



By E-mail

ବନଖଣ୍ଡ ଅଧୀକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ : ବଣାଇଁ ବନଖଣ୍ଡ I

OFFICE OF THE DIVISIONAL FOREST OFFICER: BONAI DIVISION.

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Memo No. 9683 /6F-(Mg.) Dt: 19.11 .2022

To

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

Sub :-

Proposal for diversion of 25.981 ha. of Reserve Forest land in Toda R.F. for mining of Iron Ore in **ML No.139** (A & B) under Bonai Forest Division by SAIL in 1st RML.

Ref:-

1. Proposal No.FP/OR/MIN/10329/2015 received online 4.4.2016.
2. Memo No.8696 dt.22.4.2022 of the CCF (FD & NO FC Act,), Bhubaneswar.
3. Memo No.1304 dt.25.4.2022 of the RCCF, Rourkela.
4. Letter No.1740 dt.3.11.2022 of M/s SAIL.
5. Letter No.13103 dt.12.11.2022 of Collector, Sundargarh.

With reference to above, the point-wise compliance of the observation made by the Chief Conservator of Forests, Forest Diversion & Nodal Officer, F.C. Act, O/o the PCCF, Odisha vide Memo No.8695 dt.22.4.2022 in the above said diversion proposal is furnished below.

1. **The KML and Shape file of the diverted land as well as CA land has not been furnished in the DP.**

In compliance to above observation, the KML and Shape file of the area to be diverted as well as CA land are enclosed herewith in CD form.

2. **The FRA certificate over 23.521 ha of forest land issued by the Collector, Sundargarh vide his letter No. 1150 dated 14.05.2012 has been furnished in the DP, but the following documents are not enclosed.**

- (a) **Gram Sabha Resolution in Odia and English version.**

In compliance to above observation, the Collector, Sundargarh was requested vide this office Letter No.3792 dt.26.4.2022 to submit the Gram Sabha Resolution in Odia and English version. Further, the Collector, Sundargarh has submitted the Gram Sabha Resolution in Odia and English version for FRA,2006 certificate over 23.521 ha. vide his Letter No.13103 dt.12.11.2022. The copy of Gram Sabha Resolution in Odia and English version is enclosed herewith vide Annexure-1.

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(b) SDLC and DLC Proceedings.

In compliance to above observation, the Collector, Sundargarh was requested vide this office Letter No.3792 dt.26.4.2022 to submit SDLC and DLC proceeding of the Certificate issued earlier over 23.521 ha. Further, the Collector, Sundargarh has intimated vide his Letter No.13103 dt.12.11.2022 (**Annexure-2**) that the certificate regarding compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act,2006 in Toda RF for mining of Iron Ore by M/s Steel Authority of India Limited (SAIL) in respect of diversion of forest land measuring 23.521 ha. has been issued and communicated to this office vide his Letter No.1150/R dt.14.5.2012. The FRA Certificate was issued prior to commencement of instruction issued vide F.No.11-623/2013-FC dated 09.10.2013 of Government of India, Ministry of Environment & Forests (FC Division), New Delhi.

The UA submitted an undertaking to submit the certificate under FRA, 2006 for balance area of 2.460 ha, but supporting documents regarding processing of the files has not been enclosed.

In compliance to above observation, the Collector, Sundargarh has been requested vide this office Letter No.3757 dt.25.4.2022 to issue certificate under Forest Right Act,2006 for the balance forest area of 2.460 ha. of forest land (25.981 ha. (-) 23.521 ha.).

Further, the Addl. District Magistrate, Sundargarh has requested to the Project Administrator, ITDA, Sundargarh / Sub-Collector, Bonai vide his Letter No.11660 dt.01.10.2022 to submit DLC / SDLC proceeding for issue of Forest Right Act,2006 certificate over the balance forest area of 2.46 ha. (**Annexure-3**)

