

**Agenda No. 2**

**F.No. 8-32/1993-FC Pt. III**

The State Government of Odisha vide letter no. 8-154/FCE-I dated 27/03/2015 submitted the proposal seeking prior approval of the Central Government for Diversion of balance forest land for mining and allied activities, safety zone area of 8.568 ha and reenery of 0.26 ha) in addition to already diverted 567.087 ha of forest land in Joda East Iron & Manmora Manganese Mines of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha during 3<sup>rd</sup> RML period wherein they have forwarded site inspection report. Fact Sheet of the case as follows.

**FACT SHEET**

1.	Name of the Proposal	Diversion of balance forest land for mining and allied activities, safety zone area of 8.568 ha and greenery of 0.26 ha) in addition to already diverted 567.087 ha of forest land in Joda East Iron & Manmora Manganese Mines of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha during 3 <sup>rd</sup> RML period.
2.	Location (i) State (ii) District	Odisha Keonjhar
3.	Legal status of forest land	
4.	Topography of the area	
5.	(i) Geology (ii) Vulnerability to erosion	Not Mentioned
6.	(i) Vegetation  (ii) Density  (iii) No. of trees to be felled	Sal, Siali, Dhaura, Asan, Kendu, Gmeline, arborea, Char, Mahul and Neem etc  Part-II mention the Density as 0.1 while Regional Office, in its SIR has reported the density of vegetation as 0.2.  Total 1436 trees to be affected i. Below 60 cm girth 982 ii. Above 60 cm girth 454
7.	Whether area is significant from wildlife point of view	The area does not from a part of any National Park/Wildlife Sanctuary/Elephant Corridor, but it falls within Elephant Habitat Zone –II as per ORSAC Report for which due care has to be taken for conservation of wildlife.
8.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger	The area does not form part of any National Park/Sanctuary/Biosphere reserve. It also does not come under any wild life corridor, But the area is

	Reserve, Elephant Corridor, etc. (if so, details of the area and comments of the Chief Wildlife Warden	coming under Elephant habitat zone-2 as per report of ORSAC. There is movement of wild elephants often noticed in the nearby area.
9.	Whether any RET species of flora and fauna are found in the area. If so details thereof	Not Mentioned.
10.	Approximate distance of the proposed site for diversion from boundary of forest.	Not Mentioned.
11.	Whether any protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.	Not Mentioned.
12.	Whether any work of in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	<p>The Part-II of Form-A reported no violation of the FC Act while the Regional Office and the State Government have reported violation of the FC Act, 1980. The violations reported by the Regional Office and the State Government are given as under:</p> <ol style="list-style-type: none"> <li>i. The safety zone pillars have been erected around the mining lease, except along the southeastern railway tracks passing through the lease.</li> <li>ii. ii) Portion of boundary wall of wild age home has been demolished and plantation activity has been initiated in that portion.</li> <li>iii. Afforestation has been done in the six illegal pits.</li> <li>iv. Portion of OB dump had spilled over to RF area which has been corrected and plantation has been raised. A toe wall also has been constructed around the dump.</li> <li>v. The slurry pipe has been demarcated in the new land use pattern.</li> <li>vi. The illegal roads have been closed and plantations have been raised.</li> <li>vii. vii) The mobile crusher unit has been dismantled.</li> <li>viii. One old OB dump has been stabilized and the others are still active.</li> </ol> <p>In view of the violations, even though action has been taken by the user agency to rectify them,</p>

