

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

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003
Dated: March, 2024

To

The Principal Secretary (Forests),
Government of Chhattisgarh,
Raipur.

Sub:- Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s NMDC-CMDC Limited for non-forestry use of 682.2722 ha (570.100 ha inside lease and 112.1722 ha outside lease) forest land for Bailadila Iron Ore Deposit-4 Mine in Dantewada Forest Division, South Bastar, Dantewada District in the State of Chhattisgarh-reg

Sir,

I am directed to refer to the State Government of Chhattisgarh letter No. 5-39/2023/10-2 dated 02.02.2024 on the above subject seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that after examination of proposal the following shortcomings have been observed:

- i. The State Govt had earlier submitted a proposal for diversion of 665.230 ha forest land for Biladila iron ore mine in favour of NMDC which was rejected by the Central Govt vide letter dated 17/04/2017. However, in the Part-1 of the application form the user agency has not mentioned anything about the same. The reasons for not submitting correct details and the justification for submission of present proposal in view of earlier rejection shall be submitted.
- ii. The State shall intimate whether before opening up new area a study to assess the maximum permissible production level which can be sustained ecologically without hampering the existing natural resources has been conducted in the Bailadila Mountain Range.
- iii. Further, the detail of total forest land involved in the project/mining lease, along with the detail of forest land diversion approvals obtained in the past and the area for which which approval is yet to be obtained shall be submitted.
- iv. The State shall examine the proposal as per para 7.8 of the Chapter 7 of the Consolidated Guidelines dated 29.12.2023 and submit the requisite documents and justifications as required.
- v. As per the mining plan submitted by the state the total lease area has been mentioned to be 646.596 ha, whereas the proposal has been submitted for

the diversion of forest area of 682.272 ha. The proposal further mentions that an area of 570.100 ha is inside lease and 112.1722 ha is outside the lease. The non forest land involved has been reported to be only 10.3706 ha. There is thus a mismatch in the area proposed for diversion and the area given in the mining plan. The justification for the same along with the component wise breakup shall be submitted.

- vi. The State shall ensure that the area proposed for diversion is commensurate with the mining plan. A comparative analysis of the component wise area proposed for diversion and the component wise breakup as per mining plan shall be submitted.
- vii. It has been mentioned by the DCF/CCF in the proposal that the Conveyor belt has been proposed in the area taken up under Compensatory Afforestation. The details of the said Compensatory Afforestation along with the justification for proposing the said area for conveyor belt needs submission. The State shall explore the alternatives for the Conveyor belt and avoid the use of said CA land.
- viii. State Government has mentioned in their recommendation that there will be negative impact on tree-ferns located on both sides of nala by the mining activity. Therefore, a study by experts Indian Council for Forestry Research and Education (ICFRE) needs to be conducted to know exact distance from how far the mining activity and infrastructure has to be proposed from the existing tree-fern area for its conservation. The State shall submit the the status of the study so proposed by the authorities of the State Government.
- ix. DFO, Dantewada has mentioned in Part-II that there is presence of rare/endangered/unique species of flora and fauna found in the area. Details of the same needs to be submitted by the State Government.
- x. DFO, Dantewada has also mentioned in Part- II of the application form that proposed area is highly prone to erosion due to steep gradient of Balidila hills. Due to presence of rare Tree Fern species, Soil and water conservation is important. However, soil and moisture conservation plan has not been submitted along with the proposal, the same needs to be submitted.
- xi. The proposal for diversion of forest land has been submitted for a period of 50 years, whereas the mining plan has been submitted for five years only. This needs justification.
- xii. State Government has proposed degraded forest land for Compensatory afforestation. CA on degraded forest land is not permissible in the instant case. The land for Compensatory Afforestation needs to be provided as per provisions contained in Van (Sanrakshan Evam Samvardhan) Rules, 2023, Therefore, suitable land may be accordingly identified for CA and revised CA scheme along with KML file, suitability certificate and DGPS maps etc needs submission.
- xiii. Examination of KML file as per DSS analysis has revealed that, two patches have been excluded from diversion proposal leading to isolation/fragmentation of the forest area. The same needs justification.

- xiv. User Agency has not uploaded the R&R plan on Ministry's web portal in correct format. A compatible copy of R&R plan needs to be uploaded on PARIVESH portal.
- xv. Two sets of Cost benefit analysis have been submitted by the User Agency with C:B ratio of 1:250 and 1:163 both of which are exorbitantly high. The State shall ensure to submit the correct CB analysis on the prescribed format as per the guidelines issued by the Ministry.
- xvi. The State Government shall provide the details of safety zone of the mining lease (along with KML files) as per the para 7.9 of chapter 7 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023.
- xvii. From examination of component wise breakup, it is observed that an area of 65.9 ha of forest land has been proposed under infrastructure (Crushing Plant, Workshop, Administration). Moreover there are other components like screening plan loading plant etc which are also non-site specific in nature. The same can be accommodated on non-forest land.
- xviii. From examination of component wise breakup, it is observed that forest area of 74.07 ha has been proposed for OB dump. There, seems to be no justification for proposing dense forest area for OB Dump. The same can be taken up over non-forest land.
- xix. In component wise breakup it is also mentioned that 241.642 ha is proposed under Environmental Protection, improvement. Details of activities to be carried out in this regard needs to be submitted.
- xx. As per DSS analysis, the area proposed for diversion has been found to be Inviolate or in High Conservation Zone. The proposed forest land is having presence of Very Dense Forest cover and Hydrological feature like Sankani Nadi. Further, 174 ha of land is characterized with Very Dense Forest cover, 297 ha of land is characterized with Moderately Dense Forest cover. The justification for proposing such biologically rich area for proposed activities shall be provided.
- xxi. As per Satellite imagery, some built-up area along with conveyor belt is visible in the proposed forest land for diversion. Whereas the State has not reported any violation in the matter. The same needs clarification.
- xxii. Non-forestry activity is also visible in the proposed forest land for diversion (Khasra No 7, Bade jhad ke jungle) which has been proposed for Railway siding.
- xxiii. The State has not reported any violation, whereas certain forest area has been proposed for the widening of existing roads. This needs clarification.
- xxiv. The mining/non forestry activity is also visible in the area adjoining to the proposed land. In this regard the State shall submit the detail of the adjoining mine along with the approvals obtained for the diversion of forest land. The status of compliance of the stipulated conditions shall also be submitted.

- xxv. The Complete KML file of the instant project providing the details of components as well as forest and non-forest land involved has not been submitted, which is required to be done.
- xiv. As there is presence of Sankani Nadi in the proposed forest land, comments from Water Resource Department needs to be furnished. Further, measures to conserve water regime in the area may also be furnished.

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

Yours faithfully

Sd/-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Government of Chhattisgarh, Raipur.
2. The Dy. DGF (Central), Regional Office, Raipur.
3. The Nodal Officer (FCA), Government of Chhattisgarh, Raipur.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC.