



**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HORTICULTURE, ODISHA  
ARANYA BHAWAN, CHANDRASEKHARPUR, BHUBANESWAR**

Letter No.

/9F (MG)-377/2019

Dated, Bhubaneswar, the

December, 2021

JANU

To

The Inspector General of Forests, Government of India  
Ministry of Environment, Forests & Climate Change (FC Division)  
Indira Paryavaran Bhawan, Jor Bagh Road  
Aliganj, New Delhi-110003

**Sub: Proposal for non-forestry use of 66.20 ha of forest land (including safety zone area 1.899 ha) under Section-2 (ii) of the Forest (Conservation) Act, 1980 in respect of Jindal Chromite Mines of M/s Jindal Stainless Limited in village Kaliapani and Forest Block No.27 of Mahagiri DPF in Sukinda Tahasil of Jajpur District under Cuttack Forest Division**

**Ref: F.No.8-68/2000-FC (pt.) dated 11.10.2021 of GoI, MoEF & CC (FC Division) New Delhi**

Sir,

In inviting reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change (FC Division), New Delhi have made certain observations vide letter under reference in respect of proposal for non-forestry use of 66.20 ha of forest land (including safety zone area 1.899 ha) under Section-2 (ii) of the Forest (Conservation) Act, 1980 in respect of Jindal Chromite Mines of M/s Jindal Stainless Limited in village Kaliapani and Forest Block No.27 of Mahagiri DPF in Sukinda Tahasil of Jajpur District under Cuttack Forest Division. The User Agency has complied all the observations raised by Govt. of India, MoEF & CC, New Delhi. The point wise compliance has been prepared basing on the reports of DFO Cuttack Forest Division and the RCCF, Angul Circle is as mentioned below:

***(i) Online proposal contains CA scheme only in respect of 43.98 ha (30.86 ha+13.12 ha) only, site specific scheme prepared for Badabahal and Gunthapada may be uploaded online, along with requisite supporting details:***

**Compliance:** The RCCF Angul Circle has reported that the CA land over 65.645 ha of non-forest Government land have been identified in village Seranda, Khamar, Badabahal, Gunthapada and Luhamunda under Kishorenagar Tahasil of Handpa Range of Athmallik Forest Division under Angul District.



The detail land schedule village wise is furnished below:

Name of the Village	Khata No.	Plot No.	Kisam	Proposed Area for CA (in ha)
Serenda	77	212 (P)	Pahada	6.30
		214 (P)	Pahada	3.99
		307 (P)	Patharbani	2.83
			<b>Total</b>	<b>13.12 ha</b>
Khamar	53	1 (P)	Patharbani	15.40
		5 (P)	Parbat/II	3.12
		7 (P)	Parbat/II	0.20
		29 (P)	Patharbani	3.84
		44 (P)	Patharbani	8.30
			<b>Total</b>	<b>30.86 ha</b>
Badabahal	92	117 (P)	Parbat/II	7.657
		135 (P)	Parbat/II	1.372
			<b>Total</b>	<b>9.029 ha</b>
Gunthapada	37	70 (P)	Parbat/II	4.229
		115 (P)	Parbat/II	2.061
			<b>Total</b>	<b>6.290 ha</b>
Luhamura	333	1579 (P)	Parbat/II	6.346
			<b>Total</b>	<b>6.346 ha</b>
<b>Grand Total (in ha)</b>				<b>65.645 ha</b>

The Compensatory Afforestation (CA) scheme has been prepared @ wage rate of Rs.311/- per manday with 10 years maintenance and the scheme has been approved by the Chief Conservator of Forests (Forest Diversion & Nodal Officer, FC Act). The scheme with financial outlay is enclosed herewith as **Annexure-I of the compliance report**. The CA scheme over 65.645 ha has been uploaded in Parivesh Portal.

*(ii) State Government in its forwarding letter mentioned that a Site Specific Wildlife Management Plan has also been approved by the PCCF(Wildlife) CWLW. However, copy of the Site Specific Wildlife Management Plan has not been submitted. The same needs to be submitted:*

**Compliance:** The approved Site Specific Wildlife Conservation Plan in respect of Kaliapani Chromite Mines of M/s Jindal Stainless Steel Ltd. communicated to Nodal Officer vide Memo No.7226/WL dated 12.09.2016 of PCCF (WL) & CWLW, Odisha with a financial outlay of Rs.584.1312 Lakh. The copy of the scheme is enclosed herewith as **Annexure-II of the compliance report**. The Site Specific Wildlife Conservation Plan has been uploaded in Parivesh Portal.

*(iii) Complete copy of mining plan may be uploaded online by the User Agency. Complete copy of the same needs to be uploaded online:*

**Compliance:** The approved Mining Plan has been uploaded in Parivesh Portal. The hard copy of the Mining Plan is enclosed herewith as **Annexure-III in the compliance report**.



