

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
EASTERN REGIONAL OFFICE
A/3, CHANDRASEKHARPUR, BHUBANESWAR - 751 023
TEL. : (Off.) 2301213, 2302432, 2302443, 2302452, 2302453
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भारत सरकार
पर्यावरण एवं वन मंत्रालय,
पूर्वी क्षेत्रीय कार्यालय
ए/3, चन्द्रशेखरपुर, भुवनेश्वर - 751 023
तार - पर्यावरण, भुवनेश्वर

BY SPEED POST

No.8(21)7/2000/FCE

Date: 23.02.2011

To

The Assistant Inspector General of Forests,
Ministry of Environment & Forests,
Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi-110003

Subject: Diversion of 865.2760ha of forest land out of 947.046ha of ML area for mining of iron ore in favour of M/s Sarda Mines Pvt. Ltd. In village Sayabali, Balita and Thakurani RF in Keonjhar district of Orissa- Application for permission to carry out mining operations by the user agency over 617.108ha of forest land out of 865.276ha of already diverted forest land-**Approval of changed land use pattern-reg.**

Sir,

With reference to the subject cited as above, I am directed to inform you that the site inspection of the above mentioned project was carried out by the Conservator of Forests (Central) of this office on 12th January, 2011 and the site inspection report is enclosed herewith for favour of information and necessary action.

Yours faithfully,



Encl : As above

(ASHOK KUMAR BISWAL)
CONSERVATOR OF FORESTS (C)

A 2 G (Hc)
23/03/2011

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23/02/2011

33c

Site Inspection in respect of Diversion of 865.2760ha of forest land out of 947.046ha of ML area for mining of iron ore in favour of M/s Sarda Mines Pvt. Ltd. In village Sayabali, Balita and Thakurani RF in Keonjhar district of Orissa-Application for permission to carry out mining operations by the user agency over 617.108ha of forest land out of 865.276ha of already diverted forest land-approval of changed land use pattern.

The proposed site was inspected by me during 30-31 Dec, 2010 and on 12, Jan, 2011. During the SI, the R.O. Barbil, Sri Mohanty was present. The DFO, Keonjhar or ACF, Keonjhar couldn't come despite of personal information to the DFO over phone. The earlier CA site couldn't be visited as the DFO or ACF didn't turn up at BJP range on 14.01.2011 though promised. Sri Arjun Sarswat, Agent, Sri Gupta Vice President, Sri Singh, Mines Manger, all from the UA, were present during the time of inspection.

As per the information given by the state, the validity of forest clearance for this project was for a period of 20 years. Presently the Mining lease is within the 2nd RML period, valid from 14.08.2001 to 13.08.2021. The renewal of mining lease area comprises of 947.046ha of land which included 941.498 ha of Reserve Forest land, 2.428 ha of Village Forest Land and 3.120 ha of non-forest land. Subsequently on the recommendation of the State Government made vide letter No.11943/F&E dated 19.07.2006 for transfer of this lease in favour of M/s Sarda Mines Pvt. Ltd, the Govt. of India, MoEF have allowed the transfer of this lease from Sri SL Sarda and ML Sarda to M/s Sarda Mines Pvt. Ltd vide their letter F.No.8-55/2000-FC dated 18.08.2006.

The land use pattern was approved by the Government of India, MoEF vide their letter no. 8-55/2000-FC dated 21.06.2001 as under:

Sl. No.	Item of work	Reserved Forests in ha.	Village forest in ha	Total forest in ha	Non-forest land in ha	Total land in ha.
1	Mining	166.320	-	166.320	-	166.320
2	Storing of sub-grade minerals	20.531	-	20.531	-	20.531
3	Dumping of over burden	32.104	-	32.104	-	32.104
4	Magazine	0.150	-	0.150	-	0.150

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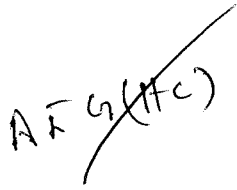
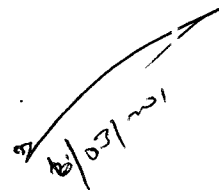
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The proposed site was inspected by me during 30-31 Dec, 2010 and on 12, Jan, 2011. During the SI, the R.O. Barbil, Sri Mohanty was present. The DFO, Keonjhar or ACF, Keonjhar couldn't come despite of personal information to the DFO over phone. The earlier CA site couldn't be visited as the DFO or ACF didn't turn up at BJP range on 14.01.2011 though promised. Sri Arjun Sarswat, Agent, Sri Gupta Vice President, Sri Singh, Mines Manger, all from the UA, were present during the time of inspection.

As per the information given by the state, the validity of forest clearance for this project was for a period of 20 years. Presently the Mining lease is within the 2nd RML period, valid from 14.08.2001 to 13.08.2021. The renewal of mining lease area comprises of 947.046ha of land which included 941.498 ha of Reserve Forest land, 2.428 ha of Village Forest Land and 3.120 ha of non-forest land. Subsequently on the recommendation of the State Government made vide letter No.11943/F&E dated 19.07.2006 for transfer of this lease in favour of M/s Sarda Mines Pvt. Ltd, the Govt. of India, MoEF have allowed the transfer of this lease from Sri SL Sarda and ML Sarda to M/s Sarda Mines Pvt. Ltd vide their letter F.No.8-55/2000-FC dated 18.08.2006.

The land use pattern was approved by the Government of India, MoEF vide their letter no. 8-55/2000-FC dated 21.06.2001 as under:

Sl. No.	Item of work	Reserved Forests in ha.	Village forest in ha	Total forest in ha	Non-forest land in ha	Total land in ha.
1	Mining	166.320	-	166.320	-	166.320
2	Storing of sub-grade minerals	20.531	-	20.531	-	20.531
3	Dumping of over burden	32.104	-	32.104	-	32.104
4	Magazine	0.150	-	0.150	-	0.150

3321

5	Infrastructure like canteen, store, mine office, Dispensary, rest shelter etc.	11.650	-	11.650	-	11.650
6	Township, Housing, colony	-	-	-	2.60	2.60
7	Construction of road/rope way/railway lines	18.521	-	18.521	-	18.521
8	Area to be preserved as forest in current lease period	613.572	2.428	616.000	-	616.000
	Total	862.848	2.428	865.276	2.60	867.876
9	Safety zone area	74.910	-	74.910	0.520	75.430
10	Disputed area as per decision of the Hon'ble High Court of Orissa	3.740	-	3.740	-	3.740
	Grand total	941.498	2.428	943.926	3.120	947.046

With a view to enhance the production of iron ore from the lease, the user agency has prayed for allowing them to use additional forest land of 367.832 ha out of already diverted forest land of 616ha which was earmarked to be maintained as forest in the original forest clearance order dated 21.06.2001, for carrying out mining and other ancillary activities thereon.

As per the modified land use plan proposed by the user agency and forwarded by the state, the land use pattern in the lease is as under:

Sl. No.	Item of work	Forest area earlier approved by the MoEF in the order dated 21.06.2001 in ha	Additional forest land now required for mining and other ancillary activities out the diverted forest area earmarked to be maintained as forest in ha.	Total area proposed to be used as per changed land use pattern including the forest area already approved in ha.
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1	Mining	166.320	360.092ha + 3.468 ha (out area of OB dump and area for storing of sub-grade)	529.880
2	Storing of sub-grade minerals	20.351	-	17.380
3	Dumping of over burden	32.104	-	31.787
4	Magazine	0.150	-	0.15
5	Infrastructure like canteen, store, mine office, dispensary, rest shelter etc.	11.650	-	11.65
6	Township, Housing, colony	-	-	-
7	Construction of road/rope way/railway lines	18.521	7.740	26.261
	Sub total	249.276ha	367.832	617.108
8	Area to be preserved as forest in current lease period	616.000	-	248.168
	Total	865.276		865.276
9	Safety zone area	74.910		74.91
10	Disputed area s per decision of the Hon'ble High Court of Orissa	3.740		3.74
	Grand total	943.926		943.926

333

However, the UA has informed that the modified land use plan is different from the one appears in the State Govt.'s letter, which is enclosed at annexure 1. As per the information from the UA, the land use pattern given by the state is made on the basis of their request made during the year 2007. Subsequently, they made another request, superseding their land use plan for the year 2007; and the same has not been reflected in the letter of the state. The modified land use plan as proposed by the UA is as follows.

Sl No.	Item of work	Forest area earlier approved by the MoEF in the order dt. 21.06.2001 in ha.	Present land use status after deviation in ha.	<i>Additional Forest land now required for mining & other ancillary activities out of the diverted forest area earmarked to be maintained as forest in ha.</i>	Total forest area proposed to be used as per changed land use pattern including the forest area already approved in ha.
1	Mining	166.3200	162.9375	346.9140	509.8515
2	Storing of minerals	20.5310	15.9780		15.9780
3	Dumping of Over Burden	32.1040	11.9925	10.0000	21.9925
4	Magazine	0.1500	0.1500		0.1500
5	Infrastrutture like crushing, screening, washing & beneficiation plant and conveying, canteen, store, mine office, Dispensary, rest shelter housing etc.	11.6500	39.6970	3.1780	42.8750 (45.475-2.6 NF)
6	Township, Housing, colony				0.0000
7	Construction of road/ropeway/railway	18.5210	18.5210	7.7400	26.2610
	Sub total	249.2760	249.2760	367.8320	617.1080
8	Area to be preserved as forest in current lease period	616.0000	616.0000	248.1680	248.1680
	Total	865.2760	865.2760	616.0000	865.2760
9	Safety zone area	74.9100	74.9100		74.9100
10	Disputed area as per decision of The Hon'ble High Court of Orissa	3.7400	3.7400		3.7400
	Grand Total	943.9260	943.9260		943.9260

Note: 943.926 ha. + 3.12 ha. (Non Forest Land) = 947.046 ha.

The proposed land use plan, showing the deviation is enclosed as annexure 2.

The following violations have been reported by the State.

