



OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION

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Memo No. 7618 /6F- Mining-305/2018

Dated, Keonjhar the 05-08-2019

To

The Regional Chief Conservator of Forests,
Rourkela Circle, Rourkela.

Sub: Proposal for diversion of 22.671 ha forest land for Establishment of proposed Grinding, De-sliming (Beneficiation) plant and slurry pumping station and Water intake System of M/s JSW Utkal Steel Ltd under Barbil Tahasil in District Keonjhar, Odisha.
(Proposal No. FP/OR/IND/36705/2018, St. Sl. No.OR-05/2019).

X-Sub: **Clarification as regards lease out of land measuring 74.304 ha having 20.585 ha non forest land recorded as forest as on 25.10.1980.**

Ref: This office Memo No. 6582 dated 02.07.2019 & Your Memo No.1684 dated 12.7.2019

In continuation to this office Memo No. cited above, this is to intimate that the User Agency has reported vide his letter No. JSW/U/O/2019/158 dated 22.07.2019 (copy enclosed) that IDCO has transfer of allotted area of 183.610 Ac. or 74.304 ha in favour of M/s JSW Utkal Steel Ltd for establishment of industries i.e Grinding, Beneficiation & Slurry Pumping System vide their letter No. 12878 dated 21.6.2018 vide **Annexure- 4** in the DP with the orders of Govt. in Steel & Mines department issued vide letter No. 2000 dated 19.03.2018 with some terms and conditions.

The User Agency has intimated that the land comprising of 74.304 ha (183.61Ac) spreads over four villages namely Lahanda (38.59 Ac), Gobardhanpur (21.98Ac, 8.97 Ac & 3.14 Ac), Bhagalpur (90.03 Ac & 7.57 Ac) and Sialijoda (13.33 Ac). Originally the land was procured by IDCO and was leased to M/s Crackers India Alloys Ltd vide lease deeds dated 26.08.2011 village Sialijoda (13.33 Ac) dated 26.08.2011 over an area of 21.98Ac., dated 16.5.2007 over an area of 8.97 Ac. dated 25.02.2010 over an area of 3.14 Ac in village Gobardhanpur dated 24.06.2008 village Lahanda (38.59 Ac) dated 26.08.2011 over an area of 90.03 Ac and dated 16.05,2007 over an area of 7.57 Ac in village Bhagalpur.

As per the Hal record, published during the year 1982-83 all the lands stood recorded as non-forest land. As letter No. 4822 dated 12.02.2018 of Chief Secretary, Govt. of Odisha *inter alia* states that "if any entry in the RoR is altered in subsequent RoR, the later has to be presumed to be correct until it is prove by evidence to be incorrect, but the previous entry can be admissible as evidence of facts existing at the time such entry was made. In case required for a project, the status of land classified as 'forest' on 25.10.1980 is to be diverted for non-forest use after obtaining prior approval of Central Govt. as per provision of the FC Act". All lease deeds between M/s Crackers India Alloys Ltd and IDCO were executed much prior to the notification dated 12.02.2015.

While the matter stood as it is and the land being under possession of M/s Cracker India Alloys ltd, M/S JSW Utkal Ltd proposed to establish a Grinding and De-

sliming (Beneficiation) plant at the same location. Having reached a consensus both the parties i.e. M/s JSW Utkal Steel Ltd and M/s Crackers India Alloys Ltd approached IDCO to allow the transfer of the land from M/s Crackers India Alloys Ltd to M/S JSW Utkal Steel Ltd. IDCO vide his letter permitted the transfer of these patches of the land for the balance lease period. Also this transfer has the concurrence of State Level Single Window Clearance Authority (SLSWCA) as was communicated by IPICOL vide letter no letter dated 18/04/2018 .

M/S JSW Utkal Steel Ltd can hold the said land for the balance period as described below.


Name of the village	Area in Ac.	Balance lease period
Lahanda	38.59	80 years
Gobardhanpur	8.97	79 years
Gobardhanpur	21.98	83 years
Gobardhanpur	3.14	82 years
Bhagalpur	7.57	79 years
Bhagalpur	90.03	83 years
Sialijoda	13.33	83 years
Total	183.61	

And accordingly a single lease deed dated 23.06.2018 was executed between IDCO and M/S JSW Utkal Steel Ltd. It is pertinent to mention that *this is not a new/fresh lease as referred under Sec 2 of the FC Act, but, transfer of already leased out land from one project proponent to another project proponent for the balance period.*

In condition No. 14 of the allotment letter no 12878 dated 21.6.2018, *inter-alia* state that “In case the project land (private or government or both) is interspersed with forest land, the transferee has to allow free access to the local community till the same is alienated in their favour after obtaining due approval of the diversion proposal by the MoEF.”

The said land has been lease out by IDCO vide a registered lease deed no. 11031800324 on dated 23.06.2018 as per hal record is enclosed in DP. The lease out area over 183.61 Ac. or 74.304 ha is coming under Non Forest as per hal record. As per letter No. 4822 dated 12.02.2015 of the Chief Secretary, Odisha, Govt. of Odisha and letter F.No. 8-78/1996-FC (Pt.) dated 10.03.2015 from MoEF & CC ,GoI, the User Agency has applied to the Tahasildar ,Barbil to provide the status of land involved in the project for both forest and non - forest as per Govt. record as on 25.10.1980. According the Tahsildar, Barbil has certified the land schedule as per Govt. record as on 25.10.1980 vide his letter No. 4737 dated 23.10.2018, which is enclosed as **Annexure -5** in DP. Tahasildar, Barbil has certified that out of total lease out area of 74.304 ha. it is found 20.585 ha. land is involved as Non forest land recorded as forest as on 25.10.1980.

Therefore, M/S JSW Utkal Steel Ltd has submitted the instant diversion proposal over 22.671 ha including 20.585 ha of Sabik Kisam forest land out of total land over 74.304 ha, which is leased out by IDCO.


 Sankar
 21/8/19
Divisional Forest Officer,
Keonjhar Division.

Memo No. _____ **/Dated** _____

Copy forwarded to the Additional Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act, O/o the Principal Chief Conservator of Forests, Odisha, Bhubaneswar for favour of kind information.


Divisional Forest Officer,
Keonjhar Division.