

F. No. 8-251/1986-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510.
Dated: 14th August, 2012.

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

Sub: Diversion of 635.986 ha of forest land of Duarguiburu Iron ore lease (total lease area 1443.756 ha) for iron ore mining in favour of M/s Steel Authority of India Limited (SAIL) in Saranda Forest Division in West Singhbhum district of Jharkhand.

Sir,

I am directed to refer to the Government of Jharkhand's letter No.-3/Van Bhoomi-62/2008-4465 dated 11.12.2008 on the above mentioned subject, wherein the State Government has submitted a proposal for diversion of 635.986 ha of Duarguiburu Iron ore lease (total lease area 1443.756 ha) for iron ore mining in favour of M/s Steel Authority of India Limited (SAIL) in Saranda Forest Division in West Singhbhum district of Jharkhand. The said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Jharkhand and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees in-principle for diversion of already broken up area of 274.691 ha of forest land out of total applied area of 635.986 ha for iron ore mining in favour of M/s Steel Authority of India Limited (SAIL) in Saranda Forest Division in West Singhbhum district of Jharkhand, subject to the fulfillment of the following conditions:

- 2.1 Legal status of the forest land shall remain unchanged.
- 2.2 Fencing, protection and regeneration of the safety zone area (7.5 meter strip all along the outer 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.
- 2.3 Following activities shall be undertaken by the user agency under the supervision of the State Forest Department at the project cost for which user agency shall prepare appropriate plans if required help of reputed organization may be taken in consultation of State Government.
 - a. Proper mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
 - b. Planting of adequate drought hardy plant species and sowing of

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- seeds to arrest soil erosion.
- c. Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour.
 - d. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
 - e. 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.
 - f. Stabilize the overburden dumps by appropriate grading/benching so as to ensure the angle of repose at any given place is less than 28 degrees.
- 2.4 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.
 - 2.5 The State Government shall charge the Net Present Value, if not recovered earlier at the time of grant of TWP, 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.
 - 2.6 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.
 - 2.7 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.
 - 2.8 The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years.
 - 2.9 No labour camps shall be set up inside the forest area.
 - 2.10 The user agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees in the adjoining areas.
 - 2.11 No damage to the flora and fauna of the adjoining area shall be caused.
 - 2.12 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.
 - 2.13 Any tree felling shall be done only when it is unavoidable and felling will be done under strict supervision of the State Forest Department.
 - 2.14 The user agency will obtain Environmental clearance and any other clearances required for such project before the final approval.

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- 2.15 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.
- 2.16 The User Agency in consultation with the State Government will prepare a plan to evict the encroachment from the forest land within the lease area within a reasonable period. The plan shall spell out clearly the time frame and responsibilities of various agencies.
- 2.17 The user agency shall assess its own requirement of residential accommodation and ensure phasing out of surplus residential accommodation within a reasonable period. The user agency shall also ensure that no unauthorized person occupy any residential building.
- 2.18 In keeping with the guidelines issued by the Department of Public Enterprises, the user agency will earmark at least 2% of net profits for CSR activities (as distinct from wildlife and biodiversity management programmes). The CSR will include vocational and skill-development programmes for local youth. Employment of local tribal youth will be maximised in a transparent manner.
- 2.19 The State Government should ensure that the final Wildlife Management Plan must address the issues related to the whole area and must spell out the long term vision of the State Government in respect of Saranda, as specified in by the FAC in its minutes of the 2 April 2012 meeting.
- 2.20 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.
- 2.21 There will be strict monitoring of Wildlife Management Plan of all the user agencies of the area including M/s SAIL. For this purpose, the State Govt. shall position a wildlife management team in the area to monitor impacts and suggest remedial measures.
- 2.22 In order to ensure proper coordination of CSR activities State Government may consider a CSR coordination committee consisting, of all mines , forest and Government department representative, active NGO and people representatives so as to ensure holistic development of villages, development of infrastructure, Bio-diversity conservation, health, education, youth promotion, women empowerment and other allied activities.
- 2.23 User agency shall undertake habitat improvement work to eradicate weed within the lease area currently not under mining.
- 2.24 User agency shall ensure fire protection in the lease and five kilometers around the lease during summer month by engaging sufficient fire watchers and undertaking other subsidiary activities.
- 2.25 The State Govt. shall prepare a capacity building programme for the staff of Saranda Forest Division on Wildlife management and crime prevention. The programme shall be supported by the User Agency
- 2.26 State government needs to identify villages likely to be affected by human-



