

**OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION**

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Memo No. 3563 /Mining

Dated, Keonjhar the 17 April, 2015

To

The Regional Chief Conservator of Forests,  
Rourkela Circle, Rourkela.

Sub: Proposal for diversion of 101.171 ha. of forest land within applied RML area over 101.171 ha within Dalpahar Iron & Manganese Ore mining by M/s D.C. Jain in Keonjhar district.

Ref: Proposal No. FP/OR/MIN/9360/2015, St. Sl. No.OR-026/2015 dated.07.03.2015.

The proposal for diversion of 101.171 ha. of Forest land within the mining lease of Dalpahar Iron & Manganese Mines of M/s. D.C. Jain has been received through online from the Addl. Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act. O/o the Principal Chief Conservator of Forests, Odisha, Bhubaneswar vide No. FP/OR/MIN/9360/2015, St. Sl. No.OR-026/2015 on dated.07.03.2015 . The said proposal in 5 sets is sent herewith for approval under section-2(ii) of Forest Conservation Act, 1980 (Amended) over 101.171 ha forest land including 5.300 ha of safety zone after due scrutinization.

**1. Brief description of the Project**

Mining Lease was granted for a period of 20 years in the name of Dalpahar Iron Mines in favour of Shri Dharam Chand Jain for exploration of Iron ore over an area of 101.570 ha. in Baitarani Reserve Forest near Dalpahar village under Barbil Tahasil of Keonjhar District vide Govt. Proceeding No.III(A)MG.101/84-6179 MG dated.05.06.1984 (Copy of the Govt. Proceeding enclosed as **Annexure – V(A)**). The granted mining lease was reduced to 101.171 ha. in five blocks following survey and demarcation and the granted lease was executed over the reduced area of 101.171 ha vide letter No.III(A)MG. 19/86/MG dated.10.04.1986 of Govt. Of Odisha, Mining & Geology Department (Copy enclosed as **Annexure – V(B)**). The Mining Lease was executed on 09.06.1986 in separate five blocks (Block-A, Block-B1, Block-B2, Block-B3 & Block-C) over 101.171 ha for a period of 20 years with validity from 09.06.1986 to 08.06.2006. The copy of the lease deed is enclosed as **Annexure – VI**. Manganese ore as 2<sup>nd</sup> mineral was included in the Mining Lease along with Iron ore vide letter No. IV(A)SM25/94-2497/SM dated.13.03.1995 of Govt. of Odisha, Department of Steel & Mines on consideration of the application of lessee dated 23.03.1993. The copy of the said proceeding is enclosed as **Annexure – VII** and supplementary lease deed was executed on 25.05.2000 over 101.171 ha. The copy of the supplementary lease deed is enclosed as **Annexure – VIII**.

The total mining lease area of Dalpahar Iron & Manganese ore mines of M/s. D.C. Jain is 101.171 ha and the Mining Lease is in Baitarani Reserve Forest. The M.L. area is located within latitude 21° 58'05"N to 21° 58'43"N and longitude 85° 23'00" E to 85° 24'00" E of survey of India Topo sheet No. 73 G/5. The First Renewal of Mining Lease has been applied for Iron & Manganese ore over 101.171 ha on 01.06.2005 i.e., one year prior to expiry of the lease. An area over 16.464 ha forest land including Safety Zone of 0.887 ha has been broken prior to 1980 as depicted in the Joint Verification Report.(copy enclosed vide Plate-III). Final approval over 16.464 ha forest land (Originally proposed 97.084 ha) for Mining of Iron & Manganese ore was accorded by Government of India, Ministry of Environment & Forests vide No.8-103/2000-FC dated.14.11.2005 under section 2 of Forest (Conservation) Act,1980. The copy of the Stage-II approval is enclosed as **Annexure – I**.

