s OMC Ltd. (Proposal No. FP/OR/ Others/ 44967/2020, State Sl. No. OR-046/2020 dated 19.06.2020)
2.	Name of the District/ Division	Sundargarh District / Bonai Division
3.	Date of Inspection	26.09.2020
4.	Name and Designation of Inspecting Officer	Sri Bhanja Kishore Swain, IFS Regional Chief Conservator of Forests, Rourkela Circle
5.	Name and Designation of other Officers ,who attended the inspection including the representative of User Agency	<ol style="list-style-type: none"> 1. Sri Sanath Kumar N., IFS, Divisional Forest Officer, Bonai Forest Division. 2. Sri Johana Oram, ACF, Bonai Division. 3. Sri Nabin Chandra Pradhan, Range Officer, I/c Barsuan Range. <p><u>Representative of the User Agency</u></p> <ol style="list-style-type: none"> 1. Sri Sanjiv Kumar Tripathy, DGM(P), OMC Ltd., Kurmitar Mines. 2. Sri Mahesh Singh, GM(Mining), OMC Ltd. 3. Sri Sanjib Kumar Pradhan, Manager Mining, OMC Ltd.. 4. Sri Ajay Kumar Rout, Surveyor of OMC Ltd., Kurmitar Mines.
6.	Legal Status of Forest land with area proposed for diversion	The proposed diversion proposal involves R.F. & P.R.F. The details of applied forest land is produced below- RF - 60.825 Ha. PRF - 25.654 Ha. Total :- 86.479 Ha.
7.	If area required for diversion has been demarcated on the ground:	Yes
8. Item wise break up of forest land proposed for diversion.		
i)	Conveyor Corridor-1	:- 4.630 Ha.
ii)	Despatch Area-1 (Part conveyor Corridor, Stack yard, Parking space, Weigh bridge, Workshop, Rest Shelter, Canteen, Fire Station, Electric sub-station and First Aid Centre)	:- 15.585 Ha.
iii)	Conveyor Corridor-2	:- 7.693 Ha.
iv)	Despatch Area-2 (Part conveyor Corridor, Stack yard, Parking space, Weigh bridge, Workshop, Rest Shelter, Canteen, Fire Station, Electric sub-station, First Aid Centre, Rail Infr. & Road)	:- 58.571 Ha.
TOTAL		:- 86.479 Ha.

9.	Condition of vegetation and type of forest in applied area	<p>101 As Reported by the DFO, Bonai Division, the density of vegetation is 0.5 (Zero point Five) (Eco value class-I).</p> <p>Sal (<i>Shorea robusta</i>), Bija (<i>Pterocarpus marsupium</i>), Asan (<i>Terminalia tomentosa</i>), Sisoo (<i>Dalbergia latifolia</i>) Jamu (<i>Syzygium cuminii</i>), Kendu (<i>Diospyros melanoxylon</i>), Mahul (<i>Madhuca indica</i>), Mango (<i>Mangifera indica</i>), Harida (<i>Terminalia chebula</i>), Bahada (<i>Terminalia belerica</i>) Kumbhi (<i>Careya arborea</i>), Kusum (<i>Schleichera oleosa</i>), Char (<i>Buchanania lanjan</i>), etc constitute the flora of the proposed area for diversion as reported by the DFO, Bonai Division.</p>
10.	Position of Wildlife in general	<p>As Reported by the DFO, Bonai Division, movement of Wild elephants is often noticed in the applied area as well as in the nearby area. Rat, Common Langur, Common Mongoose, Indian hare, Indian Mole Rat, Jungle Cat, Rhesus Macaque, Squirrel, and different type of birds and snakes are noticed in the area. No rare or endangered flora or fauna has been reported from the applied area as stated by the DFO, Bonai Division.</p>
11.	Whether the applied area is involved with any eco sensitive Zone/ National Park/ Sanctuary	<p>The applied area does not come under any Eco-sensitive zone / National Park / Sanctuary.</p>
12.	Number of trees to be felled and its impact on the eco-system	<p>As per the report of the DFO, Bonai Division, total tree enumeration has been taken up over applied forest area of 86.479 ha. comes to 7447 nos., which are above 30 cm girth. The abstract of tree enumeration has been furnished at (174-179/DP).</p> <p>As reported by the DFO, Bonai Division, 7447 nos. of trees above 30 cm girth may be required to be felled / removed in applied forest area during construction of overhead conveyor belt from Barsuan Railway Siding to Kurmitar Iron Ore Mines of M/s OMC Ltd. The density has been reported to be 0.5. Felling of above trees will have some impact on the eco-system. Further, no tree is available in the non-forest land involved in the project as reported by the DFO, Bonai Division.</p>
13.	Details of broken up area and reclamation done, if any (Mining Cases)	<p>Not Applicable.</p>
14.	Position of displacement of people and adequacy of rehabilitation ,if any	<p>The project does not involve displacement of people as reported by the DFO, Bonai.</p>
15.	Position of rare and endangered species available or importance of area from archaeological point of view.	<p>No rare and endangered species are noticed in the area. But movement of wild elephants is often noticed in the applied area. There is no information regarding the importance of the area from archaeological point of view as per the report of the DFO, Bonai Division.</p>