		the Ministry of Environment and Forests & Climate Change may take note of these and impose suitable penal Compensatory Afforestation in the degraded forest land of appropriate extent along with appropriate penal measures, if any, against the User Agency, for the above, mentioned violations.
13.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project, if no recommended area item-wise with details of alternatives examined.	Not Mentioned.
15.	Whether clearance under the Environment (protection) Act, 1986 is required?	Yes. Environment clearance to the project has been obtained by the project proponent from the MoEF on 11.03.2013 (pg-463/c)
16.	Compensatory Afforestation	
	(i) Details of non-forest area/degraded forest area identified for CA, its distance from adjoining forest, number of patches, size of each patches.	32.425 ha of non-forest Government land has been identified by the district Administration of Keonjhar for the purpose of raising Compensatory Afforestation in the village of Raba of Telkoi Tahsil in Keonjhar district. It is to be noted that proposal for diversion of additional area of 41.819 ha has been submitted by the State Government while only 32.425 ha of no-forest land has been identified for CA. the same is in accordance with the Guidelines dated 2.09.2014 issued by the MoEF&CC wherein clarification regarding the applicability of the CA in respect of safety zone area included in diversion proposal has been issued by the MoEF&CC.
	(ii) Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	Not enclosed in the proposal. However, Regional Office in their SIR has submitted a copy of map of the area identified for CA.
	(iii) Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	The Regional Office, Bhubaneswar in their site inspection has reported that DFO has prepared a CA scheme with a total financial forecast of 47,87,500/- @ current wage rate of Rs. 150/- per manday with maintenance of 10 years. However,

		a copy of CA scheme has not been submitted along with the diversion proposal.
	(iv) Total financial outlay for CA	Rs. 47,87,500/-
	(v) Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	Not Enclosed.
17	Mine Plan along with progressive mine closure plan	-----
18.	Catchment Area Treatment	Not applicable.
19.	Rehabilitation of Oustees a) No of families involved b) Category of families c) Details of rehabilitation plan	Nil Nil Not applicable
20.	Compliance of Scheduled Tribe and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.	It is reported that area falls in the purview of Municipal area and accordingly, the provisions of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 are not applicable in the area. The submission made by the District Collector is not correct as the Ministry of Tribal Affairs in the similar cases has clarified that provisions of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 will also be applicable in the municipal area and instead of resolution of Gram Sabha (s) resolution from the Ward Committee are required to be submitted along with a certificate from the District Collector in accordance with the Guidelines dated 5.07.2013 issued by the Ministry
21.	Cost Benefit Ratio	1:23.55
22.	Total Cost of the Project	Rs. 75.00 Crores.
23.	Recommendation i. DFO ii. CCF iii. Nodal Officer iv SG	pg-455-456/C Pg-457/c Pg-460/c Pg-458/c
24.	District Profile (i) Total Geographical area of the district	830300.000 Ha.

(ii)	Total Forest area/Divisional Forest area	336615.6293 Ha.
(iii)	Total area diverted since 1980 with no. of cases	8586.5127 Ha. (58 Nos)
(iv)	Total CA stipulated since 1980 (Forest land)	C.A=615.2734 Ha. P.C.A=2156.056 Ha.
(v)	non-forest land.	3962.9307 Ha.

## SITE INSPECTION REPORT FROM THE REGIONAL OFFICE, BHUBANESWAR

### 1. Recommendation of Addl. PCCF

The Addl. PCCF has endorsed the site inspection report of CF (Central) for the proposal for diversion of balance forest land of 41.819 ha (32.425 ha of DLC forest land for mining and allied activities, safety zone area of 8.568 ha and greenery of 0.826 ha ) in addition to already diverted 567.087 ha of forest land in Joda East Iron & Manmora Manganese Mines of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha during 3<sup>rd</sup> RML period. The Addl. PCF (Central) has recommended that while considering the proposal, MoEF &CC may specifically keep in mind violations committed by the User agency and the fact that a prosecution report has been sent by DFO to the JMFC Court, Barbil.

- Legal status of the forest land proposed for diversion is RF, KF and DLC involving area of 8.110 ha, 0.927 ha and 32.782 ha, respectively.
- Item-wise break-up details of the forest land proposed for diversion.