- a) The boundary (masonry) of base camp within ML area have been constructed measuring 175 mt length x 2 mt height near pillar No.56 and 325 mt length x 1 mt height near RF pillar No.57. User agency has explained that the masonry wall was felt essential to protect the mine workers families and school children from anti-social elements and Maoists.
- b) Two no. of Masonry toilets measuring 7.6 x 2 mt have been constructed near RF pillar No.52 and 53. The user agency has explained that the CRPF deployed by the State Government had constructed these toilets for its use by them. The structure has reportedly been demolished.
- c) An ATM RCC room measuring 4.8mt x 5.8mt near RF Pillar No.54 has been constructed. The user agency has indicated about their ignorance of location of ATM within the RF land.
- d) One BSNL tower has been constructed inside ML area over an area of 30mt x 25mt. It has been explained by the user agency that the site was identified by the BSNL authorities for providing communication system within the RF area.
- e) One conveyor belt and underground water supply pipeline have been installed outside the lease area inside the RF. It has been stated by the user agency that laying of conveyor belt and underground water supply system has been done in compliance with the conditions imposed in the environmental clearance order of MoEF. A separate Forest Diversion proposal involving 0.9457ha of forest land for this purpose has been filed/processed. The Divisional Forest Officer, Keonjhar was earlier asked to de-operationalize the infrastructure created on forest land without GoI, MoEF approval.
- f) Six no. of electric poles with 33 MV transmission line have been installed adjacent to ML boundary within the RF area. It has been explained by the user agency that such installation of electric poles have been made for illumination of the area.
- g) A playground measuring 140mt x 70 mt with AC sheet Roof building of 21mt x 11mt have been developed with the ML area. It has been explained that playground has been made on mined out area of broken block No.11 after reclamation of area by plantation for its occasional use by school children. The AC sheet roof room has been removed.
- h) Two no. of water tanks have been constructed within the ML area. It has been indicated by the user agency that this infrastructure project has been taken up as per approval of MoEF dated 21.06.2001. However, infrastructure items allowed in the above approval order of MoEF did not include construction of water tanks.
- i) Construction of one huge washing plant is in progress within the ML area. One black topped road has been constructed over 200 mt x 6 mt. It has been indicated by the user agency that this infrastructure project has been taken up as per

- 235
- j) approval of MoEF dated 21.06.2001. However, infrastructure items allowed in the above approval order of MoEF did not include construction of washing plant. 59 no of Sal and other miscellaneous poles have been illegally felled within the MI area near boundary pillar No.7(B) to 8. It has been indicated that the felling of trees has been undertaken by the miscreants who are indulged in illegal removal of ore from the area. An FIR is said to have been lodged with Barbil Police Station.

The reply of the UA on the reported violation is enclosed at annexure 3 (page 2).

Earlier the Eastern Regional Office, MoEF had also reported about the irregular activities vide letter No.8(21)/2000-FCE dated 24.03.2010 with an instruction to immediately stop all activities and de-operationalise the infrastructure created and also to initiate action against the user agency for violations of the FC Act and other Act/Rules.:

Description of the area -

The total lease consists of virgin forest area, broken up area.

The area is formed mainly by three ridges; the ridge towards the west is the tallest, other two leases are located at the center and the last one to the east. Inside the lease, the slope of the land is steep towards eastern boundary also towards south-western boundary and to some extent towards southern boundary. Few nallahs originate from the high points inside the lease.

Towards the N-E tip of the present lease, the working lease of the Tarini Mineral is located. Towards northern side, beyond the lease of Tarini Minerals, some flat land as a band of around 0.5 KM continues, on the flat land, cultivation fields and kuchha road exists. On both side of the flat land, outside the present lease, forest in hillocks exists. The hill range towards north of flat, located outside the lease, is at much higher altitude and full with vegetation; and on the top of that hill the mines of Katamati (TISCO) is located. Towards right of the flat land the forest is on a smaller hillock, the crop is mainly Sal. Beyond the smaller hillock flat cultivation lands small hillock with vegetation are seen towards northeast direction, outside the lease.

At the north eastern tip, the adjacent lessee M/s Tarini Minerals has entered into the lease of M/s Sarda Mines as per the officials of UA, and there around 1-2 ha of area has been broken earlier but now no work is going on, and demarcation pillar have been posted. There are some small benches in this broken up areas on which Bantulasi, Eupatorium, 1-2 Chhatian trees have been come up. Small planted trees of Golmohar, Amla etc. are found alongside the lease boundaries, within the safety zone.

Towards north, from the north eastern tip of the present lease, outside the lease, the earlier surrendered area of late B.N. Sarda exists, a part of this area around 3-4 ha has been broken up, but no work is going on in this land. Beyond this broken up area (outside lease) another small hillock full with trees continues. Some houses of the tribal, a kutcha road, electric line etc could be seen.

