



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

Memo No. 4033 /3F-839 /2022 Date: 22.11.2022

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 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 M/s Steel Authority of India Ltd. (SAIL) in 1ST RML.

Ref: 1. Your Memo No.8695 Dtd.22.04.2022.
2. This office Memo No.1304 Dtd.25.04.2022.
3. Memo No. 9684 Dtd.19.11.2022 of DFO, Bonai Division

With reference to the aforementioned Memos on the captioned subject, the DFO, Bonai Division vide his Memo No.9683 Dtd.19.11.2022 addressed to this office & copy thereof endorsed to you in the next Memo of even date has submitted the compliance with the deficiencies observed vide your Memo No. 8695 Dtd.22.04.2022 in respect of the aforementioned proposal which may kindly be perused.

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

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

The DFO, Bonai Division has submitted the KML and Shape file of the area to be diverted as well as CA land which 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.

As reported by the DFO, Bonai Division, the Collector, Sundargarh was requested vide his 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.**

(b) SDLC and DLC Proceedings.

As reported by the DFO, Bonai Division, the Collector, Sundargarh was requested vide his office Letter No.3792 dt.26.4.2022 to submit SDLC and DLC proceedings of the Certificate issued earlier over 23.521 ha. The Collector, Sundargarh 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. had been issued and communicated to the O/o the DFO,Bonai vide his Letter

No.1150/R dt.14.5.2012. The FRA Certificate was issued prior to commencement of instructions 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.

As reported by the DFO, Bonai Division, the Collector, Sundargarh has been requested vide his 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.

As reported by the DFO, Bonai Division, 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 Attoroney 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.

As reported by the DFO, Bonai Division, 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.

As reported by the DFO, Bonai Division, 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**.

As reported by the DFO, Bonai Division, the User Agency has intimated vide his Letter No.1740 dt.03.11.2022 that Govt. of Odisha, Steel & Mines Department vide Order No.III(B) SM-10/2012/1287/SM dt.10.02.2016 (**Page-76-79/DP**) have granted the lease period of ML-139 Mining lease from 17.01.1995 to 16.01.2025 subject to execution of supplementary lease deed for the period from 17.01.1995 to 16.01.2025. Further, the Steel & Mines Department, Govt. of Odisha vide Letter No.5207/SM dt.13.07.2021 have granted extension of time period upto 08.05.2022 for execution of supplementary lease deed of mining lease of M/s SAIL over 25.981 ha in village Toda R.F of Sundargarh District. 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 have requested the Govt. of Odisha, Steel & Mines Department to allow time upto 08.11.2022 for execution

of supplementary lease deed in respect of ML-139. Further, SAIL vide their Letter No.SAIL/RSP/CC/CGMI/C/KIM/2022/759 dated 25.10.2022 requested the Govt. of Odisha, Steel & Mines Department 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-4)

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

As reported by the DFO, Bonai Division, the User Agency has filled up the Check List providing Page number which is 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.

As reported by the DFO, Bonai Division, 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 officers 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.

As reported by the DFO, Bonai Division, all the Maps enclosed with the diversion proposal have been 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.

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.

As reported by the DFO, Bonai Division, 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.

As reported by the DFO, Bonai Division, 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 was 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.

As reported by the DFO, Bonai Division, 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 him which is 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.

As reported by the DFO, Bonai Division, 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.

As reported by the DFO, Bonai Division, 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 contiguity 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 carried out in the current approval of 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.

As reported by the DFO, Bonai Division, the Range Officer, Koira was directed vide his 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 his 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 doesn't have any boundary with Chhattisgarh State. However it has boundary with Jharkhand State. The R.O. has also reported that the interstate boundary has been maintained properly as per OFD Code.

The Diversion Proposal along with **Annexure-1 to 8** submitted by the DFO, Bonai Division is forwarded herewith in 3 sets for favour of kind information and necessary action.

Encl :- As above.


Regional Chief Conservator of Forests
Rourkela Circle

Memo No. 4034 / Date: 22.11.2022

Copy forwarded to the Divisional Forest Officer, Bonai Division for information and necessary action with reference to his Memo No.9683 Dtd.19.11.2022.


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