S. No.	Pattern of utilization	Forest Land (in Ha)											Total ML Area
		Forest land already diverted (Order F.No. 8-32/1993-FC (Voll-ii)dated 24.09.2007)				Forest Land proposed for diversion (in ha)				Total forest land	Non Forest land utilized (in Ha)	Total Non Forest land in Ha	
		R.F	K F	DLC	Total	R. F	KF	DLC	Total				
1	Mining	400.190	-	3.013	403.203	-	-	32.425	32.425	435.628	9.024	9.024	444.652
2	Storing of Mineral/O	4.486	-	22.733	27.2019					27.219	16.843	16.843	44.462

	re												
3	Dumping O.B/Slime disposal	70.73 6	-	4.87 2	75.6 08					75.60 8	3.668	3.66 8	79.27 6
4	Storing Tools & Machineri es	20.33 8	-	3.10 0	23.4 38					23.43 8	0.272	0.27 2	23.71
5	Constructi on of Building, Power Station, Workshop etc.	7.960	-	9.26 0	17.2 20					17.22 0	0.701	0.70 1	17.92 1
6	Township/ Housing Colony	-	-	-	-					-	-	-	-
7	Constructi on of Road, Rope way, Rly line etc.	7.722	-	4.61 4	12.3 36					12.33 6	4.412	4.41 2	16.74 8
8	Magazine	1.185	-	6.87 8	8.06 3	-	-	-	-	8.063		-	8.063
	Total	512.6 17	-	54.4 70	567. 087				32.4 25	599.5 12	34.9 20	34.9 20	634.4 32
9	Safety Zone	-	-	--	-	8.1 10	0.1 01	0.35 7	8.56 8	8.568	-	-	8.568
10	Greenery	-	-	-	-		0.8 26	-	0.82 6	0.826	-	-	0.826
11	Non Forest Land where surface Right not granted	-	-	-	-				-	-	-	27.2 67	27.26 7
	Grand Total	512.6 17	-	54.4 70	567. 087	8.1 1	0.9 27	32.7 82	41.8 19	608.9 06	34.9 20	62.1 87	671.0 93

4. **The proposal involves construction of building as reported at Point No. 3 above.**
5. **Wildlife:**

It is informed by the forest that species such as python (*Python molurus*), Cobra (*Naja naja*), Krait (*Bungarus caeruleus*), Vipers (*Viper Russell*), Rabbit (*Oryctolagus cuniculus*), Pangolin (*Monis cassicaudata*), Wild boar (*Sus scrofa*) have been noticed in the area. Also movement of wild Elephants is often noticed in the nearby area.

Though the area does not form a part of any National Park/Wildlife Sanctuary/Elephant Corridor, but it falls within Elephant Habitat Zone –II as per ORSAC Report for which due care has to be taken for conservation of wildlife. As such the User Agency has to bear the proportionate cost @ Rs 43, 000/- per hectare of leasehold area towards implementation of the comprehensive regional wildlife management plan covering the entire mining belt prepared for Bonai and Keonjhar Division as per revised norm approved by Govt. of Odisha. Till now the lessee has deposited an amount of Rs. 1,34,21,859/- towards proportionate cost of Regional wildlife Management Plan at pre-revised rate of Rs. 20,000/- per ha for 671.093 ha out of due amount of Rs. 2,88,56,999/-. The lessee has furnished an undertaking to bear the differential cost of Wildlife Management Plan. Further, the lessee has to bear the cost of site – specific Wildlife Management Plan for the project as per approval of CWLW, Odisha.

**6. Vegetation:** Density of vegetation is about 0.2.

**a) Total number of trees to be felled.**

Tree enumeration in 10 Nos sample plots of 1 ha each has been undertaken for virgin forest land of 32.425 ha proposed to be used for mining activities. It has been estimated by the Divisional forest Officer, Keonjhar Division that 443 Nos of trees above 30 cm and 1235 nos of trees below 30 cm girth have been enumerated in 10 sample plot of 1.0 ha each. By extrapolating this figure in 32.425 ha, 1436 Nos of trees (30 cm girth) and 4005 Nos of trees (below 30cm girth) are assessed to be available in the area which may be required to be felled. Similarly, tree enumeration over the remaining 9.394 ha that includes safety zone area of 8.568 ha and greenery area of 0.826 ha have also been taken up which reveals that 710 no. of trees above 30 cm girth and 4795 no. of trees below 30 cm girth existing over the area are to be preserved. As such, 10,946 no. of trees are available in the whole forest area of 41.819 ha proposed for diversion.

**Effect of removal of trees on the general ecosystem in the area:**

As there is large number of trees to be felled, it will naturally adversely affect the general eco-system in the area.

**b) Important species:**

As reported by the State Government, tree Species commonly noticed in this area are Sal (*Shorea robusta*), Siali (*Bauhinia vahlii*), Dhaura (*Anogeissus latifolia*), Asan (*Terminalia tomentosa*), Kendu (*Diospyros melnaoxylon*), Gmelina arborea, Char (*Buchanania lanzan*), Mahul (*Madhuca indica*), Neem (*Azadirachta indica*) etc. Sal is pre-dominant species. No rare or endangered flora or fauna is noticed in this area.

Number of trees of girth below 60 cm - 982

Number of trees of girth above 60 cm -454

## 7. Background note on the proposal:

The applied mining lease was originally held by the then Maharaja, Keonjhar Estate over an area 2.59 Sq. Miles. The said lease was granted by Superintendent, Keonjhar State in favour of M/s Tata Iron & Steel Co Ltd. for a period of 30 years with effect from 01.07.1925 to 30.06.1955. The lease deed was executed and registered on 28.04.1926.

1<sup>st</sup> Renewal of Mining lease was granted for a period of 30 years w.e.f. 1.07.1955 to 30.06.1985 over the same the same area (i.e. 2.59 Miles) be Mining) by Mining & Geology Department, Government of Orissa vide letter No. III (A) MG-21/57 dt. 21.08.1957.

2<sup>nd</sup> Renewal of Mining Lease was granted in favour of M/s TISCO Ltd. for a period of 20 years w.e.f. 01.07.1985 to 30.06.2005 by the Mining & Geology Department, Government of Orissa vide Ltter No. III(A) SM-7/97-7533/SM dt. 21.08.1997 over a reduced area of 671.093 ha and lease deed was executed and registered on dated 20.01.1998. During 2<sup>nd</sup> RML period, the user agency has obtained diversion of forest land of 521.622 ha in this lease vide MoEF letter No. 8-32/93-FC dt., 16.1.1997.

During the year 2005, name of M/s TISCO ltd. was changed to M/s Tata Steel Ltd. The Steel & Mines Department of the State Government vide their letter dt. 17.11.2006 communicated their acceptance of the change of name of the Company. M/s Tata steel Ltd. had applied for 3<sup>rd</sup> Renewal of Mining Lease for 20 years over same area of 671.093 ha w.e.f. 01.07.2005 to 30.06.2025 on 19.04.2004 i.e. one year prior to expiry of 2<sup>nd</sup> RML period on 30.06.2005. The applied Mining Lease area is having 671.093 ha which consists 608.906 ha of forest land (520.727 ha of Baitarani Reserve Forests, 0.927 ha of Khesra Forest 87.252 ha DLC forest) and 62.187 ha of non-forest land. During 3<sup>rd</sup> RML period, out of total forest land of 608.906 ha the user agency had applied for diversion of 567.087 ha comprising of 133.309 ha of earlier broken forest land, 378.123 ha broken during 2<sup>nd</sup> RML period, 1.185 ha for Magazine house and 54.470 ha of broken non-forest land included in the DLC report for mining and allied activities leaving the balance 41.819 ha (8.568 ha for safety zone, 0.826 ha of Khesra forest for greenery and 32.425 ha of DLC forest land for future exploration). Government of India MoEF had granted Stage II forest clearance over an area of 567.087 ha of forest land (including 54.470 ha of DLC forest land) vide their letter NO F.NO 8-32/1993-FC (Vol.II) Dt. 24.09.2007. The status of compliance of the conditions of the conditions of the stage – II approval order duly signed by DFO, Keonjhar.

As per Provisions of Forest (Conservation) Act, 1980, forest land cannot be assigned without obtaining prior permission of MoEF, Government of India under the Forest (Conservation) Act, 1980. Further the guidelines of MoEF Bearing F.No. 11-362/2012-FC dt. 1.2.2013 requires seeking diversion of entire forests land within the lease within a period of two years. (However, one more year of relaxation has been given as per MoEF circular dated 20.01.2015.) In view of this, the 41.819 ha of balance forest land in this lease is required to be diverted during 3<sup>rd</sup> RML period. Hence this forest diversion proposal has been filed and processed. Meanwhile, the State Government in Steel & Mines Department have decided in principal to renew the lease during 3<sup>rd</sup> RML and issued the relevant order under Section 8(3) of MMDR Act, 1957 vide No. 4072 dt. 31.05.2014 the



mining lease area has been delineated in Survey of India Topo Sheet NO. 73 F/8 and NO 73G/ 5 and finds place within latitude 21° 59` to 22° 03` (North) and longitude 85° 25` to 85° 27` (East).