*(iv) Detail pertaining to the proposal dated 16.05.2016 of the state for change in the name of user agency could not be traced in the Ministry. The State Government is, therefore, requested to submit a copy of the same and confirm if the proposal is in accordance with Para-5.2 of the Handbook i.e. change in the name of the user agency without change in the shareholding pattern:*

**Compliance:** The RCCF Angul Circle has reported that the proposal is in accordance with Para-5.1 (Transfer of User Agency) not in accordance with Para-5.2 of Chapter-5 of Handbook. The Government of Odisha, Department of Steel & Mines in Proceedings No.8379 dated 28.09.2007 have considered the case of transfer of ML and other pending MC, application filed by M/s Jindal Strips Ltd. to M/s Jindal Stainless Steel Ltd. Now, therefore, the State Government have been pleased to allow transfer of the above granted and executed ML and pending MC application filed by M/s Jindal Strips Ltd. to the name of M/s Jindal Stainless Steel Ltd. which is enclosed herewith as **Annexure-IV**. The copy of the recommendation of Government of Odisha, F&E Department regarding transfer of lease (Forest Clearance) as per Para-2.8 of Forest (Conservation) Act, Rules, Guidelines & Clarifications is enclosed as **Annexure-IV A**. The copy of the Transfer Fees of Rs.1,00,000/- is enclosed as **Annexure-IV B**. All the above documents have been uploaded in Parivesh Portal.

*(v) The State Government has considered the working over 61.16 ha of forest land without prior approval under FC Act, 1980 as a violation of the Act. Action, if any, taken by the State Government on the reported violation of the FC Act may be intimated to the Ministry:*

**Compliance:** The RCCF Angul Circle has reported that working over 61.16 ha of forest land was continued as per the Government Hal records which was non-forest land. Later on, as per guidelines issued vide letter dated 10.03.2015 and 01.04.2015 of Gol, MoEF & CC, it was found that the land was forest land as per sabik records. As per guidelines of MoEF & CC, the user agency has applied for forest diversion proposal over 66.20 ha (including Safety Zone of 5.04 ha). In this context, the DFO, Cuttack Division has issued letter vide his Memo No.7593 dated 06.08.2016 to discontinue the mining operation in broken-up forest area with effect from 06.08.2016 which is enclosed herewith as **Annexure-V**. The user agency has filed W.P.(C) No.4146 of 2016 in the Hon'ble High Court of Orissa, Cuttack challenging the guideline issued by Government of India, MoEF & CC dated 10.03.2015. The Hon'ble High Court Odisha issued interim order No.3 dated 04.03.2016 to maintain status-quo as on date with regards to the operation of the mines in question shall be maintained till 10<sup>th</sup> March 2016. Copy of the Writ Application and Interim Order enclosed as **Annexure-V A & Annexure-V B** respectively. Further, the Hon'ble High Court Orissa



Cuttack vide order No.25 dated 03.12.2019 has directed that the interim order passed earlier shall continue till 17.12.2019 which is enclosed herewith as **Annexure-V C**. The matter is sub-judice in the Hon'ble High Court of Orissa, Cuttack.

Further, the RCCF Angul Circle has reported that a copy of guideline dated 29.01.2018 of Government of India, MoEF & CC is submitted by the User Agency that as per Point No.3 E of the guidelines: "In cases where forest land has been changed to 'non-forest land' in Government records: if the violation is not attributable to the user agency, no penalty shall be imposed." The copy of the above guidelines is enclosed as **Annexure-V D**.

**(vi) Relevant documents pertaining to FRA, 2006 i.e. certificate dated 03.05.2016 along with supporting documentary evidences and letter of user agency requesting the District Collector to submit the compliance of balance area of 1.899 ha have not been uploaded online. The same needs to be uploaded online:**

**Compliance:** The RCCF Angul Circle has reported that the FRA certificate issued by District Collector Jajpur dated 03.05.2016 has been uploaded with supporting document in Parivesh portal. Further, the request letter to the Collector & DM, Jajpur for issue of FRA Certificate for the balance area 1.899 ha is also uploaded in the Parivesh portal. The copy of FRA certificate and request letter for issue of balance area of 1.899 ha are enclosed as **Annexure-VI & Annexure-VI A** respectively. The User Agency has submitted an undertaking to furnish the FRA certificate, 2006 of balance area of 1.899 ha before Stage-II approval which is enclosed as **Annexure-VI B**.

The compliance to the observations of the GoI, MoEF & CC, New Delhi is sent herewith along with the annexures and supporting documents as above for favour of kind information and necessary action.

Yours faithfully,

Encl: **Compliance report**

*[Signature]*  
31/12/21  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No. **104**

/Dt. **01.01.2022**

Copy along with one set of Compliance report forwarded to the Additional Chief Secretary to Government in FE&CC Department, Odisha for kind information and necessary action.

*[Signature]*  
31/12/21  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act



Memo No.

/Dt.

Copy forwarded to the RCCF, Angul Circle for information and necessary action.

*[Signature]*  
31/12/21  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.

Copy forwarded to the Divisional Forest Officer, Cuttack Forest Division for information and necessary action.

*[Signature]*  
31/12/21  
Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

*ASCDKPD*



