

Subject:- Proposal for general approval under section 2 (iii) of forest (Conservation) Act, 1980 for 61.45 ha. forest land for Manganese Ore mining at village Ramdongari, Tehsil. Saoner, Dist. Nagpur.

PART - III

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The Proposal is recommended
vide Government letter
No.FLD-2016/CR-403/F-10
Dated: 22/12/2016

VP. Tiwari

(Virendra Tiwari) 22/12/16

Chief Conservator of Forests (Mantralaya)

Place : Mumbai

Date : 22/12/2016.

VIRENDRA TIWARI
Chief Conservator of Forests (Mantralaya)
Revenue and Forest Department
Mantralaya, Mumbai 400 032

Government of Maharashtra

By Speed Post

No.FLD-2016/CR-403/F-10
Room no. 456/ 461 Annex,
Revenue and Forest Department,
Madam Kama Road, Hutatma
Rajguru Chowk,
Mantralaya, Mumbai – 400 032.
Dated: 22/12/2016

To,
The Secretary,
Government of India,
Ministry of Environments, Forest and Climate Change,
Indira Paryavaran Bhavan, Jorbagh Road, Aliganj,
New Delhi- 110 003.

Subject:- Proposal for general approval under section 2 (iii) of forest (Conservation) Act,1980 for 61.45 ha. forest land for Manganese Ore mining at village Ramdongari, Tehsil. Saoner, Dist. Nagpur.

Sir,

M/s Jayaswal Neco Industriers Ltd. Nagpur has submitted the proposal online on MoEF website for general approval under section 2 (iii) of forest (Conservation) Act, 1980 for 61.45 ha. forest land for Manganese Ore mining at village Ramdongari, Tehsil. Saoner, Dist. Nagpur. The area statement is as shown as below:-

Item of work	Village	District	Compt. No	Survey. No	Area (Ha)	Legal Status
General approval under section 2 (iii) of the Forest (Conservation) Act, 1980 for Manganese Ore mining	Ramdongari	Nagpur	213	101,102, 105 and 106	61.45	Protected Forest

2. Previously the proposal for diversion of 61.45 ha (59.14 ha for Manganese Ore mining activities and 2.31 ha for safety zone) of village Ramdongari, Tehsil. Saoner, Dist. Nagpur under Section 2 (ii) of FCA, 1980 was submitted by the User Agency. Principal Chief Conservator of Forests (HoFF) Maharashtra State, Nagpur submitted this proposal to State Government with recommendation for rejection of the proposal vide letter dated.22/05/2014 taking into consideration the recommendation of 8th meeting of State Board of Wildlife held on 20th February 2014 for discussion.

3. The proposed project area is outside the boundary of Mansighdeo Sanctuary and Pench National Park. However, it is within the deemed ESZ (i.e.10.00 km radius) of Mansighdeo Sanctuary. As per the guidelines of MoEF, Government of India dt.09/02/2011 mining in Eco Sensitive Zone area is prohibited. Keeping the above points in mind and considering the importance of this area for wildlife and likely disturbances to the wildlife corridor, as per the recommendation of the State Board of Wildlife, the project was not recommended for approval under Section 2 (ii) of FCA, 1980.

4. Meanwhile the Ministry of Environment, Forests and Climate Change, Government of India Gazette published on 17/3/2016 for declaration Draft Eco Sensitive Zone (EZS) Notification around Pench National Park and Mansinghdeo Wildlife Sanctuary. As per the Minutes of 20th Expert Committee for declaration of Eco Sensitive Zone (ESZ) around Sanctuary/ National Park held on 5th July, 2016 the Committee after deliberations recommended the proposal for declaration Draft Eco Sensitive Zone (EZS) Notification around Pench National Park and Mansinghdeo Wildlife Sanctuary for final notification with modifications to be incorporated by the State Government.

5. Principal Chief Conservator of Forests (Wildlife) Maharashtra State, Nagpur vide letter dt.4/8/2016 intimated the State Government that the proposed project is outside the boundary of the Eco Sensitive Zone (ESZ) of Pench National Park and Mansinghdeo Wildlife Sanctuary as per the draft notification published on 17/3/2016. As final notification is yet to be published by Government of India and requested State Government to take appropriated decision at Government level.