3. The signature of the authorized officer has not been attested by the competent authority of the Project Proponent.

In compliance to above observation, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that Shri Atanu Bhowmick, Director In-charge, Rourkela Steel Plant, is nominated Owner of the SAIL Mines in State of Odisha including the subject Mining Lease (ML-139 of Kalta Iron Mine). The Director in-charge, Rourkela Steel Plant has nominated, appointed, and constituted Shri Prasanna Kumar Ratha, Chief General manager, I/c (Mines), Rourkela Steel Plant as true and lawful Auttonney to do all or any of the acts or things in so far as the same relates to Iron Ore and Flux mines under SAIL- Rourkela Steel Plant through Power of Attorney, the Copy attached vide **Page-33-35/DP**. Accordingly, Shri Prasanna Kumar Rath, CGM I/C, (Mines), RSP is the authorized officer for submission of applications in respect of the all mining leases of SAIL in the State of Odisha including ML-139 of Kalta Iron Mines.

4. **The authenticated lease deed executed by the Collector, Sundargarh has not been enclosed, but one plain copy of the deed is enclosed in the DP.**

In compliance to above observation, the authenticated lease deed executed by the Collector, Sundargarh has been enclosed in the diversion proposal vide Page-36-75/DP.

5. **The Government of Odisha, Steel & Mines Department has issued extension order vide memo No.5209 dt.13.07.2021 for execution of supplementary lease deed, but the same documents has not been furnished in the DP.**

In compliance to above observation, extension order issued by the S&M Deptt, Govt. of Odisha vide Letter No.5209 dt.13.07.2021 for execution of supplementary lease deed has already been enclosed with the diversion proposal vide Page-80/DP.

Further, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that Govt. of Odisha vide Order No.III(B) SM-10/2012/1287/SM dt.10.02.2016 (Page-76-79/DP) extended the lease period of ML-139 Mining lease upto 16.01.2025. Further, vide Letter No.5207/SM dt.13.07.2021 granted extension of time period upto 08.05.2022 for execution supplementary lease deed of mining lease. Execution of the supplementary lease deed is pending for want of Environmental Clearance / Forest Clearance. In view of the delay in grant of EC / FC, SAIL vide Letter No.KIM/CGM(M)/E&L/86, dated 20.04.2022 requested the Govt. of Odisha to allow time upto 08.11.2022 for execution of supplementary lease deed in respect of ML-139. Further, SAIL vide Letter No.SAIL/RSP/CC/CGMI/C/KIM/2022/759 dated 25.10.2022 requested the Govt. of Odisha to extend time upto 08.05.2023 for execution of supplementary lease deed during which EC and FC will be obtained (Copy of SAIL's request dt.25.10.2022 is attached as Annexure-1)

6. **The User Agency has not filled up the checklist by providing Page number of the DP and required documents to be enclosed etc.**

In compliance to above observation, the Check List has been filled in and enclosed with the diversion proposal vide (Page-1-9/DP).

7. **The documents enclosed in the DP have been signed by four different officers of SAIL instead of authorized officer.**

In compliance to above observation, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that the forest diversion proposal uploaded first time with Proposal No.FP/OR/MIN/10329/2015 in the year 2015. As there has been change in authorized officers over time, the concerned authorized office have signed the documents as per the requirement. The present authorized officer, i.e., Shri Prasanna Kumar Ratha, Chief General Manager, I/c (Mines) has also signed all the documents / Maps enclosed in the diversion proposal.

8. The maps enclosed in the DP have not been signed by the authorized officer.

In compliance to above observation, all the Maps enclosed with the diversion proposal are signed by the present authorized officer, Sri Prasanna Kumar Ratha, Chief General Manager I/c (Mines)

9. The land use plan has not been countersigned by the DFO Bonai Division.

In compliance to above observation, the land use plan has been countersigned by the DFO, Bonai Division.

10. The UA has not furnished undertaking to pay the additional NPV, if any of the forest land involved duly countersigned by the DFO as decided at a later date as per the decision of the Hon'ble Supreme Court.

In compliance to above observation, the User Agency has furnished an undertaking to pay the additional Net Present Value (NPV), if any of the forest land involved as decided at a later date as per the decision of the Hon'ble Supreme Court of India (Annexure-5).

11. The MoEF & CC, Government of India issued TOR in favour of the UA on dated 11.09.2018 with validation period of 3 years for submission of the EIA/EMP reports but the UA has not furnished any documents regarding this effect.

