



OFFICE OF THE REGIONAL CHIEF CONSERVATOR OF FORESTS,  
ROURKELA CIRCLE, AT/PO-PANPOSH, ROURKELA-769004

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Memo No. 1198 /3F(Misc) /2023 Date: 15-4-2023

To

The Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act),  
O/o the Principal Chief Conservator of Forests,  
Odisha, Bhubaneswar.

Sub: Proposal for non-forestry use of 303.066 ha of forest land located in the mining lease Bamebari Iron & Mn. Mine having total area of 464.00 ha in favour of M/s Tata Steel Ltd. in District Keonjhar -GoI observations regarding.

Ref: 1. F. No. 5-8-35/2022-FC dt.27.12.2022 of MoEF&CC, Govt. of India.  
2. Your Memo No. 179 Dtd.05.01.2023  
3. Memo No. 3320 Dtd. 09.04.2023 of DFO, Keonjhar Division.

With reference to the aforecited Memos on the captioned subject, the DFO, Keonjhar Division vide Memo No.3319 Dtd. 09.04.2023 addressed to the undersigned and copy thereof endorsed to you in the next Memo of even date has submitted the point wise compliance report with the observations of the MOEF&CC made vide their letter under reference (1) which may kindly be perused.

The point wise compliance submitted the DFO, Keonjhar Division are as follows:-

**i. KML file depicting component wise break-up of forest land and the entire lease area has not been provided. The same needs to be provided by the State.**

As reported by the DFO, Keonjhar Division, the User Agency has submitted the KML file depicting the component wise break-up of forest land along with the entire leasehold of Bamebari Iron & Mn. Mine in a compact disc under folder namely **CD-I** which is enclosed as **Enclosure-I**.

**ii. As per the DSS analysis, a water stream is passing through the southern part of the proposed 254.00 Ha. of land identified for CA and old plantation is visible and water body also present in the identified area. The State Government may therefore again examine the suitability of degraded forest land for raising CA.**

As reported by the DFO, Keonjhar Division, an area measuring 209.419 Ha. (160.419 Ha. at Village Tamanga and 49.00 Ha. at village Sudanga) within the District of Keonjhar and 66.126 Ha. at Village-Asanbahali in the District of Dhenkanal which comes to 275.545 Ha. in total have been identified for raising Compensatory Afforestation. Out of the aforesaid CA Land of 275.545 Ha., an area measuring 149.546Ha is suitable for plantation and only 43510 nos. of saplings can be accommodated within the total identified CA Land. Therefore, in order to accommodate the balance 232035 nos. saplings, the UA has identified an area measuring 240.00 Ha. of Degraded Forest Land within the Masinabilla RF under Ghatagaon Range in Keonjhar district.

As reported by the DFO, Keonjhar Division, the identified degraded forest land has been verified by the Forest Range Officer, Ghatagaon Range and a certificate to this effect has been given in the Map.

**iii. Details of the notifications of RF and revenue/relevant records of the recorded forest (Revenue Forest / DLC Forest / Sabik Forest) involved in the proposals to be recorded by the State Government.**

As reported by the DFO, Keonjhar Division, Thakurani RF having an area measuring 4679.950 Ha. under order F.S. 58/04-41011/R and Sidhamatha RF having an area measuring 5970.940Ha under order F.S. 127/79-53183/R have been notified on 15.10.2005 and 23.07.1979 respectively. Further, the details of the authenticated records pertaining to DLC Forest Land & Sabik Forest Land involved in the proposals have been enclosed herewith as **Annexure-I**.

**iv. A Site Specific Wildlife Management Plan for the area has been approved by the PCCF (Wildlife) on 01.09.2015 with a financial outlay of Rs. 635.91 Lakh. Details of updated status of implementation of provisions provided in the Site Specific Wildlife Management Plan along with year wise details of expenditure incurred on the implementation of provision of the Wildlife Management Plan may be informed by the State.**

As reported by the DFO, Keonjhar Division, the Site-Specific Wildlife Conservation Plan for Bamebari Iron & Mn Mine was approved by the Principal Chief Conservator of Forests(Wildlife) & Chief Wildlife Warden, Odisha with a financial outlay of Rs.635.91 lakh vide Memo No.7743 dated 01.09.2015 for the following activities:

- For the activities to be implemented by the User Agency in the project area is Rs. 166.10 Lakh.
- For the activities to be implemented by the DFO, Keonjhar Division in the project impact area is Rs.469.81 Lakh.

As reported by the DFO, Keonjhar Division, as per the demand, the User Agency had deposited an amount of Rs. 469.81 Lakh in the CAMPA Orissa SB Account for implementation of activities within the project impact area.

