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OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
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No. 20702 /9F (MG) – 80/2016
Dated, Bhubaneswar the 17th October' 2023

From

Sri Susanta Nanda, IFS
Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

The Deputy Inspector General of Forests (FC)
Government of India
Ministry of Environment, Forests & Climate Change (F.C. Division)
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road
New Delhi-110003

Sub: Proposal for non-forestry use of 63.30 ha Sabik Kisam forest land in addition to 371.192 ha of forest land already diverted located within the Mining Lease hold area over 767.284 ha in favour of M/s JSW Steel Ltd for Nuagaon Iron Ore Mines in Barbi Tahasil of District Keonjhar (Odisha) – Submission of Stage-I compliance regarding.

Ref: F. No.8-17/2001-FC(Vol) dated 14.03.2022 of Assistant Inspector General of Forests, GoI, MoEF & CC (FC Division), New Delhi.

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change (FC Division), New Delhi has accorded **“in-principle”** approval vide F. No. 8-17/2001-FC(Vol) dated 14.03.2022 of Assistant Inspector General of Forests, GoI, MoEF & CC (FC Division), New Delhi in respect of non-forestry use of 63.30 ha Sabik Kisam forest land in addition to 371.192 ha of forest land already diverted forest land located within the Mining Lease hold area over 767.284 ha in favour of M/s JSW Steel Ltd for Nuagaon Iron Ore Mines in Barbi Tahasil of District Keonjhar (Odisha) subject to fulfillment of 13 nos. of conditions prior to handing over of forest land by the State Forest Department and 17 nos. of conditions after handing over of forest land to the User Agency by the State Forest Department. The point wise compliance basing on the reports of the DFO, Keonjhar Forest Division and RCCF, Rourkela Circle are as follows:-

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

Condition No. (i): The Compensatory afforestation over equivalent non-forest land, shall be raised by the State Forest Department at the project cost. At least 1000 saplings per ha shall be planted over admissible CA land. If this 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.

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Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the Collector, Keonjhar has allotted non-forest Govt. land measuring 63.30 ha in village Phuljhar under Banspal Tahasil of Keonjhar District for raising Compensatory Afforestation. The CA Scheme has been prepared in ANR mode @200/- seedlings per ha at the wage rate of Rs.315/- per MD with 10 years maintenance and the CA scheme shall accommodate only 12660 seedlings as total seedlings required are 63,300 seedlings (63.30 ha x 1,000 nos.). However, to accommodate balance seedlings of 50,640 (63,300 - 12,660) Addl. CA land has to be identified. Therefore, additional CA land has been identified in Kuanr DPF under BJP Range of Keonjhar Division over 65.00 ha (to be planted in 60.00 ha and 5.00 ha MDF) and the scheme has been prepared in AR mode by planting 1000 seedlings per ha over 60.00 ha and balance 5.0 ha as ANR without gap at the wage rate of Rs.315/- MD with 10 years maintenance to accommodate the balance seedlings as per stipulation. (Requirement is 63,300 nos. and to be planted 60 x 1000 = 60,000 nos.)

The CA scheme prepared in ANR mode in non-forest Govt. land identified in Phuljhar under Banspal Tahasil of Keonjhar District has been technically approved by the CCF(Nodal), O/o- the PCCF & HoFF, Odisha, Bhubaneswar with a total financial outlay of Rs.68,58,800/-. Further, the Degraded Forest Land over 65.00 ha has been identified in Kuanr DPF under BJP Range of Keonjhar Division for Additional Compensatory Afforestation, has been technically approved by the CCF (Nodal) with financial out lay of Rs.1,59,29,700/-. The total financial outlays both the CA & ACA amounting to Rs.2,27,88,500/- has been adjusted as per memo No.6887 dated 10.04.2023 of the PCCF (Nodal), Odisha, Bhubaneswar out of the advance deposited amount Rs.48,71,31,000/- on dated 10.06.2020 in the Orissa CAMPA Account by the user agency. (i.e lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease).The relevant letters of adjustment are enclosed as **Annexure-1.**

Condition No. (ii): 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 deposited in CAF.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that, 25% of CA cost towards SMC activities remains included in the financial outlay of approved Compensatory Afforestation Scheme.

