



GOVERNMENT OF GOA
Office of the Dy. Conservator of Forests
South Goa Division
Margao – Goa, Pin 403601.

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No.6/FCA-85/ML-3/FeMn 79/DCFS/TECH/2022-23/1917 Dt. 8/11/2022

To,
The Dy. Conservator of Forests,
Monitoring and Evaluation,
Altinho, Panaji – Goa.

Sub : Proposal for diversion of 72.08 ha. of forest land for non-forestry purpose under mining lease bearing No.3/FeMn/79 located at village Caurem, Quepem Taluka in South Goa District & Division, in favour of M/s. Naraina Sinai Quritonim. (Online proposal No.FP/A/MIN/153183/2022) – regarding. Change of area in proposal.

Ref : No.6-13(216)-2022-23/FD/3007 dated 10.10.2022.

Madam,

With reference to the subject above, this office had raised queries to the User Agency (UA) and the UA had submitted the information / clarification / documents with respect to observation raised by Assistant Inspector General of Forests, Ministry of Environment, Forest & Climate Change Government of India, New Delhi vide letter No.8-26/2022-FC dated 30.09.2022. The reply of the UA and the remarks of this office are provided below for necessary action.

Sr. No.	Observation	Reply of User Agency	Remarks of this office
i.	The Cost benefit analysis report submitted is not signed by the concerned DFO	-	Complied. Countersigned hard copy is enclosed herewith.
ii.	The copy of certificate issued by Chief Secretary regarding non-	-	May please be complied at Head office level.



	availability of suitable non-forest / revenue forest land was not found along with the proposal.		
iii.	The State Govt. may be requested to submit the details of the safety zone as per para 7.9 of the comprehensive guidelines issued by the Ministry in 2019.	<ul style="list-style-type: none"> The 7.5 Meters wide Safety Zone is already indicated in green colour in the Land Use Plan at Annexure 24 to the Said FCA Proposal and referred to accordingly in the Index appearing at the foot of that plan. The 7.5 Meters wide Safety Zone is also shown in Plate No. 9 (Conceptual Plan) annexed to the Review and Updation of Mining Plan approved by the Indian Bureau of Mines ("IBM") vide Approval no. RMP/MECH-65/GOA/2021-22, dated 14/03/2022 ("Approved Mining Plan"), which has been submitted along with the Said FCA as Annexure 13. 	<ul style="list-style-type: none"> As per plan enclosed by user agency safety zone of 7.5 meter wide periphery to the mining lease is mentioned. This safety zone of 7.5 meter width is included in area applied for diversion.
iv.	As per the DSS analysis, the user agency has provided the KML file of the proposed approach road in the form of line feature instead of polygon feature.	<ul style="list-style-type: none"> A pen drive containing the KML file of proposed approach road to the Said M. L. in the form of polygon feature is enclosed herewith as Annexure "B-1". Hard copy depicting the same is also enclosed herewith as Annexure "B-2". 	<ul style="list-style-type: none"> User agency has provided KML file of proposed approach road to the mining lease in the form of polygon. It was sent to concerned RFO for field verification and the same has been verified. There is no change with respect to the Site Inspection Report submitted earlier.

			The soft copy is enclosed herewith.
v.	The State Govt. is requested to comment whether the instant proposal recommended by the State for consideration of this Ministry is in accordance with the order passed by the Hon'ble Supreme Court dtd. 07.02.2018 in S.L.P. © No.32138 of 2015	-	Not applicable at this office level as the matter pertains to grant and renewal of mining leases which is under the ambit of Directorate of Mines and Geology.
vi.	The DFO in SIR mentioned that the lease area is fully proposed for diversion as per existing FCA rules and guidelines. However, as per the mining plan approved by competent authority 28.30 ha is proposed to be used for 5 years i.e. till 2026-27. The plan w.r.t. to remaining land is not clear. In this regard the State Govt. may offer comments.	<ul style="list-style-type: none"> The Approved Mining Plan is, presently, for the period 2022-2023 to 2026-2027 ("Initial 5-year Period"). However, the tenure of the Said ML is till 2029, i.e. for two years after the Initial 5-year Period, viz. 2027-2028 and 2028-2029 ("Balance Period"). It is true that during the Initial 5-year Period, the total proposed area of the Said ML which shall be put to use is 28.30 Hectares., details of which are given in Chapter 7 ("FINANCIAL ASSURANCE / PERFORMANCE SURETY (AREA PUT TO USE)") at Pgs. 85, 86 and 87 of the Approved Mining Plan. However, Rule 12(4) of MCDR-2017 mandates the 	The approved mining plan (till 2026-27) is for an area of 28.30 ha. The User Agency (UA) has mentioned of plans of exploration and geological mapping in the remaining area. Further, the UA have mentioned that in case the exploration leads to discovery of presence of suitable content of ores, then they would apply to competent authority for modification in their Mining Plan as required. The detailed reply of the UA is enclosed herewith.