In the ML towards N-E tip the trees of Paldhua, Jia, Piasal, etc. and bushes of Chlorodendron (Gauduni) are seen. Inside the lease, just towards south west of the north eastern tip, the forest is mixed, in the upper storey trees like Kendu (25' -30'), Chara (30'-40'), Sidha (30' -40'), Dhaura (80'), Halda (35'), Putua Kanta (30'), etc. are found. Also the pole crop of Sal, around 20'-25' height are found throughout in the middle storey. Sal is mostly the coppice crop. Other middle storey trees are Kurum, Bela, Gandhuli, Kendu, Bahada, Kusum, Sonari, Asan, Kurei, Khakda, Khandakhai, Kumbhi, Dhatki, Putuli. In the lower storey seedlings of Chara, Dhaura, Kurei, Bela, Bantulsi, Khakda, Gangasiuli, Barkoli, Asan etc. are found. Cheriata bushes are also found. Eupatorium weed also exist. On the forest floor a lot of dry leaves are scattered. The soil colour is brown. The slope of the land is gentle. On the forest area few white ant mounds are seen. The forest is reasonably dense. We have seen some illegal collection of ballies by local people.

Towards little west of the north eastern tip, towards the northern periphery, the forest is almost similar as above. However, we could see Pahadi Sishu of around 15', big Bahada tree (40'-50'). In this portion we saw a small open ground full with float iron pebbles with conglomerate.

The Block-1, a non working quarry, working stopped from 2007-08 as per the officials present there, is located at the northern boundary. There are few benches are along side of the forest; the slope is steep without any protection at the forest front. In the adjacent surrendered area there are small open lands; after that the forest is dense and thick. Around this block the forest is mixed, full with taller trees towards west as well as S-W side.

The forest toward just NE of Block-8 extended area is almost similar. Here, however, we saw few taller trees of Sidha, Dhura, Kumbhi, Bahada etc.. Jia, Leba trees are found at lower canopy. Sal is mostly found in the pole stage. The Madanga climber (Parasite) with red flowers is seen in this area. A very big Dhaura tree is found, alongside it a big Bel tree around 30'-40' tall is seen. White ant mound exists adjacent to Bel tree. Small small earth digging by wild boar are found. A Kutcha road exists in this area. The weed is mainly eupatorium. Chireita bushes are found in plenty. Towards eastern side, the slope is steep down. Towards eastern side many Leba trees are found so also big Dhaura trees. Dry mosses are seen on the rocks also lichen as white spots on the tree barks. In lower storey Dhatika Khakda, Korei, Ganga Siuli, Kendu, Bela, Sonari, Achhu, Kurum, Sal, etc. are seen. Occurrences of Sal are less in this area.

237

Near to Block-8, towards the north eastern direction, the tree felling has been completed, the area now is mostly covered with eupatorium bushes, Chereita bushes are found in plenty on forest floor. Few coppice Sal trees are found, also found trees of Asan, Kumbhi, Sonari, Kurei, Kala Sirisha in bushy form.

Towards east of Block-8, the slope is from west to east (down), the forest is mixed, mostly similar to the forest at the north-eastern tip. Towards further east, the lease of Tarini Minerals mines exists below the ridge. Further south east the Jindal Pelletisation Plant, Rly Line conveyor Belt and some cultivation area are visible.

The conveyor belt is located towards the eastern portion of the lease. Cement footing are constructed on which the steel structure to hold the close pipe conveyor system are laid. A three phase electric line is passing alongside the conveyor belt up to the road and later the electric line goes through cabling system outside the lease along with the conveyor line. Few cemented check dams are constructed across the dry nallah, below the conveyor belt. After coming around 500 meter inside forest, the conveyor belt line crosses a kuchha road over which truck transportation to railways siding is going on, and moves along side the road till the lease limit. The conveyor belt then crosses the road and the junction house is located inside a forest area outside the lease. Along the road a water pipeline around 600 mm dia is running, and later it crosses the lease limit and moves to the forest areas outside.

Further west, from the conveyor belt crossing the road, the same road passes through some earlier working areas, earlier manual pits exist in this area (broken block-7). It is informed that, over this area, the user agency has dispute with M/s Bhanja Minerals. Bana Tulsi, grasses, chatian, Accacia, Dimiri tree (ficus) trees have come up here and there in this area. Outside the lease towards east, small hillocks full of Sal trees are located and beyond that Railway Siding and Jindal Pellet plant is located.

The working quarry BL-07 is located towards northern direction of the non working manual pit areas. Several benches have been developed in this area, roads have been laid.

Towards mid north of the lease, almost on the boundary, an earlier abandoned quarry, closed since 2008-09, is located. This is a small pit around 1-2 ha of area with few benches. Towards SW of this quarry, a cement mixing plant is located, sand and aggregate storage are found in this area. Towards SE of this quarry, a band of forest between BL- 02 and BL-08 extension is located. The BL-09, located south of block no-2 on the northern boundary, in the mid section, which was earlier a quarry, has now been converted to fines dump. Tree felling is going on in the extension of BL-05 and BL-02. On both sides of Kuchha road, logs have been kept in different location.