16.	Non-Forest land used in the Project and non-forest land selected for Comp. Afforestation, if included in the DLC report or not	As reported by the DFO, Bonai Division, 0.127 ha. of non-forest land is required for the present project, which has not been included in the DLC. An area of 85.175 ha. of Govt. non-forest land has been identified in village Champachuan under Thuamul-Rampur Tehsil coming under Kalahandi District of Kalahandi (South) Forest Division for Compensatory Afforestation which is not included in the DLC report as stated by the DFO, Bonai Division.
17.	Suitability of the identified non forest area for Compensatory Afforestation	As reported by the DFO, Bonai Division, the identified non-forest land for Comp. Afforestation is suitable for the purpose for which the suitability certificate has been furnished in the CA Scheme by the DFO, Kalahandi South Division (Page-180-197/DP) .
18.	Violation of FC Act, if any, and action taken thereon	No violation of Forest (Conservation) Act, 1980 is noticed.


 Regional Chief Conservator of Forests,
Rourkela Circle

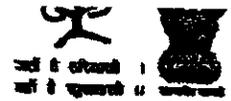
THAT THE BELOW ATTACHED PHOTOGRAPHS SUGGESTS THE ODISHA MINING CORPORATION HAS ILLEGALLY CONSTRUCTED PERMANNET LABOUR CAMPS INSIDE THE FOREST LAND.











F. No. 11-9/1998-FC (pt)
 Government of India
 Ministry of Environment and Forests
 (FC Division)

ANNEXURE-12

Paryavaran Bhawan,
 CGO Complex, Lodhi Road,
 New Delhi - 110510.
 Dated : 03.08.2009

To

The Chief Secretary / Administrator
 (All State/UT Governments except J&K)

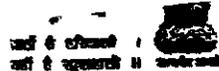
Subject: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.

Sir,

In continuation to this Ministry's letter of even number dated 30.07.2009, I am directed to invite the attention of the State Government to the operationalization of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which has become effective from 01.01.2008. It is observed that the proposals under the Forest (Conservation) Act, 1980 are being received from different states/UT Governments with the submission that the settlement of rights under Forest Rights Act, 2006 (FRA) will be completed later on.

Accordingly, to formulate unconditional proposals under the Forest (Conservation) Act, 1980, the State/UT Governments are, wherever the process of settlement of Rights under the FRA has been completed or currently under process, required to enclose evidences **for having initiated and completed the above process, especially among other sections, Sections 3(1)(i), 3(1)(e) and 4(5).** These enclosures of evidence shall be in the form of following:

- a. A letter from the State Government certifying that the complete process for identification and settlement of rights under the FRA has been carried out for the entire forest area proposed for diversion, with a record of all consultations and meetings held;
- b. A letter from the State Government certifying that proposals for such diversion (with full details of the project and its implications, in vernacular / local languages) have been placed before each concerned Gram Sabha of forest-dwellers, who are eligible under the FRA;
- c. A letter from each of the concerned Gram Sabhas, indicating that all formalities/processes under the FRA have been carried out, and that **they have given their consent to the proposed diversion and the compensatory and ameliorative measures if any, having understood the purposes and details of proposed diversion.**



- d. A letter from the State Government certifying that the diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA have been completed and that the Gram Sabhas have consented to it.
- e. A letter from the State Government certifying that discussions and decisions on such proposals had taken place only when there was a quorum of minimum 50% of members of the Gram Sabha present;
- f. Obtaining the written consent or rejection of the Gram Sabha to the proposal.
- g. **A letter from the State Government certifying that the rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable, have been specifically safeguarded as per section 3(1)(e) of the FRA.**
- h. Any other aspect having bearing on operationalisation of the FRA.

