

F. No. 8-23/2007-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003
Dated: 3rd July, 2015
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To

The Principal Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Diversion of 3.047 ha of forest land earmarked for safety zone within the mining lease area of 49.372 ha in Raikela and Tantra Iron Ore Mines of M/s Penguin Trading & Agency Limited in Sundargarh District in addition to 45.585 ha forest land already diverted during 1st RML; clarification thereof.

Sir,

I am directed to refer to the State Government of Odisha's letter No. 10F (cons) 127/2014/22442/F&E, Bhubaneswar dated 6.12.2014 on the above subject seeking prior approval of the Central Government under Section – 2 of the Forest (Conservation) Act, 1980 and to say that in the instant case approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for diversion of forest land of 45.585 ha has already been granted by the Ministry vide its letter of even number dated 13.05.2009.

In this connection, it is to inform that in consonance with the Mines and Minerals (Development and Regulation) Amendment Act, 2015, as per which all mining leases granted before the commencement of the Mines and Minerals (Development and regulation) Amendment Ordinance, 2015 shall be deemed to have been granted for a period of 50 years and provision of renewal of mining leases was abolished, the MoEF&CC issued Guidelines dated 1.04.2015 extending the forest clearance upto the period of lease as extended vide MM(DR) Amendment Act, 2015 and subsequently issued another guidelines dated 1.05.2015 *inter-alia* stating that several proposals, presently at various stages of examination in the Central and the State Governments for seeking prior approval of the Central Government for diversion of forest land located in the safety zone of mining lease to which the provisions of the general approval granted by the Ministry vide its Guidelines dated 1.04.2015 extends, are now not required to be processed, in case, the entire forest land for which approval under the Forest (Conservation) Act, 1980 has been sought, is located in the safety zone of a mining lease and is not required to be utilized for mining or any other non-forest purposes. It is stated in the said Guidelines that such proposals shall be closed after intimation to all concerned.

In view of the above the State Government of Odisha is hereby advised to take action in accordance with the provisions contained in the Guidelines dated 1.04.2015. While taking action in accordance with the Guidelines dated 1.04.2015 compliance of conditions stipulated in the Stage-I and Stage-II approval granted by the MoEF&CC under the Forest (Conservation) Act, 1980 shall be ensured.

Yours faithfully,

(Nisheeth Saxena)

Assistant Inspector General of Forests

Copy to:-

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

(Nisheeth Saxena)

Assistant Inspector General of Forest