

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated:As per e-Sign

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

Sub: Proposal for non-forestry use of balance forest land of 84.707 ha in favour of M/s D. C. Jain for mining of Iron and manganese ore in Dalpahar Iron & Manganese Ore mines located in Baitrani RF II, District Keojhar (Odisha)- regarding.

Madam/Sir,

I am directed to refer to the Government of Odisha's letter No. 10F (Cons.) 179/2015/16479/F & E Bhubaneswar dated 15.09.2015 on the above mentioned subject for seeking prior approval of the Central Govt. under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Further, it is informed that the proposal along with additional information submitted by the State Govt. vide letter dated FE-DIV-FLD-0101-2021-12349/FE&CC dated 19.07.2021, No. 6233/9F (MG) -18/2015 dated 15.03.2024 and vide letter no. 21005/9F (MG) -18/2015 dated 19.10.2024 was considered by the Advisory Committee Meeting held on 28.11.2024. After the examination of the proposal, the Advisory committee has deferred the proposal for want of the following documents / information:

- i. The site inspection has been done by the regional office in the year 2020 and more than four years' time has elapsed. Additional area for compensatory afforestation has also been provided by the state in between. Therefore, the RO shall submit the fresh SIR for the area proposed for diversion and CA with clear recommendations.
- ii. The State has informed that out of 101.171 ha area, an area of 11.21 ha was declared lapsed except the area of block A. Out of 11.21 ha area 5.87 ha was diverted and 5.34 ha was non-diverted. The remaining diverted area within Block A is therefore 10.594 ha (16.464- 5.87 = 10.594 ha) which was not declared as lapsed. Keeping this in view, it is evident that (101.171 - 11.21)

89.961 ha (79.367 for fresh diversion+ 10.594 ha already diverted) area is involved in the mining lease. However, the State Govt. has submitted the proposal for 84.707 ha and applied in form applicable for the renewal. In this regard the State shall clearly specify the exact area for which the permission is required along with a clear break-up of the area for the fresh diversion/renewal etc. The state shall submit the recommendations accordingly.

- iii. As per the proposed land use details which are now provided by the state, it has been observed that 81.617 ha area has been proposed for mining, However, in the land use at the expiry of the lease period as per mining plan, it has been mentioned that 28.55 ha area would be under utility activities. The mined out forest area is actually required to be reclaimed and handed back to the forest department. The justification for the utility services after the mine closure shall be provided by the state.
- iv. The state has informed that based on a court order the issue of validity of the lease was considered afresh and the state govt. passed an order deciding not to declare and record the mining lease of Sri Avin Jain as lapsed without prejudice to any other proceedings pending against the lessee. In this regard, the state shall reconfirm the validity of the LOI/lease keeping in view the Section 10 A(2)(C) of the amended provisions of MMDR Act,2015. The State shall also give the details of change in the name from Avin Jain to DC Jain in whose favour the forest land diversion proposal has been submitted.

The State shall accordingly do the needful and submit the required information for further consideration of the proposal.

Yours faithfully,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. PCCF (HoFF), Government of Odisha, Bhubaneswar.
2. DDGF (Central), Regional Office of the MoEF&CC at Bhubaneswar - **the RO shall submit the fresh SIR for the area proposed for diversion and CA with clear recommendations.**
3. PCCF cum Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
4. User Agency.

5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.