Towards the southern boundary, inside the virgin areas, located towards central southern portion, there are a lots of seedlings of Bahunia, Kakhada, Kendu, Korei etc. The soil

colour is dark brown. Erosion is negligible. The forest is dense. Mostly tree species are mixed. Bigger trees are in the height range 45'-50', most of them are Dhaura, Leba, Char, Bahara, Mai, Piasal, Kusum, Rimili, Khakada, etc. In the middle storey Kusum, Rimuli, Sal, Putuli, Sunari, Jamun, Kurum, Dharua, Khakada etc are found. Chiruita, Satabari, Bhalia are found on the ground. On slope, Sal is hardly found, but towards top ridge side bigger Sal trees are seen frequently. On the ridge near to the road, the soil appears to be deeper, surface is relatively flat and trees are taller, taller Sal trees are more regular. The crop is however mixed.

Towards mid southern side, after the ridge, slope is steep down. After the lease, we could see smaller hillocks with trees and also some cultivation lands and habitations of village Balita, Gobardhanpur etc. The flat landscape outside the lease is comprising of cultivation lands, pockets as well as bands of forest. Trees like Leba, Jia, Dhaura, Parudi etc. are seen in the slopes. On the forest floor, Giliri (like Sajana), Kurei, Kakchada, Sonari and bushes of Satabari, Chireita, Bichuati etc. are found. On the ridge, the trees density is more, big trees of Jia, Sal, Dhaura etc. mostly around 50'-60' tall are found. The coppice Sal trees are seen here and there. Huge Piasala, Kusuma, Kuruma trees are also found in this portion. The earth digging by wild boar is seen on the ridge area.

In the central portion, on the ridge, towards the inner side, alongside the main road connecting different mining areas, the area is mostly flat, the crop is mixed, and the trees are tall. The upper storey trees are mainly Dhaura, Bahada, Sal, Asan, Mai, Char, Kusum Bhalia, Kurum, etc. Sal is mostly coppice crop. In the middle storey tree like Mai, Sal, Khakda, Char, Kurum, Phanphana, Kendu, etc. are found. In the under storey a lot of Sal bushes are found, the total under storey appears to be covered with bushes of Sal. Also Kendu, Char, Khakda, Bahara, Gandhuli seedlings are found.

Towards the south western side, in the western flank of mid ridge, near to the magazine towards the inner side, the area appears to be moist. On the slope many massive trees of Kendu, Sal, Simili, etc. are found. The forest is dense, full of big trees. On the ground a lot of Sal seedlings are found. Thick Siali and Atundi climbers are also seen. Here one Kendu tree is a massive tree, the circumference is 2.03 meter, have straight bole more than 50' high. The height of the tree appears to be around 80'-90'. Most of the tall trees are about 70'-80' tall. Many massive Sal, one is having 1.8 meter circumference, are seen in this area. Other trees in the upper storey are Kusum, Dhaura, Bahara, Leba, Jamun, Chattian etc. Big size Chireita and Satabari bushes are found here. It appears that the soil is rich, deep too. In the lower storey the seedlings of Dhaura, Kurai, Khakada, Achhu, Char, Tilai, Sunari, etc. are found.

A plantation is located between magazine, colony and along side of the road. Chakunda, Akasia, Nimba, Maha Nimba, Kuruma, Kusuma, Gambhari trees etc. are found over an area of 6.115 ha. Some of the areas are still blank.

Towards the opposite side of the working quarry in BI-5, thick forests exist in the central ridge portion except for 1-2 ha of open areas. In the western flank of the central ridge most of the trees in are tall, sal is found in more number in the upper story. Some of the sal trees are 50'-60' tall. Other major trees in upper story are Dhaura, Gandhuli, Sal, Bela, Rimuli etc.

Towards immediate west of the lease area, the adjacent area of OMDC quarry is located at the tallest ridge. The benches and pits in the OMDC quarry are irregular but not deep. Some Acacia and other trees have come up. Beyond this ridge towards west direction Barbil town showing in the valley is located.. In this portion, the forest alongside the common boundary is not having many bigger trees. But little away, the forest is again dense. The bigger trees there are mainly Kusuma, Sonari, Panigambhari, Kuruma, Bandhana etc. Sal is almost absent. Big Kusuma tree, around 80' tall, is seen. Siali climbers are found in good numbers. A lot of earth digging by wild boar have been seen. There is a small valley between western ridge & central ridge where some flat land exists, the bigger trees are mainly Sal, Achu, Jamun, Leba, Paladhua, Sunari, Rai, Panagambhari etc. Sal seedling are also available in this area. Forest is well stocked though many massive trees are not found.

On block-5 on the central ridge, the top bench is protected with solar fencing, the haul roads exist in this area. The fines dump is located towards S-E of block-5. On western tip of block-5, the OB dump is located. On the slope Accacia, Chakunda, Simaruba, Amla etc. are planted. Some parts of OB dump are covered with plantation. Different infrastructures, dump yard, ore stockyard, office, store etc. are located between block-5 and block-8. The crusher plant, crushing and screening office, conveyor belt origin, washing plant, water tank etc. are located in the central portion. The UA has transplanted few Sal trees in the slime pond area, near to the temporary shed for the workers, some which are coming up well.