An area over 1.902 ha of Block-C, 0.607 ha of Block-B1, 1.012 ha of Block-B3 & 7.689 ha of Block-B2 have been declared lapsed by the State Govt., Steel & Mines Department vide letter No. 26314/F&E, 26317/F&E, 26320/F&E & 26323/F&E all dated 19.12.2013. Nonetheless, the



Joint Secretary and Revisionary Authority, Ministry of Mines, Govt. of India has directed the State Govt. not to take any coercive measures against the revisionist Sri Avin Jain in respect of aforementioned Blocks declared lapsed by the State Govt. In this regard, necessary clarifications on the status of the lease with respect to area was sought for from the Deputy Director Mines, Joda Circle vide this office letter No. 6203 dated 26.09.2014. The Deputy Director Mines, Joda Circle has submitted his clarification that the aforesaid area applied for RML stands valid till final disposal of the revision application by the Revisional Authority vide his letter No. 4348 dated 15.10.2014. Therefore, the Mining Lease area stands over 101.171 ha. In the meantime, the order of Govt. of India, Ministry of Mines dated. 16.12.2014 addressed to the Secretary, Steel & Mines Deptt. Govt. of Odisha and copy to Divisional Forest Officer, Keonjhar vide letter dated. 06.01.2015 (Copy enclosed) sets the Revisionists/Lessee to be at liberty to pursue its proposal of Forest Diversion before the concerned Authority of the State Govt. and MoEF on the RA Nos as referred to. The same order of Govt. of India, Ministry of Mines was intimated to Addl. Secretary, Forest & Environment Deptt. Govt. of Odisha by the Addl. Secretary, Steel & Mines Deptt. Govt. of Odisha vide letter No. 1197 dated. 31.01.2015 for information and necessary action and the Principal Chief Conservator of Forests, Odisha was intimated to take follow of action by the Joint. Secretary, F & E. Deptt., vide his letter No. 3083 dated. 21.02.2015. The Divisional Forest Officer, Keonjhar has been asked to take necessary follow up action vide memo no. 5188 dated. 19.03.2015 of Addl. Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act. O/o the Principal Chief Conservator of Forests, Odisha, Bhubaneswar on the said order of the Govt. of India, Ministry of Mines.

In the light of above correspondences, the proposal submitted over- 101.171 hacts. Forest land is considered for necessary approval under section-2 (ii) of Forest Conservation Act, 1980. It is pertinent to mention that NPV as demanded has been realised from the lessee amounting to Rs. 7,13,85,230/- over entire forest land involved in the Mining Lease @ 5,80,000/- per ha. over 16.464 ha. of broken up forest land (density-0.1) and @ Rs. 7,30,000/- over 84.707 ha. of virgin forest land (density-0.2). Forest land over 16.464 ha. has been diverted under section-2 of Forest (Conservation) Act, 1980 vide F.No. 8-103/2000-FC dated. 14.11.2005 and balance forest land over 84.707 ha. is covered under general approval under section 2(iii) for inclusion in the mining lease vide F.No. 11-51/2015-FC dated 01.04.2015 of Govt. of India, MoEF & CC.

The annual production capacity of the mines is 0.31 MTPA for Iron & 0.094 MTPA for Manganese ore. The mineable reserve is computed at 1449375 metric tonne of Iron ore and 2005625 metric tonne of manganese ore. The life span of the mines is computed at about 22 years.

The project will generate employment for more than 250 people directly and 500 no. of people indirectly to achieve the targeted production.

## 2. Maps

The user agency has furnished the required maps as depicted in the following table-

Sl.No	Map Particulars	Scale	Reference
1	Location map of the area/ Index map showing adjoining lease areas.	1:50000	Plate No. I
2	Executed Lease Map	16"=1 mile	Plate No. II (a) (b) (c) (d) (e)
3	Lease area Plan showing forest and non forest land	16"=1 mile	Plate No. II(a)
4	Existing land use plan	1:4000	Plate No.III
5	Authenticated Broken up Map	1:4000	Plate No.III(a)

6	Proposed Land use Plan	1:4000	Plate No. IV
7	Safety zone area Plan	1:4000	Plate No. V
8	Geological plan approved by IBM	1:2000	Plate No. VI
9	Phased reclamation & afforestation Plan	1:4000	Plate No. VII
10	Method of reclamation Plan	Not to Scale	Plate No. VIII
11	Non Forest land for Compensatory Afforestation.		Plate No. VIII(a) and VIII(b)
12	Applied RML lease Map	16" =1 mile	Plate No. IX (a) (b) (c) (d) (e)
13	Authenticated DGPS Map	16" =1 mile	Plate No- X

### 3. Forest Land.

The lease area of 101.171 ha in 1<sup>st</sup> RML comprises of 101.171 ha Baitarani- A Reserve Forest.

**Purpose wise breakup of the total forest land required (Broken and Virgin) for the project**

**Table - 1**

#### **Existing Forest land use**

Sl. No.	Pattern of Utilization	Forest Land broken prior to 1980 ( in ha)	Forest land located in the safety zone broken prior to 1980 (in ha)	Total Forest Land (in ha)	Remarks
1	Mining including mines road	8.407	0.291	8.698	
2	Waste dump yard with environmental protective measures	5.337	0.283	5.62	
3	Transporting Road	1.464	0.075	1.539	An area over 0.075 ha of broken up safety zone will be utilized for road being the entry & exit point to the lease.
4	Camp, Office, Administrative building, Security camp, etc.	0.369	0.238	0.607	
	<b>Grand Total</b>	<b>15.577</b>	<b>0.887</b>	<b>16.464</b>	



Table -2

## Proposed forest Land use

Sl. No.	Pattern of Utilization		Broken up forest Land ( in ha)	Virgin Forest Land ( in ha)	Total Forest Land (in ha)
1	Mining including mines road (1A-1B+2B) - (Proposed)		10.889	71.795	82.684
1(A)	Mining	Mining (as per broken up plan)	8.698	0.000	
1(B)		Safety zone (proposed out of broken up mining pit)	0.291	0.000	
2	Waste dump yard with environmental protective measures (2A-2B-2C) -(Proposed)		2.855	2.685	5.540
2(A)	Dumping	Dumping of waste(as per broken up plan)	5.620	0.000	
2(B)		Mining (proposed out of broken up dump)	2.482	0.000	
2(C)		Safety zone (proposed out of broken up dump)	0.283	0.000	
3	Sub Grade ore Stacking with environmental protective Measure		0.000	2.348	2.348
4	Transporting Road (4A+4B) – (Proposed)		1.539	0.000	1.539
4(A)	Road	Transporting Road (as per broken up plan)	1.464	0.000	
4(B)		safety zone (used previously as road as per broken up plan.)	0.075	0.000	
5	Camp, Office, Administrative building, Security camp, etc. (5A-5B) – (Proposed)		0.369	0.000	0.369
5(A)	Camp	Camp, Office, Administrative building, Security camp, etc. (as per broken up plan)	0.607	0.000	
5(B)		Safety Zone (proposed out of broken up camp area)	0.238	0.000	
6	Magazine and Plantation area		0.000	0.000	0.000
7	Work shop, Crushing & Screening , Beneficiation Plant etc.		0.000	3.391	3.391
Sub Total (1+2+3+4+5+6+7)			15.652	80.219	95.871
8	Safety Zone area 7.5 mtrs from ML Boundary line (8A-8B)		0.000	5.300	5.300
8(A)	Safety Zone	Safety Zone area 7.5 mtrs from ML Boundary line	0.000	5.375	
8(B)		Area diverted and used as road previously and proposed for use	0.000	0.075	
Grand Total (Sub Total+8)			15.652	85.519	101.171