- wildlife conflict around forest areas diverted and user agency shall protect the human habitation and their property by erecting electric fence/elephant proof trench through community participation.
- 2.27 Zero disturbance should be ensured during night time and no ore shall be transported by roads between sunset and sunrise.
 - 2.28 No vehicles operating in the lease area shall use pressure horn.
 - 2.29 Appropriate lighting system shall be used in the mine to reduce the glare to open sky.
 - 2.30 State Government may consider formation of corpus for implementation of Comprehensive Wildlife Management Plan.
 - 2.31 The State Government should furnish details of unbroken areas from amongst the existing leased out areas and furnish a long term plan for the phased utilization of those areas.
 - 2.32 The issue of Singhbhum Elephant Reserve still remained a factor to be considered. The State Govt should identify inviolate areas in the Saranda area free from mining and clearly depict them on the map with digitized boundaries of forest cover and recorded forests within a period of two months. The Map should also depict all mining areas under consideration in Saranda on a map in GIS domain with digital elevation model and drainage within two months.
 - 2.33 The user agency will carry out time series study on environmental load factor through some expert institution and submit the same alongwith compliance report.
 - 2.34 The user agency shall ensure that there is no siltation in the water collector points.
 - 2.35 The State Government will ensure that mine is worked in such a way that intermittent vegetation zones are always maintained without any long gap / disturbances for the smooth movement of Wildlife.
 - 2.36 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). To prevent silt and fine flows into river, user agency must construct suitable civil structure so that harvested rain water is utilized in mines in consultation with IIT Kharagpur or any other reputed institution. The State Government shall also 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.
 - 2.37 The mine should develop modern techniques to use every size and quality of iron ore to avoid opening of new area User agency may explore possibilities of commissioning a ore beneficiation and pellet plant for time bound utilization of accumulated fines to prevent pollution to streams/rivers.
 - 2.38 Modern blasting techniques and conveyor should be used to minimize sound pollution, air pollution caused by dust and transport dust and

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vibrations.

- 2.39 The vehicles, if any, used for transportation of ore must be designed in such a way so as to reduce fugitive dust emission. There should be no roadside dumping of iron ore.
 - 2.40 Workers engaged in mining and ancillary activities should be provided with accidental insurance cover, and appropriate protective equipments to protect health as safety measures.
 - 2.41 The broken area should be completely exhausted as per IBM Guidelines and rehabilitated in a phased manner with native species.
 - 2.42 User agency shall install a real time ambient air/water quality monitoring system and the data shall be displayed in public domain.
 - 2.43 User agency should install water sprinkler system with proper dust suppression chemicals.
 - 2.44 State-of-art technologies and modern earth moving machineries shall be used to minimize noise and ground vibration.
 - 2.45 The User Agency shall seek clearance from the Standing Committee of NBWL, if applicable, before seeking final approval. The Ministry may impose additional condition in accordance with clearance, if granted, by the Standing Committee of NBWL. In case the Standing Committee of NBWL rejects the proposal, the Stage I clearance granted shall stand withdrawn automatically.
 - 2.46 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.
 - 2.47 User agency shall submit the annual compliance report in respect of the above conditions to the State Government and to the Regional Office, Bhubaneswar regularly.
3. After receipt of the compliance report on the fulfillment of the above mentioned conditions contained in para 2 above, from the State Government of Jharkhand, formal approval will be issued in this regard under Section 2 of the Forest (Conservation) Act, 1980.
 4. The User Agency is also granted working permission for a period of one year from the date of issue of this order to enable complying with the conditions.

Yours faithfully,

Shiv Pal Singh
(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi
2. The Principal Chief Conservator of Forests (Wildlife), Government of Jharkhand, Ranchi.
3. The Nodal Officer (FCA), O/o PCCF, Government of Jharkhand, Ranchi.
4. The Additional Principal Chief Conservator of Forest (Central), Regional Office, Bhubaneswar.

5. The User Agency.
6. Monitoring Cell.
7. Guard File.

Singh
(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests