

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

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi: 110003,
Dated: 1st February, 2021

To

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

Sub: Proposal for change in land use pattern over an area of 0.636 ha of forest land out of 2.411 ha earmarked for magazine/safety zone from already diverted 48.632 ha of forest land in favour of M/s M/s Penguin Trading & Agencies Ltd. for Raikela & Tantra Iron Mines in Sundargarh District (Odisha) – reg.

Sir,

I am directed to refer to the Government of Odisha's letter no. FE-DIV-FLD-0004-2020/11774/F&E dated 29.07.2020, received in the Ministry on 04.01.2021, on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and to inform that scrutiny of the said proposal in the ministry revealed the following:

- i. Area change matrix provided by the State also proposed changes in the area corresponding to following:
 - a. Excavation component proposed to be changed from 32.883 to 36.614 ha i.e. net change of 3.731 ha.
 - b. Plot raising component has been changed from 2.862 ha to 0.0 ha i.e. net change of 2.862 ha
 - c. Dumping of overburden changed from 5.095 ha to 9.149 ha i.e. net change of 4.054 ha.
 - d. Storing of mineral has been changed from 2.604 to 0.188 ha i.e. net change of 2.416 ha.
 - e. Storing of top soil from 0.080 ha to 0 ha i.e. net change has been proposed over an area of 0.080 ha.
 - f. Building of electric component from 0.312 ha to 0.0 ha i.e. net change from 0.312 ha
 - g. Road from 1.931 to 0.488 ha i.e. net change of 1.443 ha
- ii. Though the proposed land use involves change in all project components while proposal for change in land use has been made only in respect of safety zone. A justification/explanation in this regard needs to be obtained from the User Agency/concerned officer of the State.
- iii. Further, some of the project components such as magazine, buildings, sub-stations, top soil storage, plot raising, etc have completely been scrapped in the proposed changed land use. Therefore, the State Government needs to submit its comments on the viability of the project, after scrapping such crucial and indispensable components.
- iv. Ministry on 22.05.2019 has granted approval for change in land use over 0.218 ha from the safety zone and now again a fresh proposal for change in

land use has been submitted. The State Government, instead of submitting proposals in piecemeal may consider submission of consolidated proposal after ensuring detailed assessment of land use required vis-vis mineable reserve in the area.

- v. The State Government may confirm whether the safety zone of 7.5 meter strip is maintained along the inner boundary or outer boundary of the mining lease. From the perusal of facts submitted along with the proposal, it can be ascertained that safety zone is maintained within the lease area. In terms of provisions contained in the guidelines 02.08.2017, incorporated under para 7.9 of the Handbook of Forest (Conservation) Act, 1980 the same should have also been diverted under the FC Act, 1980. A justification in this regard needs to be furnished by the State for not obtaining approval under Section 2 of the FC Act, 1980 in respect of forest area falling under the safety zone area.
- vi. The State Government may also confirm whether the Mining Plan, approved on 17.01.2019 by the IBM, corroborates the changed land use envisaged in the extant proposal. The State Government may ensure that Mining Plan is in consonance with the proposed change in land use of the mining lease.

In view of above, the State Government is requested to submit information/ documents, on the shortcoming as indicated above, for further consideration of the proposal in the Ministry.

Yours faithfully,
Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Odisha, Bhubaneswar
2. The Regional Officer, Integrated Regional Office of MoEF&CC at Bhubaneswar with a request to **inspect the area to assess the status of compliance of conditions stipulated in the approvals granted in the past under the Forest (Conservation) Act, 1980**
3. The Nodal Officer, O/o PCCF, Govt. of Odisha, Bhubaneswar
4. User Agency
5. Monitoring Cell