



STATE FOREST HEADQUARTERS, ODISHA  
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF  
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR  
BHUBANESWAR-751023

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No. 20 OCT 2023

/9F (MG) – 6/2022

Dated, Bhubaneswar the

October' 2023

From

**Sri Susanta Nanda, IFS**  
Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act)  
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

**The Deputy Inspector General of Forests**  
Government of India,  
Ministry of Environment, Forest & Climate Change (F.C. Division)  
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road  
New Delhi-110003

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of Anil Kumar Sharma Power of Attorney of Late Chandi Prasad Sharma for non-forestry use of 67.352 ha. of forest land for Iron & Manganese Ore mining in village-Raikela, Bahamba & Tensa under Bonai Sub-Division in Sundargarh District.**

**Ref: Letter No. 8-25/2022-FC dt.20.09.2023 of MoEF & CC, Govt. of India of the Deputy Inspector General of Forests.**

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, New Delhi has requested to furnish the compliance of 6 nos. of observations. The point wise compliance basing on the reports of DFO, Bonai Forest Division and RCCF, Rourkela Circle are as follows:

***Observation No.(i): It has been informed that the Divisional Forest Officer, Bonai Forest Division had raised a demand for payment of NPV for ₹4,94,32,680/- vide Letter No.2886/6F dt.05.06.2010 and the lessee had paid the above amount of NPV vide demand draft No.094765 dated 25.06.2010 in favour of Compensatory Afforestation Fund (CAF)-Odisha A/C No.CA 1585, Corporation Bank, Lodhi Road, New Delhi and after payment of NPV, the lessee was allowed to resume mining operation over the already broken up area of 6.884 ha up to one year vide order No.20258/Mines Dated 13.08.2010 of the Divisional Forest Officer, Bonai Forest Division. The provision under which the permission for mining was accorded vide order No.20258/Mines Dated 13.08.2010 is required to be clarified by the State.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the DFO, Bonai Division was demanded ₹4,94,32,680/- to the User Agency to pay towards the NPV vide his office Letter No.2886 dt.5.6.2010. The User Agency had deposited ₹4,94,32,680/- towards NPV vide DD No.094965 dated 25.06.2010 in favour of Compensatory Afforestation Fund (CAF)-Odisha A/C No.CA 1585, Corporation Bank, Lodhi Road, New Delhi. After deposit of the NPV, the User Agency had requested vide his Letter dated 02.07.2010 to allow mining operation in the already broken up DLC land. The DFO, Bonai Division was allowed the User Agency to operate in the broken up DLC forest land over 6.884 ha. vide office Letter No.3912 dt.9.7.2010 which is enclosed as **Annexure-1**. Further, the DFO, Bonai Division was issued the above order in pursuance of the recommendation of the Central Empowered Committee in Para 15 (d) of File No.1-19/CEC/SC/2008-pt XXVI Dt.26.04.2010 which is enclosed as **Annexure-2**. Further, Deputy Director of Mines, Koira Circle of Sundargarh District had also allowed to resume mining operation over already broken up area vide his Memo No.20259/Mines dt.13.08.2010 as other statutory requirements complied by the User Agency such as:

- Consent Order No. 2591 of SPCB, Orissa to operate having validity up to Dt.31.03.2011 granted in their letter No.21896 Dt.30.09.2008.
- Environmental Clearance accorded by MoEF, Govt. of India in their letter F. No. J-11015/2007-IA.II (M), Dt.16.06.2008.
- Valid Scheme of mining approved by IBM for the period from 2006-07 to 2010-11 vide their letter No. MP/OTF-MECH/13-ORI-BHU-2007-08 Dt.11.01.2008.

The Letter of the Deputy Director of Mines, Koira Circle of Sundargarh District is enclosed as **Annexure-3**.

***Observation No.(ii): The present status of the forest offence case booked against the lessee for violation over 0.050 ha of PRF area broken up during the previous mining activities under the provision of Orissa Forest Act, 1972 vide OR No.170 (BS) of 2021-22 on 25.02.2022 shall be submitted.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the DFO, Bonai Division was instructed the Range Officer, Barsuan Range vide his office Memo No.7455 dt.3.10.2023 to submit the present status of the forest offence case. In response to his office Memo, the Range Officer, Barsuan has intimated vide his Memo No.816 dt.5.10.2023 to the DFO, Bonai that he conducted the joint inspection along with Sri Dharanidhar Sahoo, Fr. Dengula Section, in Raikela, Bahamba and Tensa Iron & Mn. Mines of Sri C.P. Sharma on dated 5.2.2022

and found that the User Agency had occupied an area of 0.03 ha. PRF land and carried out mining work during the previous mining activities and hence booked an FIR under provision of Orissa Forest Act,1972 vide OR No.170<sup>BS</sup> of 2021-22 dated 25.02.2022. Further, the Range Officer, Barsuan Range has intimated that investigation is going on and the final report will be submitted soon.

***Observation No.(iii): The State Government shall examine and intimate whether any action under Section 3A and 3B against the officials responsible for violation of FCA, 1980 has been taken or not. A detailed report shall be submitted in this regard.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the DFO, Bonai Division has intimated that no action has been taken under Section 3A and 3B of FCA,1980 till date.