A nursery, new administrative building is coming up in the central portion. The magazine is located towards south-west side of the lease. The big crusher plant, its office and the wash plant is located at the central portion. The electric line, water pipe line, HSD pump, BSNL tower etc occur inside the area. The OB dump, fine dump exist inside the lease in the central portion. Towards the S-W tip, a play ground, ATM, etc. are located and vehicles are parked there. The township is located towards the western side of the lease, outside the lease as per the officers of the UA. The violations as stated by State exist on the lease except for the masonry toilets (b), six numbers of electric poles (f), and AC sheet from the play ground(g), the reply of the UA on the present land use including the map is enclosed at annexure 2.

Suggestions:

1. Many of the leases around this mine are not in working condition except for M/sTarini Minerals; also there are disputes between mine owners over lease areas leading to neglect of some areas. The forests around any lease; be it with any lease holder or with the State forest department, should be well protected. The State Forest Department should prepare a map, plan for protection of such forests, not only for this lease alone,

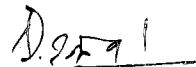
but also for other leases, and the all UA should proportionately contribute for the protection of such forests.

2. The UA has started a practice of relocation of Sal trees through transplantation. Since, the method is working, there should be effort to transplant all the trees as far as possible, marked for felling except for diseased and over mature trees. Thus a new forest can be created through transplantation immediately in a more systematic manner, than waiting for long years in normal plantation.
3. Also, since Barbil, Joda and other major mining area like Koirā etc. are losing their forest fast, reclamations are slow or not satisfactory mostly, there should be emphasis for transplantation of trees, if a new area is opened up, and if it has no space, the tree should be planted in nearby old mine. There should be a research on transplantation and other modern propagation of Sal, the Sal forest needs to be regenerated and a Sal research centre should be opened in Barbil, it being the central place of iron ore mining, which will cater to the need of other Sal bearing areas affected by mining.
4. There are unnecessary movements of non protection staffs and machine vehicles to preserved forest areas, which should have been avoided. The UA should limit the movement of their staffs into preserved forest areas within their jurisdiction except for the protection staffs, and manage the forest as per the advice of the forest department which the forest department should check regularly. The forest, till other use is allowed, should be preserved and enriched as per the advice of the state forest department.
5. Presently most of the mines are going for expansion; more machines are brought into the mines, thus reducing the employment potential of the un-skilled people-which most of the villagers are at present. The capacity building of local population is a necessity, one option may be imparting training in vehicle driving; in Barbil and nearby mining areas, the boys of under age are driving heavy vehicle without proper skill, resulting in series of fatal accidents. Also, there should be effort to train local population as electricians, motor mechanics, plumbers, security guards, masons, carpenters, etc. Supporting services hubs should be created, opportunities should be given and adequate support should be provided.
6. Greening the Barbil landscape- The greenery in the Joda Barbil sector is reducing, so also the available area for the wildlife, the food reserve for the wildlife is also sinking. Large scale planning is required for the maintenance of environment balance in view of large scale industrialization including mining continuing in the area. Here, still firewood is a necessity for the tribal and low income group, still people are going into forest for the collection of small timber and firewood which was noticed during the time of inspection, the reduction of forest will affect the energy need of the common people. The immediate attention may be to convert the fallow government lands and roadside areas

341

to woodlots; and near to the village there should be energy plantation. A greening plan, with independent monitoring is a necessity. If possible plantations should be carried out through other expert agency, not the forest department alone, even the local panchayatas can be given the job. If sufficient woodlots are created, then there will be substantial reduction of pressure on the existing forest for firewood, small timber, and thus remaining natural forests can be saved well.

7. While planning for expansion, care should be taken to give the already worked out area an appropriate shape, the gradient should be continuous and mild, and then over it transplantation of Sal and other natural species occurring in the area should be done as the transplantation of Sal is yielding some result, it is better to create a good forest with transplantation with adequate gap filling with fresh plantation.
8. While planning for the Joda Barbil sector, there should be stress for connectivity of bigger chunks of forests for the movement of wildlife, so that gene pool can be preserved, the movement of wildlife is smooth.
9. Water is going to be a scarcity in the Joda Barbil sector in view of large scale mining and other industrialization, also the water retention capacity of the soil, in view of its new exposed nature, has been reduced considerably; so it is desirable to create sufficient numbers of water harvesting structure all over the area, not only in the present mine area alone but in other mining areas also; so that adequate ground water recharging can be done. Water bodies need to be created all over, for the people and for the wildlife, the wildlife gets maximum hardship due to non availability of water.