**Table-3**  
**Abstract of Proposed forest Land use**

Sl. No.	Pattern of Utilization	Broken up forest Land (in ha)	Virgin Forest Land (in ha)	Total Forest Land (in ha)
1	Mining including mines road (1A-1B+2B)	10.889	71.795	82.684
2	Waste dump yard with environmental protective measures (2A-2B-2C)	2.855	2.685	5.540
3	Sub Grade ore Stacking with environmental protective Measure	0.000	2.348	2.348
4	Transporting Road (4A+4B)	1.539	0.000	1.539
5	Camp, Office, Administrative building, Security camp, etc. (5A-5B)	0.369	0.000	0.369
6	Magazine and Plantation area	0.000	0.000	0.000
7	Work shop, Crushing & Screening , Beneficiation Plant etc.	0.000	3.391	3.391
<b>Sub Total</b>		<b>15.652</b>	<b>80.219</b>	<b>95.871</b>
8	Safety Zone area 7.5 mtrs from ML Boundary line (8A-8B)	0.812	4.488	5.300
<b>Grand Total (Sub Total+8)</b>		<b>16.464</b>	<b>84.707</b>	<b>101.171</b>

#### 4. Compensatory Afforestation.

I.	Total Mining Lease area	-	101.171 Ha.
II.	Forest area involved in the ML	-	101.171 Ha.
III.	Forest area broken (Prior to 1980)	-	16.464 Ha.
IV.	Forest area covered under safety zone	-	5.300 Ha.
V.	Forest area applied for diversion in 1 <sup>st</sup> RML including SZ over 5.300 ha	-	101.171 Ha.

Non-forest Govt. Land over 16.464 ha has been allotted for Compensatory Afforestation against the diversion of 16.464 ha forest land during the subsisting lease period in compliance with condition No. 2 (ii) of Stage-II approval vide F.No.8-103/2000-FC Dated 14.11.2005 of MoEF, Govt. of India and the same land has been mutated in favour of State Forest Department and proposal for PF notification has been submitted to the CCF, Nodal vide memo No. 6964 dated. 08.11.2007. In the instant 1<sup>st</sup> RML diversion proposal, Non-forest Govt. land to the tune of 79.407 ha (101.171 ha – 16.464 ha – 5.300 ha) has been identified and allotted over an area of 69.64 ha in village Damdargouni under Telkoi Tahasil and 9.800 ha. in village Champajhar under Bansapal Tahasil vide letter No.2255/Rev Dtd. 23.11.2009 of Collector, Keonjhar for Compensatory Afforestation. The copy of the allotment letter is enclosed as **Annexure – XXII**. Compensatory Afforestation scheme in respect of aforementioned Non-forest land is enclosed herewith.

#### 5. Net Present Value.

The lessee holds two mines viz Dalpahar Iron and Manganese Mines of Sri D.C.Jain and Sidhamath Iron and Manganese of Sri D.C.Jain in their favour.

The Dalpahar Iron and Mn. Mines of Sri D.C.Jain involves 101.171 ha. forest land (Baitarani Reserve Forest) and the NPV has been demanded to the tune of Rs. 7,13,85,230/- over entire forest land involved in the Mining Lease @ Rs. 5,80,000/- per ha. over 16.464 ha. of broken up forest



land (density-0.1) and @ Rs. 7,30,000/- over 84.707 ha. of virgin forest land (density-0.2). The demanded amount has been realised from the lessee through Demand Draft for Rs. 95,49,120/- which has been subsequently transferred to Ad-Hoc CAMPA account. The balance amount of Rs. 6,18,36,110/- has been deposited by the lessee through RTGS mode in Ad- hoc CAMPA Account.

The Sidhamath Iron and Manganese Mines of Sri D.C.Jain over 29.421 ha (Sidhamath RF) has been conditionally granted way back in 1984. The said mines is not yet executed. The lessee has applied for diversion of total forest area over 29.421 ha in 2008 bearing State Sl.No. 283/08 Dt. 11.11.2008. NPV in respect of the forest land is not realised since the lease is not granted. Action is being taken for realisation of NPV amount on receipt of Stage-I approval vis-à-vis grant of lease by Govt. Of Odisha, Steel and Mines Department.

