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F. No. 8-35/2008 - FC (Pt)
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi - 110510
Dated: 13 February, 2012

To

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: Diversion of 55.79 ha forest land (remaining 141.52 ha forest area for future use) in Kodolibad RF for Dirsumburu Mine for mining of iron ore in favour of M/s Electrosteel Castings Limited in Saranda Forest Division in West Singhum district of Jharkhand.

Sir,

I am directed to refer to the State Government's letter no. 3 / Vanbhumi - 01 / 2008 / 1237 / VP dated 17.04.2008 on the subject mentioned above seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the 'in-principle approval for diversion of 55.79 ha forest land (remaining 141.52 ha forest area for future use) in Kodolibad RF for Dirsumburu Mine for mining of iron ore in favour of M/s Electrosteel Castings Limited in Saranda Forest Division in West Singhum district of Jharkhand subject to fulfillment of the following conditions:

1. Legal status of the forest land shall remain unchanged.
2. (i) The Compensatory Afforestation (CA) over equivalent non-forest land proposed for diversion shall be under taken at the cost of the User Agency.
(ii) The State Government shall immediately transfer and mutate the non-forest land identified for CA in favour of the State Forest Department.
(iii) The area identified for Compensatory Afforestation shall be clearly depicted on SOI toposheet of 1:50,000 scale.
(iv) The User Agency shall transfer the cost (incorporating the current wage structure) of raising and maintaining Compensatory Afforestation with 7 years maintenance to the State Forest Department.
(v) The non-forest land identified for raising Compensatory Afforestation shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, as the case may be, within a period of six months. The Nodal Officer (Forest Conservation) shall report compliance in this regard.
3. Fencing, protection and regeneration of the safety zone area (7.5 metre strip all along the outer

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boundary of the mining lease area), wherever feasible, shall be done at the project cost. Besides this, afforestation on degraded forest land, to be selected elsewhere, measuring one and a half times the area under safety zone shall also be done at the project cost.

4. Following activities shall be undertaken by the user agency under the supervision of the State Forest Department at the project cost:
 - (i) Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - (ii) Planting of adequate drought hardy plant species and sowing of seeds to arrest soil erosion.
 - (iii) Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
 - (iv) No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
 - (v) Ample care shall be taken while reclaiming the mined area by employing suitable top soil management scheme and ensuring plantation of native species of the area.
 - (vi) The user agency shall regenerate an equivalent amount of degraded forest land (55.79 ha) also in addition to Compensatory Afforestation at the project cost.
5. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under this approval, in consultation with the State Forest Department at the project cost.
6. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
7. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
8. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in account number pertaining to the State of Jharkhand.
9. The period of diversion under this approval shall be twenty (20) years or coterminous with mining lease subject to possession of valid lease by User Agency under the MMDR Act, 1957.
10. The Project proponent will support and contribute on *pro rata* basis in the preparation and implementation of a comprehensive wildlife and biodiversity management plan being undertaken by the State Government/Steel Authority of India Limited in consultation with the Wildlife Institute of India and Dr R.K. Singh, WWF India. This study will also identify areas that should be kept inviolate in the Saranda forest. The State Government shall also setup a Calamity Fund, as appropriate, based on the said Wildlife Management Plan, to meet the compensation demand of any human – wildlife conflicts arising out of this project.
11. The issue of Singhbhum Elephant Reserve and the Core Area containing all these mines is still a

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- factor to be considered. Therefore, the State Government shall undertake a complete and detailed study on impact of mining activity on Sighbhum Elephant Reserve, local flora and fauna and possible pollution of river Koyna.
12. A team of MoEF will undertake a site visit to study the impact on wildlife particularly, the Elephant reserve. The User agency is required to implement any new guidelines, which may be issued on the recommendation of the MoEF's team, in addition to the Wildlife Management Plan.
 13. There will be strict monitoring of Wildlife Management Plan of all the user agencies of the area including M/s Electrosteel Castings Limited. For this purpose, a wildlife management team will be positioned in the area to monitor impacts and take remedial measures as the projects proceed.
 14. The State Government will ensure that mine is worked in such a way that the required elephant corridor / intermittent vegetation zones are always maintained without any long gap / disturbances.
 15. The user agency shall ensure reclamation and rehabilitation of the mined out area with gentle negotiable slope of sufficient width so that connectivity is maintained beyond the ridge to allow animals to cross easily.
 16. The user agency will carry out time series study on environmental load factor through some expert institution and submit the same alongwith compliance report.
 17. As the river ecology is critical to the health of the forest, the user agency will ensure that the Koyna river does not get polluted. This will be subject to regular field reviews by the Central Pollution Control Board (CPCB)/State Pollution Control Board (SPCB).
 18. No labour camps shall be set up inside the forest area.
 19. The user agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees in the adjoining areas.
 20. No damage to the flora and fauna of the adjoining area shall be caused.
 21. The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
 22. Any tree felling shall be done only when it is unavoidable and felling will be done under strict supervision of the State Forest Department.
 23. The user agency will obtain Environmental clearance and any other clearances required for such project before the final approval.
 24. The user agency will obtain the clearance under the provisions of ST&OTFD (Recognition of Forest Rights) Act, 2006 before the final approval and will submit certificate towards the settlement of all claims and rights over the proposed forest land, along with the compliance report, as per the advisory dated 03.08.2009 issued by MoEF.
 25. Only mining and primary and secondary crushing would take place in the forest area. Processing, beneficiation, blending, stockpiling, railway sidings, infrastructure and all township facilities will be set up in non-forest land away from the mining lease area.
 26. In keeping with the guidelines issued by the Department of Public Enterprises, the user agency will

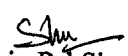
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for local youth to begin as the mining activities commence. Employment of local tribal youth will be maximised in a transparent manner.

- 27. The forest areas above water collection points should be kept inviolate.
- 28. Forest roads will not be used by user agency during night time.
- 29. Any other condition that the MoEF/CCF (Central), Regional Office, Bhubaneswar, may impose from time to time for the protection and improvement of flora and fauna in the forest area.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the Central Government shall consider the handing over of forest land for non-forest purposes under section-2 of the Forest (Conservation) Act, 1980.

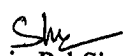
Yours faithfully,


(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:-

- 1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
- 2. The Chairman, Central Pollution Control Board, Parivesh Bhawan, New Delhi.
- 3. The Chairman, State Pollution Control Board, Jharkahnd.
- 4. The Nodal Officer (FCA), O/o the PCCF, Government of Jharkhand, Ranchi.
- 5. The Chief conservator of Forest (Central), Eastern Regional Office, Bhubaneswar.
- 6. User Agency for information.
- 7. Monitoring cell.
- 8. Guard File.


(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

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