**8. Compensatory afforestation:**

The details of non-forest land required for compensatory afforestation is indicated below:

Sl. No.	Description	Area (in ha )
1.	Forest area involved in the applied M.L	608.906
2.	Forest area already diverted and compensatory afforestation undertaken accordingly.	567.087
3.	(i) Area Kept for Safety Zone. (ii) Greenery as per condition by MoEF, GoI approval order F.No. 8-32/1993-FC (*Voll)dated 23.08.2006.	8.568 0.826
4.	Forest land required for diversion for mining & allied activities.	32.425
5.	Non-forest land required for compensatory afforestation	32.425

In lieu of 32.425 ha of virgin DLC forest land proposed to be used for mining and other allied activities additionally, 32.425 ha of non-forest Government land has been identified by the district Administration of Keonjhar for the purpose of raising Compensatory Afforestation in the village of Raba of Telkoi Tahsil in Keonjhar district. The Compensatory Afforestation area has been jointly verified by Forest and Revenue Department officials and site maps of non forest land have been identified for Compensatory Afforestation. The land schedule for the Non-forestland identified in village Raba is identified in below.

Tehsil	Village	Khata No.	Plot No.	Area (in ha)	Kissam	Remarks
Telkoi	Raba	87	83(p)	14.414	Parbat-II	Part
			97(p)	18.011	-do-	Part
			Total	32.425		

The Compensatory Afforestation Scheme has been prepared by DFO, Keonjhar over 32.425 ha in Block Plantation with a total financial forecast of Rs. 47,87,500/- @ current wage rate of Rs. 150/- per manday with maintenance cost of 10 years. The Scheme has provision for barbed wire fencing over the entire area. The species selected to be planted under the scheme are Sisoo (*Dalbergia latifolia*), Amla (*Embllica officinalis*), Mahua (*Madhuca indica*), Asan (*Terminalia tomentosa*), Neem (*Azadirachta indica*), Gambhar (*Gmelina arborea*), Karanja (*Pongamia pinnata*), Asan (*Terminalia tomentosa*) etc. The Addl. PCCF (Forest Diversion) & Nodal Officer, FC Act has accorded technical approval to the CA scheme. The user agency has furnished an undertaking to pay cost of Compensatory Afforestation.

**a) Whether land for Compensatory Afforestation is suitable from plantation and management point of view or not:**

The DFO, Keonjhar has certified that the land is suitable for plantation from management point of view (Annexure-III)

**b) Whether land for Compensatory Afforestation is free from encroachment/other encumbrances:**

The Tahasildar, Telkoi has certified that the land found suitable for plantation is free from encroachment and encumbrances (Annexure-III).

**c) Whether land for Compensatory Afforestation is important from Religious/Archaeological point of view:**

Not reported.

**d) Land identified for Compensatory Afforestation is in how many patches, whether patches are compact or not:**

One (01) compact patch.

**e) Map with details:**

Enclosed as Annexure-III.

**f) Total financial outlay:**

As reported by the State Government, the Compensatory Afforestation Scheme has been prepared by DFO, Keonjhar over 32.425 ha in Block Plantation with a total financial forecast of Rs. 47,87,500/-@ current wage rate of Rs. 150/- per manday with maintenance cost of 10 years.

**9. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. if yes, a detailed report on violation including action taken against the concerned officials:**

The violation committed by the lessee along with the status of compliance have been reported by PCCF, Odisha which is enclosed as Annexure-V. These have been verified by me during site inspection and the following observations have been made.

- i. The safety zone pillars have been erected around the mining lease, except along the southeastern railway tracks passing through the lease.
- ii. Portion of boundary wall of old age home has been demolished and plantation activity has been initiated in that portion.
- iii. Afforestation has been done in the six illegal pits.
- iv. Portion of OB dump had spilled over to RF area which has been corrected and plantation has been raised. A toe wall also has been constructed around the dump.
- v. The slurry pipe has been demarcated in the new land use pattern.
- vi. The illegal roads have been closed and plantations have been raised.
- vii. The mobile crusher unit has been dismantled.
- viii. One old OB dump has been stabilized and the others are still active.

In view of the violations, even though action has been taken by the user agency to rectify them, the Ministry of Environment and Forests & Climate Change may take note of these and impose suitable penal Compensatory Afforestation in the degraded forest land of appropriate extent along with appropriate penal measures, if any, against the User Agency, for the above mentioned violations.

**10. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Govt. or not.**

The project does not involve displacement of human habitation.

**11. Reclamation plan:**

The phased Reclamation Plan and Afforestation Scheme including Afforestation Programme have been furnished. This plan includes reclamation of exhausted pits by back filling with mine waste materials, taking up block plantation over the stabilized dumps as well as vacant areas. This has not yet been started as observed during my inspection. However, the User Agency has furnished an undertaking to execute this work in due course of time.

**Details and financial allocation:**

Not Submitted.

**12. Details on catchment and command area under the project:**

Not applicable.

**Catchment area treatment plan to prevent siltation of reservoir:**

Not applicable.

**13. Cost benefit ratio:**

As reported by the State Government, the total benefit of this proposal comes to Rs. 63 Crore. The loss on forests including environmental loss, N.P.V. cost and other mandatory payments comes to Rs. 2.67 Crore. Hence, the cost benefit ratio comes to 1:23.55 as computed by DFO, Keonjhar.

**14. Recommendations of the Principal Chief Conservator of Forests/State Government:**

Recommended by PCCF, Odisha/ State Government.

**15. Recommendation of Additional Principal Chief Conservator of Forests (Central) along with detailed reasons:**

As given under para 1 above.

**16. Conservator of Forests (Central) shall give detailed comments on whether there are any alternative routes/alignments for locating the project on the non-forest land:**

The mining projects is site specific; hence alternative alignment is not possible.

**17. Utility of the project:**

As reported by the State Government, this project has direct employment for 800 persons which will increase gradually.

**Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:**

Not reported.

**18.**

**(a) Whether any being diverted has any socio-cultural/religious value:**

Not reported.

**(b) Whether the land under diversion forms part of any unique eco-system:**

Not reported.

**(c) Whether the land under diversion forms part of any unique eco-system:**

Not reported.

**19. Situation with respect to any protected Area:**

The nearest protected area is Similipal National Park, which is about 70 Km. away from the project site.

**20. Any other information relating to the project:**

- i. Copies of DGPS & Topo-sheet, submitted by the User agency. Are enclosed as Annexure-I & II.
- ii. FRA is not applicable for the project, as it comes under Joda municipal area. A Certified to this effect, issued by Collector, Keonjhar is enclosed as Annexure-I.

The Regional Office has also submitted the status of compliance of violations reported by the PCCF as given under:

The PCCF, Odisha has reported the present status of compliance to violations committed by the Lessee.