## **6. Flora & Fauna**

Tree Species commonly noticed in this area comprises Sal, Piasal, Kurum, Gambhar, Bandhan, Assan, Dhaura, Jamu, Kasi, Kendu, sisoo etc, Sal is the predominant species. No rare or endangered flora or fauna is noticed in this area.

## **7. Wild Life Management**

The area does not form part of any National Park, Wild Life Sanctuary, Biosphere Reserve. It also does not come under any wild life corridor. But the area is coming under Elephant habitat zone-2 as per report of ORSAC. There is movement of wild elephants often noticed in the fringe area. In this regard, a comprehensive Site Specific Wildlife Conservation Plan prepared and submitted to the PCCF, (Wildlife) & CWLW, Odisha for approval vide memo No. 2032 dated 03.09.2014 of RCCF, Rourkela Circle has been approved with a financial outlay of Rs. 2,50,25,400/- . ( Rs. 64,73,400/- for Project area and Rs. 1,85,52,000/- for Project Impact area). The approved amount for project impact area has been demanded vide this office letter No. 8804 dated. 29.12.2014. An amount of Rs. 20,23,420/- has been deposited on dated 23.09.2011 towards Regional Wildlife Management Plan at the rate of Rs. 20,000/- per ha and the differential amount at the prevailing rate of Rs. 43,000/- per ha has been demanded vide this office letter No.2309 dated 25.02.2015. The lessee has furnished an undertaking to bear the differential cost towards Regional Wildlife Management Plan.

## **8. Tree Enumeration.**

There are 1257 Nos. of sound, 1278 Nos. of unsound trees and 3114 nos. of poles below 30 cm girth have been enumerated in the broken up area of 16.464 ha. 2134 nos. of sound, 2499 Nos. of unsound trees and 8441 Nos. of poles below 30 cm girth have been enumerated in the representative sample plots of 20.00 ha within the virgin area of 84.707 ha. of the Mining Lease. The species wise and diameter class wise abstract of enumerated trees is enclosed as **Annexure –XXIII(A) & XXIII(B)**.

## **9. Cost benefit analysis.**

The Cost Benefit analysis has been worked out as per the guide lines of Forest (Conservation) Act, 1980 and enclosed in the proposal as **Annexure- XVI(A), XVI(B), XVI(C)**. The Cost Benefit ratio is 1 : 28.27.

## **10. Re-settlement and Rehabilitation.**

The project does not involve displacement of any human habitation.

## 11. Mining Plan

The Mining Scheme along with PMCP has been approved by the IBM vide No. SM/OTF.MECH/84-ORI/BHU/2010-11 dt. 24.05.2011 which is valid up to 31.03.2016 (Copy enclosed as **Annexure- XIII**).

## 12. Environmental Clearance

The User Agency has applied for Environmental Clearance and obtained ToR vide No. J-11015/844/2007-IA.II(M)dt. 23.09.2008 for 0.31 MTPA for Iron & 0.094 MTPA for Manganese Ore of Govt. of India, MoEF (Copy enclosed as **Annexure- XIV**). Subsequently the public hearing was conducted on 28.06.2011 and the proposal has been presented before the Expert Appraisal Committee of MoEF on 26.06.2012. The committee has recommended the proposal for grant of Environmental Clearance. Copy of the Minutes of Meeting of EAC is enclosed as **Annexure – XV**.

## 13. Safety Zone

An area of 5.300 ha. has been earmarked for Safety Zone within the ML area. The details of area under Safety Zone is as under.

Safety Zone Area					
7.5 mtrs from ML Boundary Line					
i)	Block A - 4184.294 x 7.5/10000 = 3.138 Ha.	5.375	(-0.075)***	5.300	<b>***Out of 5.375 Ha. forest land located in the safety zone, 0.075 Ha. comes under diverted land used for Road. Therefore, the final safety zone area has been kept over 5.300 Ha.</b>
ii)	Block B1 - 316.992 x 7.5/10000 = 0.238 Ha.				
iii)	Block B2 - 1422.197 x 7.5/10000 = 1.067 Ha.				
iv)	Block B3 - 453.238 x 7.5/10000 = 0.339 Ha.,				
v)	Block B3 - 789.432 x 7.5/10000 = 0.593 Ha.				