mining lessee to carry out detailed exploration (G1 level) **over the entire potentially mineralized area under the Mining Lease**. For ready reference, relevant portion of Rule 12(4) is reproduced herein below:

*"In case of existing mining leases, **detailed exploration (G1 level) over the entire potentially mineralized area under the Mining Lease shall be carried out ...** ..."*

- An identical requirement is mandated in Para 7.3(ii) of Chapter 7 ("Mining Projects") of the Guidelines & Clarifications under the Forest (Conservation) Act and Forest Conservation Rule, 2003, which requires that **no mining shall be allowed till approval under Section 2(iii) of the Forest Conservation Act is obtained for the entire forest land falling in such mining lease**. For ready reference, relevant portion of Para 7.3(ii) is reproduced herein below

"In case of existing mining leases having forest land in part or in full for which mining lease has already been executed at least once before 1st April, 2015 but approval under the FC Act for even a part

of forest land falling in such mining leases has not been obtained **no mining shall be allowed in such mining leases after 31.03.2017 till approval under Section 2(iii) of the FC Act for the entire forest land falling in such mining lease is obtained ...** ”

- Thus, as mandated under the aforesaid Rule 12(4) of MCDR-2017, we have proposed to undertake exploration and geological mapping over **70.20 Hectares**, i.e. over almost the entire potentially mineralized area of the Said ML. This is evident from:
- The last column of the table in **Para 2.2.6.1** (“*Future Exploration Proposal*”) at **Pg. 44** of the Approved Mining Plan, which shows that during the Initial 5-year Period itself, geological mapping shall be undertaken over **70.20 Hectares**, i.e. over almost the entire potentially mineralized area of the Said ML.
- The **Surface Geological Plan** which is **Plate 3** to the Approved Mining Plan shows the location of the proposed bore holes and trenches, even beyond the present ultimate pit limit. This indicates that bore-

		<p>holing and trenching, i.e. exploration, shall be undertaken over almost the entire area of the Said M. L..</p> <ul style="list-style-type: none"> • Consequently, since exploration and geological mapping shall be undertaken over almost the entire area of the Said M. L. <u>(as mandated by Rule 12(4) of MCDR-2017)</u>, approval has been sought for diversion of entire area of the Said ML for non-forestry purpose <u>(as mandated by Para 7.3(ii) of Chapter 7 of the Guidelines & Clarifications)</u>. • If the future exploration and geological mapping indicates presence of mineable iron ore, then we shall be applying to the IBM for modification of the Approved Mining Plan to undertake mining even beyond the 28.30 Hectares (proposed for the Initial 5-year Period) and upon and subject to receiving such approval from IBM, we shall be undertaking mining in the Balance Period, even beyond the area of 28.30 Hectares 	
vii.	The State Govt. is requested to identify the CA land (non-forest land) as per the provisions mentioned in para 2.3 (v) of the	Reply given by User agency in letter dated 8/11/2022 flagged as 'Addendum' herewith.	Reply of User Agency is enclosed herewith vide their letter dated 08/11/2022.

	<p>handbook of FCA 1980 & FC rules 2003 issued in 2019. Further, the State is also requested to submit the details w.r.t. corresponding CA scheme, site suitability certificate along with the KML files to this Ministry.</p>	
viii.	<p>From the mining plan submitted it is learnt that the Mining lease was granted on 1979 to 1999 which was extended to 2029. In this regard the State Govt. is requested to provide details of the activities carried out by the User Agency in the intervening period along with the requisite approvals and documents related to compliance related to FCA and other acts and rules if any.</p>	<p>Details of activities carried out by User Agency in the intervening period along with requisite approvals and documents related to compliance related to FCA and other acts and rules are enclosed as as <u>Annexure "C"</u>.</p> <p>Reply of User Agency pertaining to this is enclosed herewith.</p>

Yours sincerely,


Prem Kumar R., IFS

Dy. Conservator of Forests,
 South Goa Division,
 Margao- Goa.

Encl : As above.