Si. No.	Violation committed by the Lessee	Status of compliance
1.	<p>The entire safety zone area within the lease hold area has not been properly maintained which amounts to the violation of stipulation imposed by the MoEF, Govt. of India, while according the 2nd stage approval to the mines. The safety zone has been totally disturbed due to illegal mining, construction of road and construction of other infrastructures like raising of boundary wall etc. There is no fencing to protect the safety zone which violates the stipulation imposed by the MoEF, Govt. of India during the final approval. There are six illegal mining pits of following sizes were noticed on the safety zone in between ML pillar No. 42 to 43 which violates the stipulations of MoEF, Govt. of India.</p> <p>2.0 mx 12.0 m=24.00 Sq. m or 0.0024 ha  3.5mx4.9m=17.15 Sq. m or 0.0017 ha  3.4 m x 4.7 m=13.40 Sq. m or 0.0014 ha  3.3 m x 4.0 m=13.20 Sq. m or 0.0013 ha  2.5 m x 6.0 m=15.00 Sq. m or 0.0015 ha  94:70 Sq. m or 0.0095 ha</p>	<p>Safety Zone has been demarcated by taking 7.5 M. strip along the ML boundary as under:-  Pillar No.3 to 40/41 in Baitarani RF, 40/41 to 41/42 in DLC Forest land, 42 to 47 in DLC Forest land, 47 to 50 in Non-forest Govt. land, 50 to 52 in DLC Forest land and 52 to 53 in Non-forest Govt. land.</p> <p>The Safety Zone has not been demarcated in tenanted land from pillar No. 53 to 03. Similarly, Safety Zone has also not been demarcated in Non-forest. Govt. land between pillar No. 41/42 to 42.</p> <p>There is no Public road, Notified Forest road, Natural Streams located with the mining lease hold area and therefore, Safety Zone has been maintained only by taking 7.5 in strip along the ML boundary within the lease hold area.</p> <p>The entire Safety Zone has been fenced and plantation inside the Safety Zone has been taken up. The disturbed Safety Zone from ML pillar no. 42 to 43 due to mining pits has been afforested and fenced with barbed wire. The roads constructed in</p>

		<p>the Safety Zone from ML pillar no.30 to 31, 6 to 7 and 31 to 32 has been afforested and fenced with barbed wire.</p> <p>A portion of the boundary ill of the old Age Home is existing in its place in between ML Pillar no. 41, 42 and 43 as pointed out I the violation earlier.</p> <p>The portion of the six illegal pits in between ML pillar no. 42 and 43 falling in the Safety zone has been afforested and fenced with barbed wire leaving the balance portion inside the lease hold area.</p>
2.	<p>As per the approved land use pattern, the over burden dump should be in the non-forest land. But the over burdened dump was seen in the Baitarani RF near ML Pillar No. 42&amp;42, GPS reading of which is N 220 02` 03`” E. 85026` 26.7” which violates the land use pattern approved by the MoEF, GOI.</p>	<p>The O.B. Dump at Manmora Manganese pit is located between ML pi9llar No. 42 and 43 over 0.64 ha in approved Non-forest land 4.10 ha in Non-forest land without approval, 1.14 ha in approved Baitarani RF and 0.2 ha in Baitarani RF approved for mineral stacking. Therefore, the portion of the OB Dump lying in the Baitarani RF without approved land use plan still remains intact.</p>
3	<p>One illegal slurry pipe line has been laid within Baitarani RF which has not been approved by the MoEF, GOI during the 2nd stage approval. The GPS reading of the above area is (N22 o 00 o 52.1” E-85 o 26` 42.8”). The stretch of slurry pipe line is as follows:  3 pipe line 990 m x 7.5 n = 7425 Sq, m  1 pipe line 446 m x 1m = 446 sq. m  Total : 7871 Sq. m  0.787 ha</p> <p>In the process of laying of slurry pipe line, an area of 7871 Sq. m. or 0.787 ha of Baitarani RF has been disturbed by excavation of soil which vilate the Orissa Forest Act, 1972.</p>	<p>The slurry pipeline laid in Non forest land in Dam embankment area adjoining to ML pillar No. 40 measuring 446 m and another slurry pipeline (03 sets laid within Baitarani RF in the diverted area without land use approval measuring 990 m still remain intact.</p>
4	<p>One road has been constructed illegally in</p>	<p>,.....-</p>