In compliance to above observation, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that the TOR for EIA study was issued on 11.09.2018. Due to Covid-19, an extension of one year had been issued by MoEF & CC vide Gazette Notification dated 18.01.2021 (Annexure-6) and accordingly the Public Hearing was held on 15.09.2021 and the Final EIA/EMP report has been submitted to the MoEF & CC on 28.02.2022 (copy of submission letter attached as Annexure-7). The EC proposal was considered in the March,2022. Subsequently, after submission of desired information, the EC proposal has been reconsidered on EAC meeting held on 27.07.2022 and sought further information, which is being complied for submission to MoEF&CC (Copy of the minutes of the meeting EAC held on 27.7.2022 is attached at Annexure-8).

12. The Geo referenced digital map of CA land, Forest type with crown density identified in Mahulpada RF of Kuliposh Range of Bonai Division has not been furnished, only GPS map enclosed. Land suitability certificate of the DFO is also wanting.

In compliance to above observation, the DGPS Survey of the CA land has been carried out and duly verified by the ORSAC, Bhubaneswar and the same has been authenticated by the Range Officer, Kuliposh and countersigned by the undersigned and enclosed with the diversion proposal vide Plate No.XI. Further, the Forest type and crown density of the identified area has been furnished at (Page-134 & 138/DP). The land suitability certificate issued by the Range Officer, Kuliposh has been furnished at (Page-138/DP).

13. Status of existing roads inside Toda RF must be narrated in description.

In compliance to above observation, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that the ML-139 Mining Lease is adjacent to SAIL's main Mining Lease of Barsuan-Taldihi-Kalta Iron Mines of SAIL (ML area- 2564.323 ha.) on northern side. The existing road of Barsuan-Taldihi-Kalta Iron Mines will be used for transportation of mineral from ML-139 mines site to Roxy Railway siding via NH-520.

14. In the ML 139 lease Block-B there is mention about proposed dump, mineral stack yard and mining reject where as in Block-A there is no such provision resulting ambiguity of disposal of waste.

In compliance to above observation, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that there are two separate blocks viz Block-A (10.7972 ha.) and Block-B (15.1838 ha.) under ML-139. The Block-B of ML-139 is in contiguous and in geological continuity with the Kalta Iron Mine of Barsuan-Taldihi-Kalta Iron Mines. Hence, mining operation was carried out previously in the Block-B. Accordingly, mining operation in Block-B of ML-139 is proposed to be excavated in the current approval Mining Plan. There is no proposal of production/development from Block-A in the current Plan period. However, Geological survey has to be undertaken for calculation of Resource/Reserve in Block-A and it will be undertaken for excavation in the future.

15. ML area is touching the interstate boundary of Chhattisgarh state. Whether interstate boundary has been maintained properly in the field as envisaged in OFD Code.

In compliance to above observation, the Range Officer, Koira was directed vide this office Memo No.8797 dt.20.10.2022 to verify the field and to report the status of maintenance of interstate boundary. Further, the Range Officer, Koira has intimated this office vide her Memo No.748 dt.26.10.2022 that she has inspected Mining Lease boundary on 26.10.2022 and found that the ML don't have any boundary with Chhattisgarh State, however has boundary with Jharkhand State. She also reported that the interstate boundary has been maintained properly as per OFD Code.

The Diversion Proposal along with **Annexure-1 to 6** in four sets are enclosed herewith.

This is for favour of kind information and necessary action.

Encl :- As above.


Divisional Forest Officer,
Bonai Division.

(13)

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Memo No. 9684 /6F-Dt: 19.11.2022

Copy forwarded to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, F.C. Act' O/O the P.C.C.F., Odisha Bhubaneswar for favour of kind information and necessary action with reference to his Memo No.8696 dt.22.4.2022.


Divisional Forest Officer,
Bonai Division.

Memo No. 9685 /6F-Dt: 19.11.2022

Copy forwarded to the Chief General Manager, I/c (Mines), Rourkela Steel Plant, SAIL for information and necessary action with reference to his Letter No.1740 dt.3.11.2022.


Divisional Forest Officer,
Bonai Division.