(Ashok Kumar Biswal)
Conservator of Forests (Central)

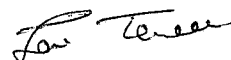
Recommendation of the Chief Conservator of Forests (Central):

The present proposal is for approval of change of land use pattern for 865.276 ha forest land out of 947.046 ha of mining lease area for mining of iron ore in favour of M/s Sarada Mines Pvt. Ltd. in Keonjhar district of Orissa. The entire forest area of 865.276 ha of forest land is already diverted by Govt. of India vide Ministry's letter No. 8-55/2000-FC dated 21.06.2001 for mining of iron ore. As per the order, 94.024 ha is broken up prior to 25.10.1980, additional 155.252 ha area is broken afresh in phases and 616 ha interspersed area will be maintained as forests. As per the present proposal, the user agency intends to reduce the forest area from 616 ha to 248.168 ha and utilise the balance area mainly for mining purposes which has been enhanced from 166.32 ha to 346.9140 ha and the balance area for other ancillary purposes. The following points may be considered in this regard :-

1. NPV Issue : The proposal involves additional deforestation of 367.832 ha. Therefore, the proposal is equivalent to fresh diversion proposal. The change of land use pattern is allowed only for some minor changes in the land use. Such a massive change in land use pattern would require fresh mining plan duly approved by the IBM and other considerations related to EIA and EMP. The user agency has already got environmental clearance in 2008 for enhancing the production from 4 MTPA to 15 MTPA and approved mining plan from 4 MTPA to 15 MTPA during 2010. The user agency has not paid any amount towards NPV as per the forest diversion clearance given earlier. But, after the Supreme Court case in WP(C) No. 202/1995, the said proposal has to be subjected to the judgement of the Hon'ble Supreme Court considering the environmental loss to the society and compensation required in lieu of that. The user agency cannot be allowed to get away from the implications of the above judgement in the name of approval for changed land use pattern. I am of the opinion that the user agency must pay NPV at the rate stipulated in the judgement of the Supreme Court.
2. Violations of Forest (Conservation) Act: As per the inspection note of the Conservator of Forests (Central), the user agency has committed 10 violations of Forest (Conservation) Act. Each of the violations is described in detail and the Govt. may penalise them appropriately.

3. The user agency may be asked to provide a detailed regional map showing all the mines within a radius of 10 km to have an integrated view and ensuring that wildlife habitats are not fragmented due to mining activities.
4. Water is a scarce natural resource and user agency should engage a reputed consultancy for the purpose of water harvesting and aquifer recharging. All possible steps should be taken to store the rain water appropriately and monitor the quality and depth of nearby wells being used by local people.
5. Appropriate CSR activities should be taken to ensure that the condition of the people adversely affected due to additional deforestation activities are duly compensated and in no way their livelihood opportunities are compromised.
6. Further the inspection note of the Conservator of Forests (Central) may kindly be perused and his suggestions may be given due consideration. It is a good idea to have a Sal research centre which can be funded jointly by various user agencies. The research inputs will be helpful in improving the quality of reclamation and land productivity.

With the above observations, the proposal is recommended for consideration by the FAC/Ministry.



(J.K. TEWARI)

CHIEF CONSERVATOR OF FORESTS (CENTRAL)

SARDA MINES PRIVATE LIMITED

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THAKURANI IRON ORE MINES
(Block-B) P. Box No. 85
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Dist. Keonjhar, (ODISHA)
Ph. : 06767-245003
Fax : 06767-245017

Ref. No. SMPL/TIOM/2011/294

Date : 17.01.2011

To

The Conservator of Forests
Ministry of Environment & Forests
Government of India,
Eastern Region Office, Bhubaneswar

Sub : Diversion of 865.276 ha of Forest land out of 947.046 ha of ML area for mining of Iron Ore in favour of M/s Sarda Mines (P) Ltd in village Soyabali, Balita and Thakurani RF in Keonjhar district of Orissa – Application for Permission to carry out mining operation by the user agency over 617.108 ha of forest land out of 865.276 ha of already diverted forest land – Approval of changed land use pattern.

Ref : 10F(Cons)43/2010. 22796/F&E. Bhubaneswar dated 21.10.2010.

Dear Sir,

In reference to above mentioned letter issued from the office of Special Secretary to Government of Orissa and the discussions held with you on the subject on 11th Jan 2011 during your field inspection of the leasehold, we would like to draw your kind attention towards our application dated 01.09.2009, seeking approval for the modified land use pattern relating to infrastructure over 42.2970 ha. In this application we have clearly mentioned that our land use pattern for the infrastructure part, as approved in 2001, was 11.65 ha. and this has now changed to 42.2970 ha. (inclusive of 2.6 ha. non-forest area), for which we have requested MoEF on 01.09.2009 for the necessary approval. It may kindly be noted that in the letter dated 21.10.2010, of the Special Secretary Government of Orissa, the earlier approved area under infrastructure has inadvertently been replicated in the proposed column also. The proposed column as per our application dated 01.09.2009 to the Ministry may kindly be taken as the correct reference point.

Our approved land use pattern dated. 21.06.2001 vis-à-vis total forest area proposed to be used as per the changed land use pattern including the forest area already approved is as under.

