



OFFICE OF THE REGIONAL CHIEF CONSERVATOR OF FORESTS, ROURKELA CIRCLE,
AT/P.O. PANPOSH, ROURKELA-769 004.

Memo No. 1884 /3F-871 /2023 Date: 21.6.2023

To

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

Sub:-

Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour M/s Raga Tradecon Pvt. Ltd. for non-forestry use of 66.242 ha. (including 2.09 ha. safety zone) of forest land for Mining of Iron Ore within Netrabandha Pahar (West) Iron Ore Block in villages Baldihi and Sanua under Bonai Forest Division of Sundargarh Odisha.
(Online Proposal No.FP/OR/MIN/153549/2022).

Ref: -

- 1.F.No. 8-14/2023-FC dt.2.5.2023 of MoEF & CC, Govt. of India
2. Memo No. 9547/FE&CC dt.9.5.2023 of FE&CC Department.
3. Your Memo No.9011 dtd.10.05.2023.
4. Memo No.4748 Dtd. 19.06.2023 of the DFO, Bonai Division.

With reference to the aforementioned Memos on the captioned subject, the DFO, Bonai Division vide his Memo No.4746 Dtd.19.06.2023 addressed to this office & copy thereof endorsed to you in the Memo No. 4748 Dtd. 19.06.2023 of even date has submitted the point wise compliance with the observations raised by the MoEF & CC, GoI vide F. No. 8-14/2023-FC dt.2.5.2023 which may kindly be perused.

The point wise compliance submitted by the DFO, Bonai Division is as follows:-

- i. As per approved mining plan the forest area is 52.06 ha, whereas the forest area proposed for diversion is 66.242 ha. This discrepancy is required to be removed.***

As reported by the DFO, Bonai Division, the User Agency was requested vide his office Letter No.4064 dt.12.5.2023 to submit necessary compliance. In response to the same, the User Agency has intimated vide their Letter No.100 dt.16.6.2023 that the State Govt. in their forwarding letter had already informed the Ministry that the Chief Surveyor, O/o the Director of Mines, Odisha had submitted the land schedule of 74.370 ha out of which 52.056 ha was of forest land and 22.314 ha was of Non-Forest land that involved in the project in respect of Netrabandha Pahar West block. The Copy of the land schedule is enclosed as **Annexure-I**. Accordingly, the Govt. of Odisha Steel and Mines Department had supplied the DGPS map, land schedule along with LoI. Further, during DGPS survey, it was found that there were discrepancies in the land schedule and hence the User agency requested the Director of Mines to supply the authenticated land schedule. The Director of Mines provided the authenticated land schedule to the UA vide his Memo No.3458 dated 25.04.2022 according to which the total forest land was 163.686 acres or 66.242 ha. The copy of authenticated Land schedule is enclosed as **Annexure-II**.

Soon after getting the LoI, the user Agency had prepared the mining plan based on the land schedule wherein forest land was mentioned as 52.056 ha. Hence in the approved mining plan, the extent of forest land was 52.056 ha. However, the User Agency have now got the Mining plan modified as per the rectified land schedule provided by the Director of Mines. The copy of modified Mining Plan submitted by the DFO, Bonai Division is enclosed herewith as **Annexure-III**.

- ii. All the documents related to CA like CA Scheme, KML file, DGPS Maps, SoI Topo sheet etc. have not been uploaded on the PARIVESH portal.**

As reported by the DFO, Bonai Division, all the documents related to CA like CA Scheme, KML file, DGPS Maps, SoI Topo sheet etc. have been uploaded on the PARIVESH portal.

- iii. CA Scheme for raising Compensatory Afforestation over non-forest land shall be provided/uploaded.**

The DFO, Bonai Division has submitted the CA Scheme for raising Compensatory Afforestation over Non-Forest land which is enclosed herewith as **Annexure-IV**. Further, the DFO, Bonai has reported that the said CA scheme has been uploaded in the PARIVESH portal.

- iv. The copy of the ownership/revenue record and the documentary evidence regarding allotment of Non-forest Govt land for the purpose of Compensatory Afforestation shall be submitted.**

As reported by the DFO, Bonai Division, the Tehsildar, Koira has identified Non-Forest Govt. land over an area of 64.500 ha. in village Mahupada under Koira Tehsil in Sundargarh District for the purpose of Compensatory Afforestation. The copy of the Letter No.2533 dt.31.10.2022 of Tehsildar, Koira in this regard submitted by the DFO, Bonai Division is enclosed as **Annexure-V**.

- v. There are some non-site-specific activities like Waste dump, Mineral stacking yard / Mineral Storage/processing etc. which have been proposed on forest land. The justification for the same shall be provided.**

As reported by the DFO, Bonai Division, the User Agency was requested vide his office Letter No.4064 dt.12.5.2023 to submit necessary compliance in this regard. In response to the same, the User Agency has intimated vide their Letter No.100 dt.16.6.2023 that the land-use like Waste dump, Mineral stacking yard / Mineral Storage/processing plant etc have been earmarked in the forest & non forest area in the conceptual plan of Mining Plan. The land use of Forest diversion proposal has been prepared in accordance with the conceptual plan of the mining plan.

Further, as per provision under Rule 12 (3) of Mineral Conservation & Development Rule,2017, **the holder of a mining lease shall carry out detailed exploration (G-1 level) over the entire potentially mineralised area under the mining lease, within a period of five years from the date of opening of the mine after execution of such mining lease (Annexure-VI)**. In the approved mining plan, it has been proposed to carry out 49 nos. exploratory boreholes during 2nd & 3rd year of mining operation.

Further, the DFO, Bonai Division feels it pertinent to mention that Para 7.8 (c) of Hand Book of Guidelines under Forest Conservation Act,1980 provides that **as per the MMDR (Amendment) Act 2015 & Mineral (Evidence of Mineral content) Rules, 2015, a mining lease can be granted pursuant to ensuring G-2 level of exploration (prospecting) and lessee has to prove the mineral up to G-1 level in next 5 years of time, hence land use in the mining plan**

should be prepared up to conceptual period and the land use of diversion proposal should be same as land use in the Mining plan. After G-1 level of exploration, the mining plan/scheme should be modified accordingly and final land use pattern should be submitted to MoEF & CC for information and record (Annexure-VII). After G-1 level of exploration, we will submit the final land use considering mineralisation zone.

As per the report of the User Agency, the DFO, Bonai has reported that the area earmarked for dumping is 7.403 ha as because during plan period ore will not be exhausted in any place and hence the waste generated during mining operation has to be kept in the external dump. After exhaust of mineral, the User Agency will not use any forest land for dumping purpose. The area earmarked for storing of minerals is 10.889 ha., Out of which 4.790 ha is for sub-grade ore (45% Fe to 55%Fe) which has no market and it has to be preserved as per Rule 14 of Mineral Conservation and Development Rule, 2017 which provides that "**Separate stacking of non-saleable minerals.- (1) All the non-saleable or unusable minerals or ores above the threshold value of the mineral, as may be notified by Indian Bureau of Mines from time to time, or otherwise shall be stacked separately on the ground earmarked for the purpose (Annexure-VI):**"

The balance 6.099 ha is for stacking & storing of Minerals. Considering the grade wise and size wise requirement of the consuming industries, the ore raised is to be segregated and stacked separately for sale purpose. Considering from the mineral conservation point of view, the Indian Bureau of Mines, Govt. of India is emphasizing on assessment of the iron ore reserve with the cut-off grade of 45%Fe and stacking of the sub grade ore properly. Presently, the good quality ore is only marketable and the sub-grade ore raised are normally not sold presently, which are required to be stacked separately for the future use. Again for removal of ore from mining lease hold area, stacking of minerals is essential. The State Government vide Notification No. 3973 dated 28.04.2021 have issued operational guidelines, for Stacking, Sampling & Chemical Analysis. As per the guideline each stack should not be more than 20000 MT and the height should not be more than 3 meter. To accommodate 20000MT, the required surface area is approximately more than 2500Sq.M. Road has to be kept in between the stacks, so considering all the above, area required for each stack is 5000 Sq.M or 0.5 ha. Depending on the placement of Rakes, the average time for removal of one stack takes about a month. The User Agency have to dispatch 1 lakh ton of material every month and to achieve the quantity, 7 to 8 nos. of stacks of different grade and size are required. So minimum 3 ha of land is required for stacking of Ore of processed ore. Again, some area is required for un- processed ore. Looking to the above, 10.889 ha has been earmarked for Mineral storage.

However, most of the activities are temporary in nature and under the guidance of MoEF & CC and State Forest Department, the same will be shifted to the area earmarked for mining after exhaust of Minerals.

vi. Component wise breakup given in online application is not in conformity with that in the approved mining plan. State Govt shall ensure that the proposed component wise land-use is in conformity with the land-use in the approved mining plan. A comparative analysis of the same shall be made and submitted.

As reported by the DFO, Bonai Division, the User Agency was requested vide his office Letter No.4064 dt.12.5.2023 to submit necessary compliance in this regard. In response to the same, the User Agency has intimated vide their Letter No.100 dt.16.6.2023 that the format of Mining plan for conceptual land use is not in consonance with the Forest diversion Proposal and has submitted the comparative analysis as under:-

Comparison Table between Mining Plan & Forest Diversion Proposal

Sl. No.	Forest Diversion Proposal	Area in Ha.	Mining Plan	Area in Ha.
1	Mining including mines road and mobile mineral processing unit	43.820	Mined Out area in the Lease	43.820
2	Waste dump with safeguard measures like retaining wall, garland drain and settling pond, check dam etc.	7.403	Area under Dumps (Waste dump, Ore Stack yard & top soil)	7.403+ 10.889+ 0.272 = 18.564
3	Mineral stacking yard	10.889		
4	Top Soil	0.272		
5	Road	2.971	Area under utility services (Road+ infrastructure + Entry & Exit road)	2.971+ 0.010+ 1.652 = 4.633
6	Entry and exit within safety zone area	0.010		
7	Infrastructure (Office, Magazine, work shop, fuel station, parking plaza & Temp. Top Soil yard etc.)	1.652		
8	Green Belt / Grass Turfing	3.458	Area undisturbed/virgin (Green belt & Safety zone and undisturbed land)	3.458+ 0.903+ 2.992 = 7.353
9	Undisturbed Land	0.903		
10	Safety zone around ML boundary	2.992		
Grand Total		74.370		74.370

Copy of the relevant page of Mining plan & modification of mining plan is enclosed as **Annexure-VIII & IX**.

vii. The Cost benefit ratio has been mentioned as 1:814 which is very high. The State Govt. shall recheck the same. Further the CB analysis has to be prepared keeping in view the parameters and format prescribed in the FCA Handbook of guidelines.

As reported by the DFO, Bonai Division, the CB analysis is 1:32 and it has been prepared as per the format prescribed in the FCA handbook of guideline. The copy of CB analysis is enclosed as **Annexure-X**.

viii. Elephant movement is reported in the area proposed for diversion. Therefore, comments of PCCF (Wildlife) and CWLW, Odisha needs to be provided by the State Government.

As reported by the DFO, Bonai Division, the Principal Chief Conservator of Forests (Wildlife) & CWLW, Odisha, Bhubaneswar has submitted the compliance on the said observation to the Forest, Environment & Climate Change Deptt. Govt. of Odisha vide his Letter No.6466 dt.5.6.2023 with copy to DFO, Bonai Division that presence of wildlife, particularly elephants is observed in the areas surrounding project. However, with appropriate site specific mitigation measures, the effect of the project on the wildlife may be reduced. Accordingly, the Site Specific Wildlife Conservation Plan will be prepared and implemented to mitigate the effect of the project on the wildlife therein. And, such interventions to be prescribed will be for both project area; and also, within the zone of influence of 10 km radial distance. The entire cost thereof for its implementation will be borne by the Project Proponent for which the undertaking by the PP has already been furnished along with the forest diversion proposal. Copy of Letter No.6466 dt.5.6.2023 of the PCCF (WL) & CWLW, Odisha is **enclosed as Annexure-XI**.