Condition No. (iii): 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 user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the DFO, Keonjhar Division has prepared the scheme for Compensatory Afforestation over 63.30 ha of non-forest Govt. land identified in Village Phuljhar under Banspal Tahasil, has been technically approved by the CCF (FD & NO, FC Act) with a total financial outlay of Rs.68,58,800/-. Besides, Additional

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Compensatory Afforestation scheme over 65.00 ha of degraded forest land identified in Kuanr DPF under BJP Forest Range of Keonjhar Division has been prepared and technically approved with a total financial outlay of Rs.1,59,29,700/- by the CCF (FD&NO FC Act), O/o the PCCF & HoFF, Odisha, Bhubaneswar. The schemes have been prepared at the prevailing wage rate i.e. Rs.315/- per man day with a maintenance period of 10 years. The Schemes includes afforestation of indigenous species and the cost of survey, demarcation has been incorporated in the schemes and the same have been duly approved by the PCCF. The total financial outlays of both CA & ACA scheme amount to Rs. 2,27,88,500/- has been adjusted as per Memo No.6887 dated 10.04.2023 of the PCCF (Nodal), Odisha, Bhubaneswar from the advance lump sum amount of Rs. 48,71,31,000/- deposited by the User Agency in the Orissa CAMPA Account on 10.06.2020 (i.e. lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease). The relevant letters of adjustment are already enclosed as **Annexure-1**. The User Agency has erected with 4 feet high RCC pillars in the CA land and the Photo copy is enclosed as **Annexure- 1 B**.

Condition No. (iv): *The non-forest land identified for CA shall be transferred and mutated in favour of the State Forest Department and subsequently notified by the State Government as RF under Section - 4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act before Stage-II approval. A copy of the final Notification shall be submitted along with the compliance of Stage-I approval.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the Non forest land identified in village-Phuljhar under Banspal Tahasil for Compensatory Afforestation has been transferred and mutated in favour of State Forest Department and the Tahasidar, Banspal has issued RoR vide Khata No.154/2. The copy of the ROR is enclosed as **Annexure-2**. Subsequently the said land has been notified as PF under Section-33 of the Odisha Forest Act, 1972 vide Notification No.395/FE&CC dated 02.03.2023 of Special Secretary to Govt., FE&CC, Dept. Govt. of Odisha, Bhubaneswar. The Copy of the Notification is enclosed as **Annexure-3**.

Condition No. (v): *The KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the DFO, Keonjhar Forest Division has uploaded the KML files of diverted forest areas, the CA areas, the proposed SMC treatment area and the WLMP area on the e-Green watch portal with all requisite details. The CD in six sets is appended as **Plate-A** which contains the KML files of diverted forest areas, the CA areas and the proposed SMC treatment.

2. **Condition:** *The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User in accordance with the MoEF & CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that as per the guideline dated 31.03.2020 of MoEF & CC, GoI, New Delhi the User Agency had deposited in State specific CAMPA Account on dated 10.06.2020 towards a lump sum amount of Rs.48,71,31,000/- @

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7.50 lakh/ ha over 649.508 ha of forest land involved within the Mining Lease of Nuagaon Iron Mines. However, the user agency was demanded Rs.7,06,99,770/- towards NPV @Rs. 11,16,900/- per ha over 63.30 ha forest land vide office letter No. 2579 dated 07.04.2022 of the DFO, Keonjhar Division. But as per the request of the user agency, the PCCF (Nodal) Odisha, Bhubaneswar vide his memo No.6887 dated 10.04.2023 allowed to adjust the present demanded amount of Rs. 7,06,99,770/- from the advance deposited amount of Rs. 48,71,31,000/- on dated 10.06.2020 in the Orissa CAMPA Account by the user agency (i.e lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease).The relevant letters in this regard are enclosed as **Annexure-4**.

3. **Condition:** *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/>).*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the Compensatory levies demanded, has been adjusted from the advance amount of Rs. 48,71,31,000/- on dated 10.06.2020 in the Orissa CAMPA Account by the user agency (i.e lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease) vide Memo No. 6887 dated 10.04.2023 of PCCF (Nodal), Odisha, Bhubaneswar. The relevant letter in this regard is enclosed as **Annexure-1**. The statement of funds deposited by the user agency duly signed by the DFO, Keonjhar division and countersigned by the PCCF (FD & Nodal Officer, FC Act) in prescribed format is enclosed as **Annexure-1A**.

4. **Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department. Approved scheme/plan shall be submitted to the Ministry along with compliance of Stage-I approval:**

Condition No. (i): *Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for Mitigative measures to minimize soil erosion and choking of stream has been technically approved with financial out lay of Rs.16,21,43,000/-. The copy of the approved scheme is enclosed as **Annexure-5**. The User Agency will execute the item of works mentioned in the approved scheme in a phase manner at the project cost in consultation with the State Forest Department. An undertaking to this effect submitted by the user agency duly countersigned by the DFO, Keonjhar Forest Division is enclosed as **Sl. No. 01 of Annexure-6**.

Condition No. (ii): *Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved scheme.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for planting of adequate drought hardy plant species and sowing of seeds has been technically approved with a Financial outlay of Rs.2,94,91,300/-. The scheme is prepared for block plantation over 80 ha.

grass seedlings over 4.95 ha and avenue plantation over 10 KM is enclosed as **Annexure-7**. The user agency will execute the item of works mentioned in the approved scheme in a phased manner at the project cost in consultation with the State Forest Department. An undertaking to this effect submitted by the user agency duly countersigned by the DFO, Keonjhar Forest Division is enclosed at **Sl. No. 02 of Annexure-6**.

Condition No. (iii): Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved scheme.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for Construction of Check Dam, retention/toe walls to arrest sliding down of the excavated material along the contour has been technically approved with no budgetary provision as the various items of works/activities suggested in this scheme, will be taken up out of fund of Rs.16,21,43,000/- provided in the scheme prepared & approved in compliance with the **Condition No.4 (i)** above. The copy of the scheme is enclosed as **Annexure-7A**. The user agency will execute the item of works mentioned in the approved scheme in a phased manner at the project cost in consultation with the State Forest Department. An undertaking to this effect submitted by the user agency duly countersigned by the DFO, Keonjhar Forest Division is enclosed at **Sl. No. 03 of Annexure-6**.

Condition No. (iv): Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28 degree, and.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for stabilization of the overburden dumps by appropriate grading/benching so as to ensure that angles of repose at any given place is less than 28° has been technically approved with no budgetary provision as the various items of works/activities suggested in this scheme, will be taken up out of fund of Rs.16,21,43,000/- provided in the scheme prepared & approved in compliance with the **Condition No.4(i)** above. The copy of the scheme is enclosed as **Annexure-7B**. The user agency will execute the item of works mentioned in the approved scheme in a phased manner at the project cost in consultation with the State Forest Department. An undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division is enclosed at **Sl. No. 04 of Annexure-6**.

Condition No. (v): No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for top soil management has been technically approved with a financial outlay of Rs.3,67,16,110/-. The scheme is enclosed as **Annexure-8**. The user agency will execute the item of works mentioned in the approved scheme in a phased manner at the project cost in consultation with the State Forest Department. An undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division is enclosed at **Sl. No. 05 of Annexure-6**.

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5. **Condition:** Compliance of observations, as suggested by the IRO in its monitoring report, may be ensured by the State Government and a status report on the same may be submitted to the IRO of the Ministry at the interval of every six months.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency will submit the status report to IRO of the Ministry as suggested by the IRO in its monitoring report at the interval of every six months. An undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division is enclosed at Sl. No. 06 of Annexure-6.

6. **Condition:** *User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 meter from outer perimeter of the mining lease. The plan for plantation and SMC activities will be prepared and submitted to MoEF & CC before Stage-II Clearance.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40) within 100 m outer perimeter of mining lease has been technically approved with a financial outlay of Rs.3,21,81,600/-. A copy of approved scheme is enclosed as **Annexure-9**. The user agency was requested to deposit the said approved amount of Rs.3,21,81,600/- vide his office letter No.4543 dated 17.06.2022. But as per request of the User Agency, the demanded amount Rs.3,21,81,600/- has been adjusted from the advance amount of Rs.48,71,31,000/- deposited by the User Agency on dated 10.06.2020 in the Orissa CAMPA Account (i.e lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease). The relevant letters are enclosed as **Annexure-1**. An undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division is enclosed at Sl. No. 07 of Annexure-6.