The State/UT Governments, where process of settlement of Rights under the FRA is yet to begin, are required to enclose evidences supporting that settlement of rights under FRA 2006 will be initiated and completed before the final approval for proposals.

This is issued with the approval of the Minister of Environment and Forests.

(C.D. Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The PMO (kind attention: Director, PMO)
2. The Secretary, Ministry of Tribal Affairs, Shastri Bhawan, New Delhi.
3. The Principal Chief Conservator of Forests, All States / UTs.
4. The Nodal Officer (FCA), O/o the PCCFs, All States / UTs.
5. All Regional Offices of MoEF located at Bhopal, Shillong, Bangalore, Lucknow, Bhubaneswar and Chandigarh.
6. The RO (HQ), DIGF(FP), Sr.AIGF(FC)/AIGF(FC), MoEF, New Delhi.
7. Monitoring Cell, FC Division, MoEF, New Delhi for placing the same on the website of the MoEF.
8. Guard File.

(C.D. Singh)

Sr. Assistant Inspector General of Forests

NEWS PUBLISHED IN SAMAJ ON DATED 25/05/2025

କୁରାଡ଼ି ନାଳରେ ବହୁଛି ବିଷାକ୍ତ ପାଣି !

କରୁଣାପଡ଼ା,୨୪୫(ନି.ପ୍ର):କରୁଣାପଡ଼ା ବ୍ଲକ୍ ଅନ୍ତର୍ଗତ ପଞ୍ଚାୟତ ସଭାରେ କୁରାଡ଼ି ନାଳରେ ବିଷାକ୍ତ ପ୍ରାଣି ପ୍ରଦାୟିତ ହେଉଥିବା ପ୍ରକାଶିତ ହେବା ପରେ ସ୍ଥାନୀୟ ଅଞ୍ଚଳରେ ଚାନ୍ଦ୍ର ପ୍ରତିକ୍ରିୟା ପ୍ରଦାୟ ପାଇଛି । ଏହି ନାଳ ଉପରେ ପ୍ରତ୍ୟକ୍ଷ ହେଉ କିମ୍ବା ପରୋକ୍ଷରେ ନିର୍ଭର କରି ଆସୁଛନ୍ତି ସମ୍ପୂର୍ଣ୍ଣ ପଞ୍ଚାୟତବାସୀ । ଏ ପଞ୍ଚାୟତରେ ପ୍ରାୟ ପାଞ୍ଚ ହଜାରରୁ ଊର୍ଦ୍ଧ୍ୱ ଲୋକ ବସବାସ କରୁଥିବାବେଳେ ସେଥିମଧ୍ୟରୁ ଅଧିକାଂଶ ଲୋକ ବହିସ୍କାରଥିବା କୁରାଡ଼ି ନାଳ ଉପରେ ପ୍ରତ୍ୟକ୍ଷ ଭାବେ ନିର୍ଭର କରି ଚଳି ଆସୁଛନ୍ତି । ସ୍ଥାନୀୟ ଲୋକେ ପିଇବା, ଖାଆଇବା, କପଡ଼ା ଧୋଇବା, ବାସନ ଧୋଇବା ନିମନ୍ତେ ଏହି ନାଳ ଉପରେ ଆବଶ୍ୟକ କାମକୁ ନିର୍ଭର କରି ଆସୁଛନ୍ତି । ଏହି ନାଳର ପୋକ ଦେଇ ପ୍ରତିଦିନ ସୁଦ୍ଧା ହଜାରରୁ ଊର୍ଦ୍ଧ୍ୱ ଭାରାଯାନ, ହାଲୁକା ଯାନ ଯିବା ଆସିବା

କରିଥାଏ । ବେତେକ ଉଡ଼ିତ ଚାଳକ, ଖଲାସା ଖାଆଇବା, କପଡ଼ା ସଫା କରିବା ଏପରିକି ଆବଶ୍ୟକ ସ୍ଥଳେ ଗୋଷ୍ଠେଇ କରି ଖାଇବା ପାଇଁ

କୁରାଡ଼ି ନାଳ ପାଣିକୁ ସମ୍ପୂର୍ଣ୍ଣ ବିଷାକ୍ତ କରୁଥିବା ଅଭିଯୋଗ ହେଉଛି । ପକରେ ଲୋକେ କପଡ଼ା ଧୋଇବା ଓ ଦୂରର କଥା ଗୋଟୁ ମଧ୍ୟ ଧୋଇବା