	<p>between ML pillar No. 30 to 31 over a length of 8 m x 5 m = 400 m or 0.04 ha. The GPS reading ( that area is as follows:  M.L. Pillar No. 30: N 22° 00' 45.2"  E 85° 26' 41.8"  ML Pillar No. 31: N 21 ° 00' 52.1"  E 85°26'42.8"  Again another illegal road has been constructed on the safety zone in between pillar No.6 86 7 over a length of 95.5 M x 15 m 1432.50 sq. m. Or 0.143 ha The GPS reading of the same is as follows:  M.L. Pillar No.6: N21° 59' 41.9"  E 85° 26' 0"  M.L. Pillar No. 7: N21° 59' 4.0"  E 85°26'01.7"  Further, another road has been constructed illegally in between pillar No. 31 86 32 over length of 240 m x 3= 720 sq m or 0.072 m on the safety zone. The GPS reading is as follows:  M.L. Pillar No. 31: N 22°00' 45.2"  E85°26'41.8"  ML Pillar No.32: N21°00'52.1"  E 85°26'42.8"</p>	<p>All the roads constructed in the Safety Zone area from ML pillar no.30 to 31, 6 to 7 and 31 to 32 have been closed by erecting barbed wire fencing and taking up plantation within the said area.</p>
5	<p>The safety zone has been illegally broken in between pillar No. No. 29 to 30 over a length 23 m x m. = 69 <a href="#">sq.mt</a> or 0.0069 ha.</p>	<p>The illegally broken up area between pillar no.29 and 30 over a dimension of 23 m x 3 m does exist in the field.</p>
6	<p>One crusher unit along with mineral stacking yard and some building have been constructed over a area of 4.47 ha violating the land use pattern approved by the MoEF, GOT. The GPS reading of that area is N 21° 59' 41.3" E 85°26' 03.9"</p>	<p>The crusher unit has been dismantled and the 02 buildings are still existing with GPS reading N 21 °-59'-41.3" E- 85 -26'-3.9".  2011-12 has been booked against the User Agency by the Range Officer, Champua for such violations. The case is under trial in the court of Authorized officer-cum-ACF keonjhar. Statement of the User Agency, R.O., Champua, Forester, Joda have been recorded by the Court. Judgment by the Authorized officer is</p>

		<p>awaited. Prosecution report has been sent to JMFC, court, Barbil by the Authorized Officer.</p> <p>In the mean time the RCCF, Rourkela vide his Memo No. 1032/3F (Dis-K) 160/212 Dtd 21.3.2012 has asked for dismantling and removal of the Crusher Unit in Question. The user Agency has dismantled the Crusher Unit and reported the OFO Keonjhar as well as the RCCF, Rourkela.</p>
7.	The ML pillar though posted recently, the pillar number, chainage and bearing have not been written on that pillar which violates the stipulation of the MoEF, GOI	All the ML pillars have been serially numbered with chainage and bearing along with GPS reading inscribed in them.
8.	<p>The user agency has allowed for construction (one "Brudhashram" in between pillar No. 42 and 43 over a length of 50 M x 7.5 m, = 375 <a href="#">sq. mt</a> or 0.0375. The GPS reading is :</p> <p>M.L. Pillar No. 42: N 22°02' 4.98" E 85°26' 21.24"</p> <p>ML Pillar No.43: N22°01' 58.2" E 85°26'30.64"</p>	<p>One old age home (Brudhashram) has been constructed outside the ML area but a portion of the boundary wall of the same has been erected in between pillar No.4] -42-43 over 0.0162 ha in Kheshra Forest and 0.0335 ha in Non-forest land within the lease hold area.</p>
9.	Reclamation and Rehabilitation of mined out pits and dump has not been done properly at any places. Steps have not been taken to enrich the unused forest area located within the lease area which violates the stipulations imposed by the MoEF, GOI Toe walls have not been properly maintained at many places at the foot hill of the dumps which are left dangerously. It may cause soil erosion in that area.	<p>Reclamation and rehabilitation of Manmora Manganese Ore pit has been taken up through embankment and back filling with slime. The stabilization of two Iron Ore O.B. dump and o manganese O.B. dump has been taken up through plantation. Plantation has been taken up inside the lease hold area to enrich the forest growth in the available area. Toe Wall has been constructed at the foothill of the dump. The lake used as recreation spot is situated outside the mining lease hold area.</p>

As regards the action taken by the DFO for the violations so noticed, O.R. Case No.63CH of 2011-12 booked against the User Agency by the Range Officer, Champua also covers all other violations including the Crusher Unit as indicated against point No.7. The Prosecution report has been sent to JMFC, Court, Barbil by the Authorized Officer

In view of the facts related to the proposal, it is proposed that proposal may be submitted to the FAC for its consideration in its forthcoming meeting.

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