***Observation No.(iv): Compensatory Afforestation in lieu of the forest area involved in the safety zone is to be raised over the equivalent non-forest land instead of proposed 1.5 times degraded forest land. All details of the non-forest land so identified and the CA Scheme, Land Suitability certificate, KML file etc. shall be submitted.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the total 67.352 ha. of forest area has been applied for diversion under Section-2 of the Forest (Conservation) Act,1980. Further, DFO, Bonai Division has reported that as per the earlier guidelines, equivalent extent of Non-Forest land over 64.516 ha was required for Compensatory Afforestation after excluding the area over 2.836 ha. earmarked for Safety Zone. But, against the required 64.516 ha of Non-forest land, an area of 67.052 ha. of non-forest land has been identified in village: San-Rengalbeda under Lahunipada Tahsil of Sundargarh District under Rourkela Forest Division for Compensatory Afforestation. Accordingly, the CA scheme has been prepared and submitted with the diversion proposal. Therefore, the balance Non-forest land over 0.300 ha (67.352 ha. (-) 67.052 ha.) is required for Compensatory Afforestation.

Accordingly, in compliance with above observation, the DFO, Bonai vide his office Letter No.7616 dt.9.10.2023 has asked the User Agency to provide 0.300 ha. of balance non-forest land for Compensatory Afforestation and in the above context, the User Agency has submitted an undertaking to provide the required 0.300 ha. of non-forest land and bear the cost of Compensatory Afforestation. The undertaking duly countersigned by the DFO, Bonai Division is enclosed as **Annexure-4**. The KML file in CD form and land suitable certificate along with joint verification of land schedule over 67.052 ha identified in village Rengalbeda of Lahunipara Tahasil is enclosed as **Annexure-4 (A)**.

***Observation No.(v): As per DSS analysis, part of the non-forest land identified for raising CA overlaps with the Reserve Forest land. The state shall re-examine the matter and ensure that the area proposed for CA is not forest land and initiate the action for correction of the forest boundaries on DSS platform, if applicable.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the Divisional Forest Officer, Rourkela Division has reported vide his Memo No.8887 dt.28.10.2022 that the Tehsildar, Lahunipara Tehsil has submitted the land schedule of non-forest (Pahad Kisam) land over 165.688 Ac. Or 67.052 ha. in San-Rengalbeda village under Lahunipara Tehsil of Sundargarh District for CA required for the above diversion proposal vide Letter No.2117 dt.27.5.2022. The letter of the DFO, Rourkela Division and Tahasildar, Lahunipara are enclosed as **Annexure-5 & 6** respectively. The Tahasildar has also furnished a certificate in this regard that, **“the identified land is free from encroachment and encumbrance”**. The CA land has been vetted by Scientist, ORSAC, Bhubaneswar and reported vide his Letter No.2406 (2) dt.8.7.2022 which is enclosed as **Annexure-7**. Further, as reported by the DFO, Rourkela that, there is no Reserve Forest available in the nearby area of the above identified CA land. The DSS analysis report of the CA land duly signed by DFO, Rourkela Division and countersigned by the RCCF, Rourkela Circle has been enclosed herewith as **Annexure-8**.

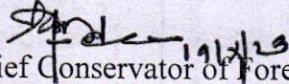
***Observation No.(vi): The State Govt. shall submit a justification as to why the mining should not be restricted to already broken up area only which was earlier permitted by the court.***

**Compliance:** In compliance to the above observation, the RCCF, Rourkela has reported that the DFO, Bonai Division has intimated that the mining operation had been carried out in the already broken up area only.

In view of the above, the compliance to the observations of Government of India, MoEF&CC, New Delhi is sent herewith for favour of Kind information and necessary action.

**Encl: Compliance in one set**

Yours faithfully

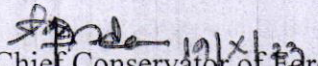
  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.

Copy alongwith the compliance report forwarded to the Dy. Director General of Forests (Central), MOEF& CC, RO, Bhubaneswar for favour of kind information and necessary action with reference to Letter No. 8-25/2022-FC dt.20.09.2023 of GoI, MoEF&CC (FC Division), New Delhi.

**Encl: Compliance in one set**

  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.


20848

/Dt.

19.10.2023

Copy alongwith the compliance report forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Letter No. 8-25/2022-FC dt.20.09.2023 of GoI, MoEF&CC (FC Division), New Delhi.

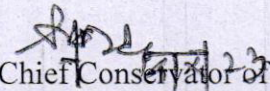
**Encl: Compliance in one set**

  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.


Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle for information and necessary action with reference to his Memo No. 3400 dated 11.10.2023.

  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.


Copy forwarded to the Divisional Forest Officer, Bonai Forest Division for information and necessary action with reference to Memo No. 3401 dated 09.06.2023 of RCCF, Rourkela Circle.

  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.

Copy forwarded to Anil Sharma, Power of Attorney Holder of Sri C. P. Sharma, Mines Owner, At/PO-Chaibasa, Dist-Singhbhum (West), Jharkhand-833201 for information and necessary action with reference to Memo No. 3402 dated 09.06.2023 of RCCF, Rourkela Circle.

  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act