6. Subsequently the proposal submitted by M/s Jayaswal Neco Industries Ltd, Nagpur on MoEF portal on 26/11/2016 is for general approval under Section 2 (iii) of FCA, 1980 in accordance with the instructions of Government of India communicated vide their letters dt.17/11/2016 and 16/11/2016. While submitting the Part I under Section 2 (iii) of FCA, 1980 on MoEF portal the User Agency has agreed that the permission under Section 2 (iii) of FCA, 1980 do not confer upon them any right to claim for physical diversion of forest land under Section 2 (ii) of FCA, 1980.

7. The Government of India vide letter dt.17/11/2016 conveyed that the Ministry has decided that the user agency seeking permission under section 2(iii) of Forest Conservation Act, 1980 shall apply online on the prescribe form which is available on <http://forestclearance.nic.in/> website. The detail guidelines/procedure for submission of application is available on website. In this regard only online application will be considered by Ministry.

8. Approval under Section 2 (ii) or 2 (iii) of Forest (Conservation) Act, 1980 for the forest land included in the total mining lease area has not previously been obtained.

9. As per the Site Inspection Report of the Deputy Conservator of Forest, Nagpur Division, Nagpur and Chief Conservator of Forests (T) Nagpur the area belongs to Eco-value class-III having density more than 0.4 and category Southern Tropical Dry Deciduous Forest.

10. The Deputy Conservator of Forests, Nagpur Division, Nagpur has certified that the proposed project is within 10.00 km of the boundaries of the Mansinghdeo Wildlife Sanctuary.

11. The area involved in the is not likely to affect monumental site of cultural, historical, religious, archeological or recreational importance as certified the Deputy Conservator of Forests, Nagpur Division, Nagpur and Assistant Director, Department of Archaeology, Maharashtra, Nagpur vide letter dt.29/5/2009.

12. The User Agency has submitted the undertaking for payment of NPV of the forest land allowed to be utilized for the mining lease, against the forest land proposed for diversion.

13. There is no violation of Forest (Conservation) Act 1980, as per the reported by the Deputy Conservator of Forests, Nagpur Division, Nagpur.

14. The process for settlement of the rights under the Schedule Tribes and Other traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 on the proposed forest land for lease has been submitted by the User Agency vide Collector, Nagpur letter dt.4/5/2010 in old format. However, the compliance of FRA, 2006 in accordance with

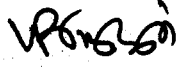
Government of India letter dt.5/7/2013 form II is required to be submitted by the User Agency.

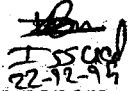
15. The User Agency has submitted the Geo digital map in suitable scale with geo-reference boundary in shape file prepared by using total stations or differential GPS and also indicated forest land, non-forest land & adjoining land for general approval under Section 2 (iii) of FC Act, in different colors.

16. The Additional Principal Chief Conservator of Forests & Nodal Officer, Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (iii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

17. In the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that Government of India may kindly be moved for general approval under section 2 (iii) of forest (Conservation) Act, 1980 for 61.45 ha. forest land for Manganese Ore mining at village Ramdongari, Tehsil. Saoner, Dist. Nagpur and the same may please be obtained & communicated to this Government at earliest.

Yours faithfully,


(Virendra Tiwari) 122/12/16
Chief Conservator of Forests (Mantralaya)


Encl: A) Set of case papers

b) The following documents are enclosed:-

1. Prescribed form as per Rules
2. Area Statement
3. KML file, Geo-reference Map
4. Site Inspection Report
5. Mining Plan
6. Certificate in Part-III

Copy to:

1. The Additional Principal Chief Conservator of Forests (C), Government of India, Ministry of Environments, Forest and Climate Change, West Central Regional Office, Ground Floor, East Wing, New Secretariat Building, Opposite Old VCA Stadium, Civil Lines, Nagpur-440 001
2. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur
3. Chief Conservator of Forests (T), Nagpur
4. Deputy Conservator of Forests, Nagpur Division, Nagpur
5. M/s Jayaswal Neco Industries Limited, Nagpur
6. Select file F-10