The management of Safety Zone will be as per the recent guidelines of MoEF vide No.11-125/2014-FC dt. 04.07.2014. The Safety Zone has been demarcated by erecting adequate number of 4 feet high RCC boundary pillars. **In addition, an equivalent forest land over 0.075 ha. is suggested to be kept undisturbed and maintained as green belt in the ML area in lieu of the forest land over 0.075 ha. being part of safety zone proposed to be used for road at the project cost.**

## 14. Phased Reclamation Plan.

Earlier mined out area has not been reclaimed. Reclamation will be carried out, after exhaustion of the mined out area as per mining plan. In this regards the User Agency has furnished an undertaking vide **Annexure- XX**.



### **15. Lease Profile**

The User Agency has furnished the lease profile vide **Annexure- XIX** in the Diversion Proposal.

### **16. District Profile**

The district profile in the prescribed proforma vide **Annexure- VII** of FC Act guideline is annexed herewith as **Annexure - XXVI**.

### **17. Compliance of the conditions stipulated in the Stage-II order.**

The Compliance of the conditions stipulated in the Stage-II order granted vide letter No.8-103/200-FC dt. 14.11.2005 is enclosed as **Annexure – II**.

### **18. Compliance to Statute(s),circular & directives issued by Govt. of India, MoEF as applicable to the project which came in to force after grant of earlier approval.**

The desired compliance is enclosed as **Annexure - XXV**

### **19. Violation and Action Taken thereof.**

#### **Violation.**

Illegal Production of Fe Ore during the following Period-

1993-94---708 MT

1994-95---453 MT

1995-96---327 MT

#### **Action taken.**

For the illegal production of mineral, OR case No. 80CH of 2014-15 dated 01.08.2014 has been booked. Prosecution has been sanctioned against the Mines Manager and submitted in the Court of JMFC, Barbil vide PR No. 11 of 2014-15 dated. 15.11.2014

### **20. Pending Court Matters.**

Revision application of the lessee in the Mines Tribunal, Ministry of Mines, Govt. of India on the decision of Steel & Mines Department, Govt. of Odisha declaring block-B1,B2,B3 and C lapsed is pending at the mines Tribunal, Ministry of Mines, Govt. of India.

### **21. Any Other Information.**

- a) Certificate under Forest Right Act, 2006 – The mining lease is situated under the jurisdiction of Joda Municipality. The certificate to this effect furnished by the Executive Officer, Joda Municipality is annexed herewith as **Annexure-XXI**. The Collector, Keonjhar has been requested to furnish certificate to this effect as desired under FC Act guideline vide this office letter No. 3579 dated 17.04.2015 and intimate the same to the RCCF, Rourkela as per the FC amendment Rule, 2014.



- b) Site Inspection report of the Deputy Conservator of Forests, Keonjhar Division is furnished as **Annexure- XXVIII**.
- c) The DGPS map signed by all concerned officials of Revenue, Mining and Forest Dept., validated by ORSAC and duly countersigned by the undersigned is enclosed as Plate-X.

The submitted diversion proposal over 101.171 Ha. of Forest land in the 1<sup>st</sup> renewal of the mining lease is forwarded herewith for approval as per provision under section -2 (ii) of Forest (Conservation) Act, 1980 (Amended) in compliance with the guideline issued vide F.No. 11-51/2015-FC dated 01.04.2015 of Govt. of India, MoEF &CC.

**Enclosure- Diversion proposal along with requisite documents.**

**Divisional Forest Officer,**  
**Keonjhar Division.**

**Memo No. \_\_\_\_\_/Dated**

Copy forwarded to the Additional Principal Chief Conservator of Forests, Forest Diversion and Nodal officer, O/O. the Principal Chief Conservator of Forests, Odisha for favour of kind information.

**Divisional Forest Officer,**  
**Keonjhar Division.**