ପଶୁପକ୍ଷୀଙ୍କ ପାଇଁ ବିପଦ ସୃଷ୍ଟି କରିବାର ଆଶଙ୍କା ରହିଛି । କରୁଣାପଡ଼ା ଲୋକ ଶୁଣି କରୁଣାପଞ୍ଚାୟତ ଏକାଡ଼ି ଦାୟିତ୍ୱନେତା ଓ ମନୋମୁଖ୍ୟ କାର୍ଯ୍ୟକୁ ସ୍ଥାନୀୟ ଜନସଭାରେ ଅବଗୋଷ୍ଠ ପ୍ରକାଶ କରିବା ସହ ନିବା ମଧ୍ୟ କରିଛନ୍ତି । ଏହାର ତୁରନ୍ତ ପ୍ରତିକାର କରିବା ପାଇଁ ଲୋକେ ଦାବି କରାଯାଇଛି । ଏ ଘଟଣା ପ୍ରଥମଥର ନୁହେଁ ଏହା ପୂର୍ବରୁ ମଧ୍ୟ ଘଟଣା ପରିସ୍ଥିତି ପୂର୍ବ ଦିନ ମାନକରେ ଦେଖାଦେଇଛି । ମାତ୍ର ଶିତରେ ଥିବା ଚ୍ୟାମରେ ଉତ୍ପତ୍ତିଥିବା ସମସ୍ୟା ସ୍ୱାସ୍ଥ୍ୟ ପ୍ରତିକାର କରାଯାଇ ନ ଥିବାରୁ ବଜାର ଏ ସମସ୍ୟା ଦେଖାଦେଇଛି । ପକରେ ସ୍ଥାନୀୟ ଲୋକମାନେ ନାହିଁ ନ ଥିବା ଅସୁବିଧାର ସମ୍ମୁଖୀନ ହେଉଛନ୍ତି ବୋଲି ସ୍ଥାନୀୟ ଲୋକ ଅଭିଯୋଗ କରିଛନ୍ତି । ଏ ସମ୍ପର୍କରେ ସେଇ ସିଡିଏମ୍ ସିମାନ୍ସ ମିଶ୍ରଙ୍କୁ ପଚାରିବାରୁ ସେ କହିଲେ ଘଟଣା ସମ୍ପର୍କରେ ମୁଁ ଦୁର୍ଭୁକ୍ତି, ସତ୍ୟାସତ୍ୟ ଜାଣିବା ପରେ ଆବଶ୍ୟକ ପଦକ୍ଷେପ ଗ୍ରହଣ କରାଯିବ ।



ମଧ୍ୟ ଏହି ନାଳ ପାଣି ଉପରେ ନିର୍ଭର କରୁଥିବା ନଦିର ରହିଛି, କିନ୍ତୁ କୁରାଡ଼ି ନାଳରେ ବରପୁଆଁ ଲୋହ ଖଣିରୁ ଲାଭ ମାଟି ମିଶା ପାଣି ବହି ଆସି

ପାଇଁ ଉକ୍ତ ବହୁଛନ୍ତି କହିଲେ ଅନୁମତି ହେବା ନାହିଁ । ନାଳ ପାଣିରେ କୁରାପଥର ଗୁଣ୍ଡ ମିଶି ବିଷାକ୍ତ ହେଉଥିବାରୁ ଏହା କେବଳ ମଣିଷ ନୁହେଁ

ENGLISH TRANSLATION OF NEWS PUBLISHED IN SAMAJ ON DATED 25/05/2025

Poisonous water is flowing in the Kuradi canal!

Lahunipada, 245 (NPR): After it was reported that the Kuradi Nallah flowing through the Sassyakala Panchayat of Lahunipada Block was carrying poisonous water, there has been a strong reaction in the local area. The residents of Sassyakala Panchayat are directly or indirectly dependent on this Nallah. While more than five thousand people live in this panchayat, most of them are directly dependent on the Kuradi Nallah that is being carried away. The locals have been relying on this Nallah for drinking, bathing, washing clothes, and washing utensils since its inception. More than two thousand heavy and light vehicles cross the bridge of this Nallah every day.

Some drivers, cleaners, do laundry, clean clothes, and even cook for meals if necessary.

It is alleged that the axe is completely poisoning the canal water. As a result, people are unable to wash their clothes, let alone their feet.

There is a possibility of creating a danger to the animals. The local people have expressed their dissatisfaction and condemned such irresponsible and self-serving actions of the Barsuwan Iron Mine Authority. They have demanded an immediate remedy for this. This is not the first time that this incident has happened, a similar situation has occurred in the past. This problem is recurring as the problem of the dam inside the mine is not being permanently resolved. As a result, the locals have complained that the locals are facing problems that they did not have. When asked about this, SAIL CGM Himanshu Mishra said that he understands the incident and necessary steps will be taken after knowing the truth.



This canal also has a reputation for relying on water, but the Kuradi canal is filled with water mixed with red clay from the Barsuwan iron mine.

It would not be an exaggeration to say that they are afraid for the river. It is not just humans who are being poisoned by iron ore particles in the canal water.

NEWS PUBLISHED IN SAMAJ ON DATED 08/05/2025

ବେଲୁ ଲାଇନ କାମ ନାଁରେ ପୋତି ହୋଇଗଲାଣି ଝରଣା

ଗ୍ରାମବାସୀଙ୍କ ଅଭିଯୋଗ ପରେ କାମ ବନ୍ଦ ପାଇଁ ଚିଠି ଲେଖିଲେ ସରପଞ୍ଚ



କରୁଣାପଦା, ୭୫ (NPR): ଲୋକମାନେ ବେଲୁ ଲାଇନ ପ୍ରକଳ୍ପରେ ଥିବା କୁମିଟାର ଗୋଟିଏ ଝରଣା ବେଲୁ ଲାଇନ ନିର୍ମାଣ କାର୍ଯ୍ୟକୁ ନେଇ ଖୁବ୍ ଗାମ୍ଭୀର୍ଯ୍ୟ ଭାବେ ଚାନ୍ତି ବିରୋଧ କରୁଛନ୍ତି । କାରଣ ବେଲୁ ଲାଇନ କାମ ପାଇଁ ଗୋଟିଏ ଝରଣା କୁମିଟାର ଝରଣାକୁ ପୂର୍ଣ୍ଣ ପର୍ଯ୍ୟନ୍ତ ବୋଧପୂର୍ଣ୍ଣ ଭାବେ ବନ୍ଦ କରିଦେଇ ପରିବହନ ପାଇଁ ମଧୁର ସେବା ପରେ ନିର୍ମାଣ କାମ ଆରମ୍ଭ ହେଲା, କିନ୍ତୁ କୁମିଟାର ପଞ୍ଚାୟତର ଗଢ଼ା ଅଞ୍ଚଳରେ ପ୍ରଭାବିତ

ହେଉଥିବା ଝରଣାକୁ ମାଟି ପକାଇ ପୋତି ଦେଉଥିବା ଦେଖି ଲୋକମାନେ ଅଭିଯୋଗ କରିଛନ୍ତି । ମାଟି ପକାଇବା ଯୋଗୁଁ ଝରଣାର ପ୍ରେତ ସମ୍ପୂର୍ଣ୍ଣ ବନ୍ଦ ହେବାକୁ ଦେଖାଗଲା । କୁମିଟାର ପଞ୍ଚାୟତର ଅଧିକାରୀ ଗ୍ରାମର ଲୋକ ଏହି ଝରଣା ପାଣି ଗଢ଼ରେ ନିର୍ବାହ କରୁଥିବାବେଳେ ଏଠାରେ ବ୍ୟବସ୍ଥିତ ଦେଖିବାକୁ ମିଳିଛି । ପାଟାଲିଆ କାନ୍ଥରେ ପରିପରିବା ଚାଷ କରି ପରିବାର ପ୍ରତିପୋଷଣ କରୁଥିବା ଲୋକେ ଜଳ ଆବାଦକୁ ନିରାଶ

ହେଉଛନ୍ତି । ଖାଲି ଦେଖିବା ପାଇଁ, କମ୍ପାନୀ ଝରଣାରେ ମାଟି ଛାଡ଼ୁଥିବା ଯୋଗୁଁ ଲୋକେ ଏବେ ନାହିଁ । ପାଣି ପିଇବାକୁ ଦାୟ ହେଉଥିବା ଅଭିଯୋଗ ହେଲା । ଯାହାପାଇଁ ଲୋକେ ବିଭିନ୍ନ ଭେଗରେ ଆନ୍ତର କରୁଛନ୍ତି । ଏ ଦିନ ସେଇ ଗ୍ରାମବାସୀ କମ୍ପାନୀ କର୍ମଚାରୀ ପାଖରେ ଅଭିଯୋଗ କଲା ପରେ ସମସ୍ୟାର ସମାଧାନ ପରିବର୍ତ୍ତେ ପ୍ରତିଦିନ ବଳା ଲୋକଙ୍କୁ ଉଦ୍‌ଘାଟ କରାଉଥିବା ଗ୍ରାମବାସୀ ଅଭିଯୋଗ କରିଛନ୍ତି । ଏ ନେଇ ଗ୍ରାମବାସୀ କୁମିଟାର

