

1/45767/2023

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003

Dated: 5th June, 2023

To,

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Subject: Proposal for diversion of 184.23 ha of Forest land (174.23 Ha encroached (ex-post facto approval) and 9.84 ha virgin land) in favour of M/s Electrosteel Steels Limited (now known as ESL Steel Limited) in the State of Jharkhand - reg.

Madam/Sir,


I am directed to refer to this Ministry's letter of even no. dated 17.12.2019 vide which Stage-I/In-principle approval for diversion of forest land was accorded in case of subject cited proposal subject to certain conditions stipulated therein.

Keeping in the view the fact that the area proposed is already under possession of the user agency, the proposal is for ex-post facto approval and the fact that a period of more than 2 years had elapsed since the issuing of Stage-I approval and the User agency did not submit the complete compliance report, the Ministry vide letter dated 01.02.2022 requested the State Government as to why the Stage-I approval dated 17.02.2019 should not be revoked.

The User Agency vide their representation dated 09.09.2022 informed that diligent efforts were made by them to comply with the stipulated conditions. However, the details submitted indicated that the complete compliance of the conditions had not been done so far.

In this context, a meeting under the chairmanship of DGF&SS was held on 20.10.2022 to review the progress made by the user agency towards the compliance of Stage-I approval dated 17.12.2019. After detailed deliberations with the State Government authorities and the User agency, it was inter-alia decided that the user agency will prepare an unambiguous time line for identification and procurement of non-forest land for CA and Penal CA by March 2023 and submit the complete compliance report of all the conditions stipulated in Stage-I approval.

In pursuance to decision taken in the said meeting, the User Agency on 28.10.2022, submitted an interim action plan to complete the compliance of conditions stipulated in Stage-I approval wherein it was mentioned that identification & procurement of CA land will be carried out by March, 2023. It was also informed that for demarcation of plant-forest boundary, pillaring is under process and will be completed by November 2022. Further it was mentioned that FRA certificate has been issued for 79.78 ha and FRA proceedings for remaining area will be initiated in November 2022. Moreover, it was mentioned that User Agency will also submit quarterly status report to the Ministry on the


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progress of compliance of conditions stipulated in Stage-I approval.

However, the User agency failed to take necessary action for compliance of the conditions as agreed upon. The State Government vide their letter No. Van Bhumi-14/2019-3526/V.P. dated 02.12.2022 submitted incomplete compliance report and also intimated that the response of the user agency for compliance of the conditions is very casual and not satisfactory.

The Ministry vide letter of even no. dated 07.03.2023 sent a reminder to the State Government along with copy to User Agency requesting to submit the compliance of Stage-I approval dated 17.12.2019 as decided in the meeting held on 20.10.2022 latest by 31.03.2023, failing which the Ministry may consider to revoke the Stage-I approval.

However, no credible progress in the matter was reported by the State Government or the User Agency. Therefore, in order to review the status of compliance of the conditions stipulated in the Stage-I approval, a meeting was held on 25.05.2023 under the chairmanship of DGF&SS, which was attended by the PCCF Jharkhand and the representatives of the User Agency.

During the meeting it was observed that:

- i. Progress towards the compliance of the Stage-I approval has remained unsatisfactory as no perceptible efforts have been made by the user agency or the State Government despite clear instructions issued during the meeting held on 20.10.2022.
- ii. The user agency neither submitted the compliance report till 31.03.2023, nor submitted any request seeking time for submission of compliance report..
- iii. The representatives of User Agency were asked to intimate the progress made for compliance after 20.10.2022. However, user agency was not able to provide the details of any substantial progress in this regard.

It was decided in the meeting held on 20.10.2022 that the user agency will prepare an unambiguous time line for identification and procurement of non-forest land by 31.03.2023 and in the event of failure on the part of user agency to meet the time lines as decided above, the Ministry will initiate proceedings to revoke the Stage-I approval.

Whereas the area proposed for diversion is already under possession of the user agency, the same is under utilization without a valid Final approval under Forest(Conservation) Act,1980, and the User agency or the State Government has not made any concrete effort to comply with the stipulated conditions of Stage-I approval despite repeated requests even after lapse of more than 3 years. In view of above, the Stage-I approval accorded by the Ministry vide letter no. 8-21/2019-FC dated 17.12.2019 is hereby revoked. Further the State government shall take immediate necessary actions in the matter.

This issues with the approval of competent authority.

Yours sincerely,


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

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Jharkhand, Ranchi;
2. The Regional Officer, Integrated Regional Office, Ranchi;
3. The Nodal Officer (FCA), Department of Forest, Government of Jharkhand, Ranchi;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.


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