7. **Condition:** *The User Agency shall prepare a list of existing village tanks and other water bodies with GPS co-ordinates located within five km from the mine lease boundary. This list is to be duly verified by the concerned Divisional Forest Officer. The User Agency shall regularly undertake desilting of these village tanks and other water bodies so as to mitigate the impact of siltation of such tanks/water bodies. A detailed approved plan for desilting of identified ponds and water bodies to be prepared in consultation with forest department and shall be submitted to MoEF & CC before Stage-II approval.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for de-silting of village tanks & other water bodies in five villages located within the 5 KM from the mine lease boundary so as to mitigate the impact of siltation of such tanks/water bodies has been technically approved with a financial out lay of Rs.84,49,100/-. The scheme includes a list of existing village ponds and other water bodies with GPS coordinates located within five KM from the mine lease boundary which has been duly vested. The copy of approved scheme is enclosed as **Annexure-10**. The user agency will execute the item of works mentioned in the approved scheme in a phased manner at the project cost in consultation with the State Forest Department. An undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division is enclosed at Sl. No. 08 of Annexure-6.

8. **Safety Zone Management:** Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:

Condition No (i): *User agency shall ensure demarcation of safety zone (7-5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the safety zone (7.5 meter strip all along the inner boundary of mining lease area) has been demarcated by erecting 6 feet high RCC pillars. Each pillar has been inscribed with its serial number and DGPS co-ordinates alongwith photocopies of pillars are enclosed as **Annexure-10A & 10B**. The safety zone area will be fenced with Bamboo Twigs & thorns. The cost norm includes the provision of watch & ward. A revised scheme for fencing, protection and regeneration of safety zone has prepared with provision of Angle Iron & Chain Link wire mesh fencing and technically approved with a financial outlay of Rs.2,18,05,500/- vide his Memo No.2355 dated 26.07.2023. The plantation norm includes provision for watch & ward. The revised approved scheme is enclosed herewith as **Annexure-10C**.

Condition No (ii): *Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the boundary of the safety zone of the mining lease, adjacent to habitation/roads is properly fenced by the user agency and the photocopies pillars are enclosed as **Annexure-10D**.

Condition No (iii): *Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the State Forest Department.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the scheme for fencing, protection & regeneration of Safety Zone has been technically approved with a total financial outlay of Rs.33,99,000/-. A copy of the approved scheme is enclosed as **Annexure-11**. The user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to maintain the Safety Zone as green belt around mining lease & regeneration shall be taken up in this area under the supervision of State Forest Department, is enclosed at **Sl No. 9 of Annexure-6**.

Condition No (iv): *Afforestation on degraded forest land to be selected elsewhere, measuring one and a half times the area under safety zone, shall also be done at the project cost under the supervisions of the State Forest Department. The degraded forest land (DFL) so selected will be informed to the MoEF & CC with shape files before Stage-II approval and afforestation will be done within three years from the date of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department; and.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that Degraded Forest Land measuring 15.00 ha i.e. one and a half times of the area under safety zone over 9.841ha has been

identified in Kunar DPF under BJP Range of Keonjhar Forest Division for afforestation technically approved with a financial outlay of Rs.73,39,200/-. A copy of approved scheme is enclosed as **Annexure-11A**. The shape file of the degraded forest land (DFL) is enclosed herewith in CD format as **Plate-A**. Further the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to the effect that the safety zone afforestation is to be done within three years from the date of Stage-II forest clearance in consultation with State Forest Department, is enclosed at **Sl No. 10 of Annexure-6**. An amount of Rs.73,39,200/- towards the cost of the aforesaid 1.5 times Safety Zone Scheme has been adjusted as per Memo No.6887 dated 10.04.2023 of the PCCF (Nodal), Odisha, Bhubaneswar from the advance amount Rs. 48,71,31,000/- deposited by the User Agency in the Orissa CAMPA Account on 10.06.2020 (i.e. lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease). The relevant letters of adjustment are already enclosed as **Annexure-1**.

Condition No (v): *The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to maintain the safety zone as per the prescribed norms which is enclosed at **Sl. No. 11 of Annexure-6**.

9. **Condition:** *As the enumeration was done in 2016 and there is likely chances of increase in the number of trees in the area proposed for diversion, therefore re-enumeration needs to be done in the area and report on the same shall be submitted along with the Stage-I compliance.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that Fresh tree enumeration has been done during the year 2022 over 63.30 ha Sabik KISSAM Forest land proposed for diversion accordingly to which there are 2899 nos. of trees existing in the forest land. The fresh tree enumeration list alongwith abstract is enclosed as **Annexure-12**.