As reported by the DFO, Keonjhar Division, due to non receipt of funds from CAMPA Account, no activities in the project impact area under the approved SSWLCP have been implemented by his office till date. After receipt of funds from CAMPA Account, necessary activities will be undertaken in project impact area.

Further, as per report of the DFO, Keonjhar Division, the year wise activities implemented by the User Agency along with expenditure incurred therein as per provision of the Wildlife Conservation Plan are provided herein below:-

Sl. No.	Year	Implementation of the provisions of Site-Specific Wildlife Conservation Plan	Expenditure incurred in Rs.
1	2016	Forest Range Officer, Champua vide Memo No. 411 dated 22.04.2016 demanded Rs. 73,500.00 for payment of Hire Charges of vehicle engaged for checking of smuggling of minerals and forest produces within the Bamebari Iron & Mn. Mines and the User Agency has deposited the same amount and communicated vide letter No. BMM/L&L/553/2016 dated 24.08.2016	73,500.00
2	2017	Supply of equipment and Division Office networking and other allied services which was demanded by the Divisional Forest Officer, Keonjhar Division, Keonjhar vide letter No. 6449/Mining dated 20.10.2017 towards supervision and implementation of the Site Specific Wildlife Conservation Plan in the project area. The User Agency has provided the items & equipment as required by the authority.	24,06,011.00

Sl. No.	Year	Implementation of the provisions of Site-Specific Wildlife Conservation Plan	Expenditure incurred in Rs.
3	2018	Forest Range Officer, Champua vide Memo No. 1828 dated 25.09.2018 demanded Rs. 88,000.00 for payment of Hire Charges of vehicle engaged for checking of smuggling of minerals and forest produces within the Bamebari Iron & Mn. Mines and the User Agency has deposited the same amount and communicated vide letter No. BIMM/L&L/465/2019 dated 21.06.2019.	88,000.00
4	2021	Forest Range Officer, Champua vide Memo No. 1377 dated 30.07.2021 demanded Rs. 1,24,000.00 for payment of Hire Charges of vehicle engaged for checking of smuggling of minerals and forest produces within the Bamebari Iron & Mn. Mines and the User Agency has deposited the same amount and communicated vide letter No. MGM/L&L/408/2021 dated 07.09.2021.	1,24,000.00
5	2021	Execution of Solar fencing work at Bamebari Block of Bamebari Iron & Mn. Mine	13,51,191.00
6	2021	Security deployment for to check fire instances inside the forest areas within & outskirts of the leasehold of Bamebari Iron & Mn. Mine	12,00,000.00
7	2022	Security deployment to check fire instances inside the forest areas within & outskirts of the leasehold of Bamebari Iron & Mn. Mine	12,00,000.00
8	2021	Creation of Awareness around the Mining area	1,40,000.00
10	2022	Creation of Awareness around the Mining area	1,70,000.00
11	2022	Execution of Solar Fencing work at Joribar Block of Bamebari Iron & Mn. Mine	9,00,000.00
		<b>Total</b>	<b>76,52,702.00</b>

**v. Copy of the ORSAC, 1999 and comments of the CWLW about the sensitivity of the area in terms of Elephant habitats, corridors and human-elephant conflicts in the area and his recommendations for the proposal.**

The DFO, Keonjhar Division has submitted, the copy of the report of ORSAC, 1999 which is enclosed herewith vide **Annexure-II**. Further, the DFO, Keonjhar Division has reported about the sensitivity to the mining lease area in term of following:-

Bamebari Iron & Mn. Mines involves 3 blocks namely, 1. Joribahal Block, 2. Boneikala Block, 3. Bamebaari Block. Further, the DFO, Keonjhar Division has reported about their sensitivity in terms of Elephant habitats, corridors and human-elephant conflicts in the area as follows:-

A.	<b>Elephant Habitats</b>	No
B.	<b>Corridor</b>	Karo-Karampada elephant corridor is situated 10.00 KM from the Bonaikela Block of the mining lease of Bamebari Iron & Mn mines
C.	<b>Man-Elephant conflict outside the mining lease</b>	There were death of 10 elephants & 12 human being in the 10 KM buffer area of mining lease in last 13 years. There was no any man-elephant conflict inside mining lease. Two blocks are already broken, only one block namely Bonaikala is virgin where there is no any elephant movement inside this Block since last 13 years as per record and present elephant movement scenario.