- ix. **The KML file of the proposed area indicating the land use plan /component wise breakup/ mineralized and non-mineralized zonation shall be submitted.**

As reported by the DFO, Bonai Division, the User Agency was requested vide his office Letter No.4064 dt.12.5.2023 to submit necessary compliance. In response to the same, the User Agency has submitted the KML file of the proposed area indicating the land use plan /component wise breakup/ mineralized and non-mineralized zonation vide their Letter No.100 dt.16.6.2023 **in CD form**. The CD is enclosed herewith.

- x. **The proposal does not contain the details as to how the requirement of water, electricity and road will be met in the instant case. The mode of transportation has been mentioned as road, however it is not clear whether a new road will be constructed or an already existing road is to be utilized. The detail of additional forest land required (if any) for above shall also be intimated.**

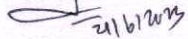
As reported by the DFO, Bonai Division, the User Agency was requested vide his office Letter No.4064 dt.12.5.2023 to submit necessary compliance. In response to the same, the User Agency has intimated vide their Letter No.100 dt.16.6.2023 that the CGWA, GoI have granted NOC to draw ground water at a tune of 62 CuM/day (**Annexure-XII**). Further, the user Agency has submitted that one DMF road is passing adjoining to the lease hold area and Electric line is also passing in the ROW of DMF road. Hence no additional forest land is required for water, road & electricity.

- xi. **A copy of the approval of regional wildlife plan and the basis of calculation of the money proposed to be realized from the User Agency in this regard shall be submitted.**

As reported by the DFO, Bonai Division, the Principal Chief Conservator of Forests (Wildlife) & CWLW, Odisha, Bhubaneswar has submitted the compliance with the said observation to the Forest, Environment & Climate Change Deptt. Govt. of Odisha vide his Letter No.6466 dt.5.6.2023 with copy to DFO, Bonai Division. In his aforesaid letter a copy of the Comprehensive Regional Wildlife Management Plan prepared & approved for Keonjhar and Bonai Division has been submitted which is enclosed herewith as (**Annexure-A**). The plan was approved by the Govt. of Odisha vide Letter No.22295/F&E dt.30.12.2005 (**Annexure-B**) with provision for deposition of ₹15,000/- per ha. and ₹11,000/- per ha. of mining lease area, as the case may be, for implementation of mitigative measures. Subsequently, due to enhancement of minimum wage rate and escalation of material cost, the cost norm has been revised to ₹82,000/- per ha. to be realized over the entire mining lease area vide Letter No.26159/F&E dt.5.12.2018 of F&E Deptt., Govt. of odisha (**Annexure-C**). The said norm is still continuing. During the intervening period, the Wildlife Trust of India was entrusted by the State Govt. with preparation of Odisha State Comprehensive Wildlife Management Guidance (OSCOW-MAG), and now based on the said Guidance submitted by WTI on 25.01.2021, various management interventions are being carried out every year, on priority, in those areas from where the approved cost towards RWLMP @ ₹ 82,000/ ha. has been realized. Copy of Letter No.6466 dt.5.6.2023 of the PCCF (WL) & CWLW, Odisha is **enclosed as Annexure-XI**.


This is for favour of kind information and necessary action.

Encl :- As above.


Regional Chief Conservator of Forests
Rourkela Circle

Memo No. / Date:


Copy forwarded to the Principal Chief Conservator of Forests (WL) & CWLW, Odisha for favour of kind information and necessary action with reference to Memo No.4747 Dtd.19.06.2023 of DFO, Bonai Division.


21/6/2023

Regional Chief Conservator of Forests
Rourkela Circle

Memo No. 1885 / Date: 21.6.2023


Copy forwarded to the Divisional Forest Officer, Bonai Division for information and necessary action with reference to his Memo No.4746 Dtd.19.06.2023.


21/6/2023

Regional Chief Conservator of Forests
Rourkela Circle

Memo No. 1886 / Date: 21.6.2023

Copy forwarded to M/s Raga Tradecon Pvt. Ltd. 1st floor, Shyam Residency, Flat No.101, Near Jharpada Jail, Bhubaneswar-751006 for information and necessary action with reference to Memo No.4749 Dtd.19.06.2023 of DFO, Bonai Division.


21/6/2023

Regional Chief Conservator of Forests
Rourkela Circle