10. **Condition:** *The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to deposit the cost of felling of trees with the State Forest Department, is enclosed at **Sl No. 12 of Annexure-6**.

11. **Condition:** *Wildlife Management Plan: Cost of implementation of the provisions of the Wildlife Management Plan, on pro rata basis, shall be deposited into the account of CAMPA of the State.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that a Site Specific Wildlife Management Plan was technically approved by the PCCF (WILDLIFE) & CWLW, Odisha vide his letter No.1834/CWLW-FDWC-FD-0125-2021, dt.25.02.2022 with a financial outlay of Rs.899.198 lakh. The approval letter is enclosed as **Annexure-13**. As reported by DFO, Keonjhar Forest Division, demand letter was issued to the user agency to deposit a sum of Rs.899.198 lakhs

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towards the approved cost of SSWCP vide his office letter No.1807 dated 11.03.2022. However, as per the request of User Agency, the total demanded amount of Rs.899.198 lakh has been adjusted as per memo No.6887 dated 10.04.2023 of the PCCF (Nodal), Odisha, Bhubaneswar out of the advance amount Rs. 48,71,31,000/- deposited by the User Agency on dated 10.06.2020 in the Orissa CAMPA Account by the user agency. (i.e lump sum amount @7.50 lakhs per ha over total forest area 649.508 ha involved in the mining lease).The relevant letters in this regard are enclosed as **Annexure-1**.

- 12. Condition: State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence, along with compliance of Stage-I approval, as prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013, in support thereof.**

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the certificate under FRA, 2006 and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 is issued by the Collector & District Magistrate, Keonjhar over 631.544 ha forest area in favour of ex-lessee i.e M/s KJS Ahluwalia which has now been vested with the new lessee i.e M/s JSW Steel Ltd. vide No. 2093 Dt.18.12.2017. As reported by the RCCF, Rourkela, the FRA certificate over 631.544 ha issued in favour of the previous lessee, M/s KJS Ahluwalia also includes FRA certificate for 63.30 ha of Sabik forest land now proposed for diversion in the instant proposal. The copy of the Certificate is enclosed as **Annexure-14**.

Condition: The compliance report shall be uploaded on e-portal-<https://parivesh.nic.in/>.

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the Compliance Report has already been uploaded on e-portal of <http://parivesh.nic.in/> by the user agency.

- 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. Condition: Legal status of the diverted forest land shall remain unchanged.**

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division that the legal Status of the forest land shall remain unchanged which is enclosed at **SI No. 12A of Annexure-6**.

- 2. Condition: At the time of payment of the Net Present Value (NPV) at the present 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.**

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India, is enclosed at **SI No. 13 of Annexure-6**.

- 3. Condition: Trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of concerned DFO).**

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Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to fell the trees in phase manner as per requirement in the approved Mining Plan with prior permission of the DFO, Keonjhar Forest Division, is enclosed at SI No.14 of Annexure-6.

4. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department, is enclosed at SI No.15 of Annexure-6.

5. **Condition:** *The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the concern Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to continue the mining in a phase manner & execute the concurrent reclamation plan as per approved mining plan & submit the annual report on implementation thereof to Nodal Officer, Forest (Conservation) Act, 1980 to the State Government and the concerned Regional Office of the Ministry, is enclosed at SI No.16 of Annexure-6.

6. **Condition:** *The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to comply with the Hon'ble Supreme Court order on re-grassing and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora fauna etc, is enclosed at SI No. 17 of Annexure-6.

7. **Condition:** *Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that M/s JSW Steel Ltd., the successful bidder in respect of Nuagaon Iron Ore block over an area of 776.969 hecets. (as per DGPS)/767.284 hecets. (as per RoR) in Nuagaon village under Barbil Tahasil of Keonjhar district for the

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period of 50 (fifty) years as provided under section 8A, sub-section 2 of the Mines and Minerals Development and Regulation Act, 1957. The lease deed has been executed and registered on 27.06.2020.

8. **Condition:** *The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user Agency has obtained the Environmental Clearance vide their No. J-11015/1156/2007-IA.II(M) Dated 05.08.2021 of MoEF for a quantity of 7.99 MTPA of Iron ore in favor of Nuagaon Iron ore block of JSW Steel Ltd. The copy of the said letter is enclosed as **Annexure-15**.

9. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division that no labour camp has been established in the forest land which is enclosed at **SI No.18 of Annexure-6**.

10. **Condition:** *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 coordinates.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the boundary of diverted forest land, mining lease and safety zone have been demarcated on the ground by erecting of four feet high reinforced cement concrete pillars. Each pillar has been inscribed with its Serial number & DGPS co-ordinates. The photographs are enclosed as **Annexure-10A**.

11. **Condition:** *The layout plan of the mining plan/ 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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the layout plan of the mining plan shall not be changed without prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal. The user agency has submitted an undertaking to this effect duly countersigned by the DFO, Keonjhar Forest Division, is enclosed at **SI No.19 of Annexure-6**.

12. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division that the forest land proposed to be diverted shall not be transferred to any other agency without prior approval of the Central Government which is enclosed at **SI No.20 of Annexure-6**.

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13. **Condition:** *No damage to the flora and fauna of the adjoining area shall be caused.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division not to damage the flora and fauna of the adjoining area shall be caused, is enclosed at SI No.21 of Annexure-6.

14. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to submit the annual self-compliance report to the State Government, concerned Regional Office and to this Ministry by the end of march every year regularly, is enclosed at SI No.22 of Annexure-6.

15. **Condition:** *Any other condition that the concerned Regional Office of this Ministry may stipulate, with prior approval of competent authority, in the interest of conservation, protection and development of forests & wildlife; and.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to comply any other condition that the concerned Regional Office of this Ministry may stipulate, with prior approval of competent authority, in the interest of conservation, protection and development of trees & wildlife, is enclosed at SI No.23 of Annexure-6.

16. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to 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, is enclosed at SI No. 24 of Annexure-6.

17. **Condition:** *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.*

Compliance: In compliance to the above the RCCF, Rourkela Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to comply the violation of any condition of Forest Conservation Act, 1980 as prescribed in para 1.21 of Chapter 1 of Hand book of comprehensive guidelines issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019, is enclosed at SI No.25 of Annexure-6.

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In view of the above, the compliance to the conditions imposed in Stage-I/in-principle approval letter dated 14.03.2022 of Government of India, MoEF & CC (FC Division), New Delhi is sent herewith for according final approval for non-forestry use of 63.30 ha Sabik Kisam forest land in addition to 371.192 ha of forest land already diverted located within the Mining Lease hold area over 767.284 ha in favour of M/s JSW Steel Ltd for Nuagaon Iron Ore Mines in Barbi Tahasil of District Keonjhar (Odisha) under Section-2(ii) of the Forest (Conservation) Act, 1980.

Encl: Compliance in one set

Yours faithfully

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

20703

/Dt.

17-10-2023

Copy alongwith the compliance report forwarded to the Dy. Director General of Forests (Central), MoEF & CC, IRO, Bhubaneswar for favour of kind information and necessary action with reference to F. No. 8-17/2001-FC(Vol) dated 14.03.2022 of Assistant Inspector General of Forests, GoI, MoEF & CC (FC Division), New Delhi.

Encl: Compliance in one set

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

20704

/Dt.

17-10-2023

Copy alongwith the compliance report forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to F. No. 8-17/2001-FC(Vol) dated 14.03.2022 of Assistant Inspector General of Forests, GoI, MoEF & CC (FC Division), New Delhi and No. 6009/FE&CC dated 28.03.2022 of OSD-cum-Special Secretary to Government, FE&CC Department.

Encl: Compliance in one set

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

20705

/Dt.

17-10-2023

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle for information and necessary action with reference to his Memo No. 1624 dated 18.05.2023 & 2906 dated 05.09.2023.

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

20706

/Dt.

17-10-2023

Copy forwarded to the Divisional Forest Officer, Keonjhar Forest Division for information and necessary action with reference to Memo No. 1625 dated 18.05.2023 & 2907 dated 05.09.2023 of RCCF, Rourkela Circle.

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

20707

/Dt.

17-10-2023

Copy forwarded to the Authorised Signatory, Asst. General Manager (Project), Nuagaon Iron Ore Block of M/s JSW Steel Limited, JSW Centre Bandra Kurla Complex, Bandra East, Mumbai, Pin-400051 for information & necessary.

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)