Further, the DFO, Keonjhar Division has submitted the a Toposheet showing Elephant & Human death in the impact area of the Mining Lease which is enclosed as **Annexure-III.**

- vi. As the movement of elephants has been reported in the area, the clear recommendation of Chief Wildlife Warden and PCCF (WL) may be furnished by the State.**

The DFO, Keonjhar Division has solicited the view/recommendation of Chief Wildlife Warden and PCCF (WL) has been solicited. However, the map showing Elephant movement position in the impact area of Mining Lease submitted by him is enclosed herewith as **Annexure- IV.**

- vii. Proposal has been submitted for 303.066 ha while the area as per DGPS survey is 293.629 Ha i.e. there is difference of 9.437 ha. The State Government may, therefore, specifically indicate the area to be considered for diversion by the Central Government.**

As reported by the DFO, Keonjhar Division, DGPS survey was done over the proposed area for diversion i.e. 303.066 Ha. The area after the DGPS survey has been computed to 293.629 Ha., with a difference of 9.437 Ha. Further, the difference thus arrived is due to use of different measuring method/instrument. However, ORSAC, Bhubaneswar, the apex body of the State of Odisha for space technology applications, has found that, the maps are correct at a confidence level of 95%. (within 5% permissible error limit) **(copy attached).**

As reported by the DFO, Keonjhar Division, the Central Government may consider the R.O.R area i.e. 303.066 Ha. for diversion.

The certificate from the ORSAC, Bhubaneswar is enclosed herewith as **Annexure-V.**

- viii. Proposal for notification of the land has been submitted on 30.06.2004. Updated status of CA raised in lieu of diversion of 145.329 Ha of forest land needs to be informed by the state along with updated progress of notification of non-forest land as PF/RF needs to be informed by the State.**

As reported by the DFO, Keonjhar Division, the Conservator of Forests(Nodal) has raised some query i.e. to carry out the DGPS Survey over the Non-forest CA land to be declared as PF in lieu of diversion of 145.329 ha. of Forest land vide their Letter Dtd.01.10.2022. Now, the User Agency has undertaken to furnish the DGPS Survey map duly authenticated by ORSAC, Bhubaneswar. After, completion of the said process, Draft PF proposal will be sent again for declaration as PF.

- ix. DFO, Keonjhar vide his letter no. 8025 dated 17.11.2021 requested the Collector, Keonjhar to take action as per the prevailing Acts and rules for DLC and Revenue forest land against the violation committed by the user agency in the forest land. Updated status of legal actions taken by the District Collector, Keonjhar may be intimated by the State and justification for delays, if any may also be furnished.**

As reported by the DFO, Keonjhar Division, the Addl. District Magistrate, Keonjhar vide Memo No. 384 dated 14.02.2023 has directed the Tahasildar, Barbil to cause an enquiry into the allegation and take appropriate action as per prevailing Act & Rule.

- x. So far, the user agency has reclaimed an area of 14.70 ha by undertaking back-filling. The State Government may inform if the back-filling is in conformity with the schedule provided in the approved Mining Plan and gaps if any, may be intimated by the State.**

As reported by the DFO, Keonjhar Division, the User Agency has reclaimed an area measuring 16.00Ha by undertaking back filling cumulatively till 2021-2022 financial year in the Bamebari Iron & Mn. Mines against 14.70Ha and submitted returns under Progressive Mine Closure Plan for the year 2021-2022. Further, the

figures are in-conformity with the Review of Mine Plan for Bamebari Iron & Mn. Mine. The self-certified copy of the PMCP returns submitted with the by the User Agency is enclosed herewith as **Annexure-VI Series**.

- xi. Purpose wise break-up of forest land reveals that an area of 24.522 ha is under Township/Colony. A confirmation needs to be furnished by the State Government if the said area is already under use or it has been or part thereof is proposed afresh for such facilities. The State Government may also submit its comments on the optimization of land requirement for various components such as construction of buildings, OB dumping, mineral storage area, etc. and possibility to shift the same to non-forest area.**

As reported by the DFO, Keonjhar Division, no fresh land has been proposed for diversion by the User Agency and the purpose wise break-up of forest land measuring an area of 24.522Ha is kept under Township/Colony which includes 5.057Ha of Non-Forest Land within the Bamebari Block and the balance 19.465 Ha. land was already broken-up which was found to be Non-forest land recorded as forest in Government records as on 25.10.1980. The local inhabitants and company security staffs have been residing prior to 1980.

Further, as per report of the DFO, Keonjhar Division, it is not possible on the part of User Agency to optimize the land requirement for use at present and shift the same to the Non-Forest area.

