

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

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

Dated: 10th July, 2020

To,

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

Sub: Proposal for change in land use pattern over an area of 0.218 ha from Safety Zone purpose to mining purposes of already diverted 48.632 ha of forest land over lease area of 49.372 ha at Raikela & Tantra Iron Mines in village Raikela & Tantra in Bonai Forest Division in Sundargarh District of M/s Penguin Trading & Agencies Ltd.

Sir,

I am directed to refer to the State Government's letter No. 10F(Cons)104/2018-7242/F&E dated 09.04.2019 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and to say that the above subject proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) and approval of competent authority in the Ministry, *In-principle/Stage-I* approval was granted vide this Ministry's letter of even number dated **22.05.2019** subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer(FCA), Govt. of Odisha's letters No. 3370/9F (MG)- 14/2019 dated 13.02.2020 and letter No.10512/9F(MG)-14/2019 dated 28.05.2019, *approval* of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for change in land use pattern over an area of 0.218 ha from Safety Zone purpose to mining purposes of already diverted 48.632 ha of forest land over lease area of 49.372 ha at Raikela & Tantra Iron Mines in village Raikela & Tantra in Bonai Forest Division in Sundargarh District of M/s Penguin Trading & Agencies Ltd., subject to following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Govt. shall ensure that the Compensatory Afforestation may be raised by the State Forest Department over identified non forest land in village Dengula of Koira Tehsil coming under Barsuan Range of Bonai Forest Division, Distt., Sundargarh, Odisha in lieu of 0.218 ha. of forest land being used for mining, within three years from the issue of approval and maintained thereafter from the funds deposited by the User Agency. At least 1000 plants per hectare shall be planted over identified non- forest land, if it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years' subsequent maintenance;
- iii. The State Government and user agency shall ensure to maintain safety zone as per the prescribed norms.
- iv. The State Govt. shall ensure that wherever possible trees may translocated prior to starting mining activity in supervision of State Forest Department;

- v. The State Govt. shall ensure that the user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. The State Govt. shall ensure that all the conditions incorporated in Memorandum of Understanding between Jindal Steel & Power Ltd. & Penguin Trading & Agencies Ltd., Barbil for sharing common boundary shall be complied;
- vii. The State Govt. and the user agency shall ensure complete compliance of the FRA, 2006;
- viii. The State Govt. shall ensure that 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 granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
- ix. The State Govt. shall ensure that the User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- x. The State Govt. shall ensure that 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; and
- xi. The State Govt. shall ensure that 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.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. The Nodal Officer, O/o the PCCF, Government of Government of Odisha, Bhubaneswar.
3. The Dy. Director General (Central), Regional Office, Bhubaneswar
4. Monitoring Cell, FC Division, MoEF&CC
5. User agency
6. Guard File