ସରପଞ୍ଚଙ୍କୁ ଜଣାଇବା ପରେ ସରପଞ୍ଚ ଦାୟୀ ପୁଣି ଝରଣାକୁ ପୁନର୍ଗଢ଼ଣ ଏବଂ ସେପରେ ପୁନର୍ଗଢ଼ଣ ନ ହୋଇଛି କାମ ବନ୍ଦ ପାଇଁ ଚିଠି ପ୍ରଶାସନ ଓ ପୁଣ୍ୟ ଶାସନ ସଚିବଙ୍କୁ ଚିଠି ଲେଖୁଥିବା ଜଣାପଡ଼ିଛି । ଯଦି ଝରଣାକୁ ପୁନର୍ଗଢ଼ଣ କରା ନ ଯାଏ ତେବେ ଆଗାମୀ ଦିନରେ ଉଦ୍‌ଘାଟି କମ୍ପାନୀର କର୍ମଚାରୀଙ୍କୁ ଯାହା ପାଇଁ ଗାନ୍ଧୀଜୀଙ୍କୁ ଉଦ୍‌ଘାଟଣା ସହ ଆନ୍ଦୋଳନ କରିବା ପାଇଁ ଗ୍ରାମବାସୀ ଗ୍ରାମବାସୀ ଚେତାବନୀ ଦେଉଛନ୍ତି ।

ENGLISH TRANSLATION OF NEWS PUBLISHED IN SAMAJ ON DATED 08/05/2025

The Belt Line project has been completed in the name of water.

Sarpanch writes letter to stop work after complaints from villagers



Lahunipada, 75 (NPR): Locals are protesting strongly against the construction of the belt line of the Kurmittar iron ore mine in Bhutuda panchayat of Lahunipada block. Because the construction work started after the approval was given for the transportation of iron ore from Kurmittar mine to Damalu through the belt line through the contractor who got the work of the belt line, but the affected areas of Bhutuda panchayat

People have complained that the spring is being covered with soil. Due to the soil, the flow of the spring has stopped completely. While the people of Adhukanshan village of Bhutuda panchayat depend on the water of this spring, an exception has been seen in this. People who grow vegetables in the hilly areas and support their families are suffering due to lack of water.

Not only that, people are now forced to drink sewage water due to the company dumping soil in the well. As a result, people are suffering from various diseases. After the villagers complained to the company authorities about this problem, instead of solving the problem, the villagers have complained that the company called the police and intimidated them. The villagers are angry about this.

After informing the Sarpanch, it is learnt that the Sarpanch has written a letter to the District Administration and Chief Secretary demanding restoration of Basanti Munda Shukhag and stopping the work until it is restored. If the Shukhag is not restored, then in the coming days, the local villagers have warned that they will take to the highway and protest against the anti-people work of the OMC company.



111

BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application No. _____ of 2025

In re:

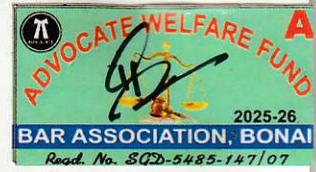
SANTANU KERKETTA

APPLICANT

Versus

STATE OF ODISHA AND OTHERS

...RESPONDENTS



KNOW ALL to whom these present shall come we, 1) **RANJIT PATRA**, aged about 35 years, Aadhaar No. 5045 3667 0465, S/O- Gurucharan Patra, At/P.O- Bhutuda, Lahunipara, Dist.- Sundargarh, Pin- 770041, 2) **SANTANU KERKETTA**, aged about 38 years, Aadhaar No. 6140 3247 8782, S/O- Bicha Kerketta, At-Randa, P.O- Bhutuda, Lahunipara, Dist.- Sundargarh, Pin- 770041, applicant in the above mentioned case, do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :- **Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002, Mob. No.9437279278, Email- sankarprasadpani@gmail.com Enrollment no. O-785/07 and **Ashutosh Padhy**, Enrollment no. O-1018/23.

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 29th day of May 2025.

Accepted subject to the terms of fees.

Spm
Advocate *A. Padhy*

1. *Ranjit Patra*
2. *Santanu Kerketta*

Executants