Sl No.	Item of work	Forest area earlier approved by the MoEF in the order dt. 21.06.2001 in ha.	Present land use status after deviation in ha.	<i>Additional Forest land now required for mining & other ancillary activities out of the diverted forest area earmarked to be maintained as forest in ha.</i>	Total forest area proposed to be used as per changed land use pattern including the forest area already approved in ha.
1	Mining	166.3200	162.9375	346.9140	509.8515
2	Storing of minerals	20.5310	15.9780		15.9780
3	Dumping of Over Burden	32.1040	11.9925	10.0000	21.9925
4	Magazine	0.1500	0.1500		0.1500
5	Infrastrutture like canteen, store, mine office, Dispensary, rest shelter etc.	11.6500	39.6970	3.1780	42.8750 (45.475-2.6 NF)
6	Township, Housing, colony				0.0000
7	Construction of road/ropeway/railway	18.5210	18.5210	7.7400	26.2610
	Sub total	249.2760	249.2760	367.8320	617.1080
8	Area to be preserved as forest in current lease period	616.0000	616.0000	248.1680	248.1680
	Total	865.2760	865.2760	616.0000	865.2760
9	Safety zone area	74.9100	74.9100		74.9100
10	Disputed area as per decision of The Hon'ble High Court of Orissa	3.7400	3.7400		3.7400
	Grand Total	943.9260	943.9260		943.9260

Note: 943.926 ha. + 3.12 ha. (Non Forest Land) = 947.046 ha.

We would also like to draw your kind attention to the fact that we have complied with all the stipulations made by the Ministry in their stage I & stage II clearances issued on dated. 13.07.1999 & 21.06.2001 – respectively. The changed land use has been carried out exclusively in the broken up area without affecting the environment or the virgin forest area, and we would be more than willing to compensate the above deviation through enhanced afforestation as decided by the Ministry of Environment & Forests, Government of India.

Thanking You.

Yours faithfully



H.N. Singh
(Sr. DGM, Mines)

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346

SARDA MINES PRIVATE LIMITED

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To

The Conservator of Forests

Ministry of Environment & Forests
Government of India,
Eastern Region Office, Bhubaneswar

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We would like to mention here that for carrying out mining operation over 617.108 ha of forest land we had submitted our first application to Divisional forest Officer, Keonjhar on 21.05.2007, subsequently there was some changes in the approved land use pattern and hence we submitted the revised application for the working permission along with the changed land use pattern. It may kindly be noted that in the letter dated 21.10.2010, of the Special Secretary Government of Orissa, the break up use of proposed land of 367.832 has been based on initial application of 21.05.2007, whereas we wanted on the basis of revised application dated 01.09.2009. The present and the proposed land use pattern as per our application dated 01.09.2009 to the Ministry, may kindly be taken as the correct reference point.

345
342

Our approved land use pattern dated, 21.06.2001 vis-à-vis total forest area proposed to be used as per the changed land use pattern including the forest area already approved is as under.

Sl No.	Item of work	Forest area earlier approved by the MoEF in the order dt. 21.06.2001 in ha.	Present land use status after deviation in ha.	<i>Additional Forest land now required for mining & other ancillary activities out of the diverted forest area earmarked to be maintained as forest in ha.</i>	Total forest area proposed to be used as per changed land use pattern including the forest area already approved in ha.
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	Sub total	249.2760	249.2760	367.8320	617.1080
8	Area to be preserved as forest in current lease period	616.0000	616.0000	248.1680	248.1680
	Total	865.2760	865.2760	616.0000	865.2760
9	Safety zone area	74.9100	74.9100		74.9100
10	Disputed area as per decision of The Hon'ble High Court of Orissa	3.7400	3.7400		3.7400
	Grand Total	943.9260	943.9260		943.9260

Note: 943.926 ha. + 3.12 ha. (Non Forest Land) = 947.046 ha.

The violations reported by the State Government has been covered at Sr. No. 5, column No. 4, under heading "Present land use status after deviation in ha." in the table given above, where the land use for infrastructure has increased from 11.65 ha to 39.6970 ha. and this has been incorporated in our Mining Scheme duly approved by Indian Bureau of Mines vide letter No. 314(3)/2010-MCCM(CZ)MS-01 dated 18.05.2010.

Regarding point No. f) of the letter No. 10F(Cons.)43/2010. 22796/F&E dated 21.10.2010 of the Special Secretary Government of Orissa, it is to state that **6 No. electric poles installed for illumination of the area has already been removed.**

We would also like to draw your kind attention to the fact that we have complied with all the stipulations made by the Ministry in their stage I & stage II clearances issued on dated. 13.07.1999 & 21.06.2001 – respectively. The changed land use has been carried out exclusively in the broken up area without affecting the environment or the virgin forest area, and we would be more than willing to compensate the above deviation through enhanced afforestation as decided by the Ministry of Environment & Forests, Government of India.

Thanking You.

Yours faithfully



H N Singh
Sr. DGM (Mines)

Enclosures :

- 1) IBM approval letter for the modified land use.
- 2) Proposal for diversion of 865.276 ha forest land with break-up of land use pattern, based on which the EC for 249.276 ha was granted by MoEF on 21.06.2001.
- 3) Application dated 21.05.2007 for working permission over 617.108 ha
- 4) Revised application dated 01.09.2009 for working permission over 617.108 ha along with modified land use proposal