

F. No. 8-135/2003-FC (Vol.1)
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

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

Dated: 13th January, 2020

To

The Principal Secretary (Forest),
Government of Odisha,
Bhubaneswar.

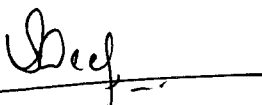
Sub: Diversion of unbroken 59.606 ha forest land (57.515 ha for Mining & Ancillary activities including 1.417 ha of forest land diverted earlier for Safety Zone along part surrender area + 2.091 ha for Safety Zone along ML Boundary) in respect of Sanindpur Iron & Bauxite Mines of Rungta Sons (P) Limited.

Sir,

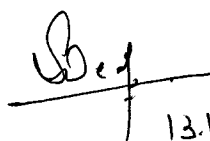
I am directed to refer to the Government of Odisha's letter No. 10F (Cons) 109/19-23533/F&E dated 04.12.2019 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest 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, ***In-principle approval/Stage-I Clearance*** of the Central Government is hereby granted for diversion of unbroken 59.606 ha forest land (57.515 ha for Mining & Ancillary activities including 1.417 ha of forest land diverted earlier for Safety Zone along part surrender area + 2.091 ha for Safety Zone along ML Boundary) in respect of Sanindpur Iron & Bauxite Mines of Rungta Sons (P) Limited subject to fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Compensatory Afforestation shall be raised over equal identified non-forest land (NFL) land within three years from the date of issue of Stage –II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency;
- iii. **State Government shall ensure that all the areas identified for CA are notified as PF/RF before Stage II approval.**
- iv. **The User Agency shall pay towards cost of removal of trees enumerated before commencement of work and tree felling should be taken up in phased manner strictly as per requirement under the supervision of DFO, Bonai Forest Division.**
- v. **Evaluated royalty of trees enumerated and required to be felled for the project, shall be deposited by the User Agency.**
- vi. **The User Agency shall pay the cost for implementation of Regional Wildlife Management Plan as per revised cost norm in CAMPA account.**
- vii. **An area of 2.091 ha. of forest land is to be maintained as safety zone and in no**


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- circumstances, it shall be used for mining or any other allied activities.
- viii. The rectified and authenticated DGPS Map of 59.606 ha forest area proposed for diversion (including 2.091 ha for Safety Zone) included within the mining lease of Sanindpur Iron & Bauxite Mines of Rungta Sons (P) Limited. Over 147.10ha shall be submitted to State Government and MoEF&CC as well.
- ix. Nodal Officer (FCA), Odisha shall ensure that field officers shall give clear recommendation or dissent note, as the case may be, to avoid any ambiguity in case of the proposals being submitted under the provisions of FCA 1980 in future.
- x. The User Agency shall transfer **Net Present Value (NPV)** of the forest land ,being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through **online portal** into CAMPA account of the State Concerned;
- xi. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xii. The identified non-forest land for raising compensatory afforestation shall be transferred and mutated in the name of forest department and notified as RF/PF prior to Stage II approval;
- xiii. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
- xiv. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- xv. Fencing, protection and regeneration of the safety zone area shall be done within three years at the project cost as per approved scheme. Besides this afforestation on degraded forest land to be selected elsewhere measuring one & a half times the area under safety zone shall also be done at the project cost;
- xvi. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
- xvii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xviii. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
- xix. The User agency shall carry out mining in a phased manner and take due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and the Dy. Director General (Central), Ministry of Environment & Forests, Regional Office, Bhubaneswar.
- xx. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xxi. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;


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- xxii.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;
- xxiii.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;
- xxiv.The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- xxv.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;
- xxvi.No damage to the flora and fauna of the adjoining area shall be caused;
- xxvii.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;
- xxviii. 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.
- xxix.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; and
- xxx.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.

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

Yours faithfully,



(Sandeep Sharma) 13.1.2023

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Odisha, Bhubaneswar.
3. The Deputy Director General (Central), Regional Office, Bhubaneswar.
4. User Agency
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi

6. Guard File