- xii. Land use proposed in the Progressive Mine Closure Plan indicate an area of 232.167 ha to be remaining untouched on 31.03.2025 while no such area is mentioned in the land use submitted along with the proposal. Discrepancies were also observed in other land uses for instance land uses like storage of topsoil is not included in the proposal. The State Government may, therefore comments on the variation in the land uses proposed in the extant proposal and Progressive Mine Closure Plan and area involved thereof.**

As reported by the DFO, Keonjhar Division, the Review of Mining Plan has been approved on dated 03.08.2020 for the entire leasehold of 464.00 Ha. of Bamebari Iron & Mn. Mines and the land use proposed therein for undertaking mining and allied activities in the plan period only i.e. for five years. Further, the land use figured out in the proposed land use plan of the instant Forest Diversion Proposal is proposed till the end of life of the mines. It is pertinent to mention that the remaining untouched area measuring 232.167Ha shall be utilized in accordance with the mining plan and gradual expansion of the mines.

- xiii. The second renewal term of mining leases in 1982 over an area of 1150.55 Ha, including 950.069 ha, was without the prior approval of the Central Government. As per fact contained in the then inspection report of the Regional Officer, the State Government has recommend raising of penal compensatory afforestation in lieu of area used in the violation of FC Act, 1980. Status of the same may be intimated by the State.**

As reported by the DFO, Keonjhar Division, the State Government in F&E Deptt. has recommended for raising of Penal Compensatory Afforestation in lieu of area used in the violation of FC Act, 1980 vide their 9623/FE dt. 02.07.2004. But, MoEF, Govt. of India has not imposed Penal Compensatory Afforestation to the User Agency. There is no such condition found to have been stipulated in-principle approval dt.26.05.2005 and Stage-II approval dt.25.01.2007 over an area 145.329 Ha.

- xiv. An area of 4.764 ha has been earmarked for safety zone. KML file of the area earmarked for safety zone may be furnished by the State. As the lease is an existing lease, status of maintenance of the same may be informed by the State along with status of afforestation undertaken in the past in lieu of diversion of forest land may be informed by the State.**

As reported by the DFO, Keonjhar Division, KML file of the area earmarked for safety zone over 4.764 ha. of Forest land has been furnished in a compact disc under folder namely **CD-II** which is enclosed as **Enclosure-I**. The photographs showing the

present status of maintenance of the Safety Zone are enclosed herewith as **Enclosure-II.**

**xv. Present status of 145.329 ha of forest land vis-à-vis land use proposed in the current Mining Plan. Whether the approval granted in 2007 and conditions prescribed therein are compatible with the land use proposed in the updated Mining Plan.**

The DFO, Keonjhar Division has reported that, as per the table given herein below, it is confirmed that the approval granted in 2007 and conditions prescribed therein are compatible with the land use proposed in the updated Mining Plan of the User Agency.

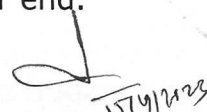
Sl. No.	Land Use Pattern as shown in the approved Stage-II FC in the year 2007			Total Area in Ha.	Land Use Pattern as per the approved Mine plan as on 01.04.2020
	Components	Area in Ha. (Forest)	Area in Ha. (Non -forest)		
1	Mining	86.586	3.095	89.681	87.84
2	Storing Mineral/Topsoil	7.297	5	12.297	8.016
3	Dumping of Over Burden	38.686	8.691	47.377	45.534
4, 5	Plant, workshop, Storing Tools & Machineries	0.48	0.74	1.22	4.086
6	Construction of Building, Power Station, Workshop	0.54	3.594	4.134	24.35
7	Township & Housing Colony	3.1	20.711	23.811	
8	Construction of Road, Ropeway & Rly Line	8.64	3.57	12.21	10.42
<b>Total area in Ha.</b>		<b>145.329</b>	<b>45.401</b>	<b>190.73</b>	<b>180.246</b>

**xvi. Details of the operational and abandoned mines in the landscape and also in the Keonjhar Forest Division.**

The DFO, Keonjhar Division has submitted the status of operational and abandoned mines in the landscape in Keonjhar Forest Division which is enclosed herewith as **Annexure-VIII.**

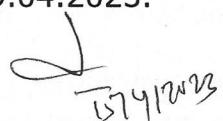
The compliance report in 3 sets is submitted herewith for favour of your kind information and taking further necessary action at your end.

**Encl: As above.**

  
Regional Chief Conservator of Forests,  
Rourkela Circle.

Memo No. 1199 / 3F Date: 15.4.2023

Copy forwarded to the DFO, Keonjhar Division for information and necessary action with reference to his Memo No.3319 Dtd.09.04.2023.

  
Regional Chief Conservator of Forests,  
Rourkela Circle.