

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**O.A. No. 53 / 2023 / EZ**

**IN THE MATTER OF:**

Satyabrata Sanjeev Kumar Mohanta ... Applicant

**Versus**

Ministry of Environment, Forest  
& Climate Change & Ors. ... Respondents

**INDEX**

<b>S.No.</b>	<b>Particulars</b>	<b>Page Number</b>
1.	Reply Affidavit on behalf of Respondent No. 8 to O.A. No. 53 / 2023 / EZ.	<b>1-28</b>
2.	<b>Annexure R/1 (Colly)</b> – Copy of the Public Notice dated 12.02.2021 and 20.04.2021 in English and Odiya newspaper regarding grant of Stage I Forest Clearance dated 25.06.2020 and Stage II Forest Clearance dated 31.03.2021 to Respondent No. 8.	<b>29-34</b>
3.	<b>Annexure R/2</b> – Copy of the Office Memorandum dated 06.10.2015 issued by the Ministry of Personnel, PG & Pension, Department of Personnel & Training, Government	<b>35-36</b>
4.	<b>Annexure R/3</b> – Copy of the extracts of the Telephone Directory of the Orissa High Court Bar Association	<b>37-38</b>
5.	<b>Annexure R/4 (Colly)</b> – Orders and Judgments of the Odisha High Court in <i>Rup Ranjan Panda &amp; Ors. vs. State of Odisha &amp; Ors.</i> (W.P. (C) PIL No. 16719 of 2020) and	<b>39-77</b>

	<i>Ashirbad Pattnaik &amp; Ors. vs. State of Odisha &amp; Ors (W.P. (C) No. 33158 of 2021), Neelakantha Tripathy &amp; Ors. vs. UOI &amp; Ors (Writ Petition (C) No. 1416 of 202 and the Hon'ble Supreme Court in SLP (Civil) No. 8637 of 2022</i>	
6.	<b>Annexure R/5</b> – Copy of the Pictures of the Towers with spikes on their base and barbed fence	<b>78-79</b>
7.	<b>Annexure R/6</b> – Copy of the relevant extracts of the approved Site Specific Wildlife Conservation Plan	<b>80-143</b>
8.	<b>Annexure R/7 (Colly)</b> – Copy of demands by DFO Keonjhar and DFO Bonai for compensatory levies of Rs. 277.08 lakhs along with RTGS Receipt dated 28.01.2021	<b>144-148</b>
9.	<b>Annexure R/8 (Colly)</b> – Copy of the communications dated 26.03.2021 and 13.04.2021 between M/s Rungta Mines Ltd and the DFO Keonjhar submitting the cost to OFDC for felling of trees	<b>149-150</b>
10.	<b>Annexure R/9</b> – Copy of the Payment Vouchers in favour of OFDC	<b>151-152</b>
11.	<b>Annexure R/10</b> – Copy of the Letter dated 29.10.2022 of the Forest Range Officer to DFO of Keonjhar and Rourkela Division clarifying that minimum number of trees was cut as per the sanctioned number for felling of trees	<b>153</b>
12.	<b>Annexure R/11</b> – Copy of the Letter dated 22.12.2021 of DFO Keonjhar to Respondent No. 8 clarifying that OFDC was entrusted with the job of felling of trees and Respondent No. 8 has no involvement in the same	<b>154-155</b>
13.	<b>Annexure R/12</b> – Copy of Letter by Respondent No. 8 dated 09.03.2022 to Odisha Power Transmission	<b>156</b>

	Company Limited regarding completion of work of the transmission line	
14.	<b>Annexure R/13</b> – Copy of the Photographs of the Towers installed with bird deflectors	<b>157</b>
15.	Proof of Service	<b>158</b>

**Through:**



**[DHANANJAYA MISHRA]**  
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**Mobile: 8826009686**

**Date: 15.07.2023**  
**Place: New Delhi**

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

O.A. No. 53 / 2023 / EZ

IN THE MATTER OF:

Satyabrata Sanjeev Kumar Mohanta ... Applicant

Versus

Ministry of Environment, Forest  
& Climate Change & Ors. ... Respondents

REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 8 - M/s.  
RUNGTA MINES LIMITED TO O.A. NO. 53 / 2023 / EZ

I, Pranaya Kumar Deo, Son of Shri Prasanna Kumar Deo, aged about 51 years, resident of Ward No. 15, Sundra Basti, Barbil, Dist.-Kendujarh, Odisha – 758 035, the authorized representative of the Respondent No. 8, do hereby solemnly affirm and state as follows:

1. That I am duly authorized by the Respondent No. 8 Company, i.e., Rungta Mines Ltd., in the above matter and as such am fully conversant with the facts and circumstances of the case based on the records maintained by the Respondent No. 8 Company and am, therefore competent to affirm this Affidavit.

2. That this Hon'ble Tribunal is presently seized of the above-mentioned Original Application No. 53/2023 which allegedly raised issues pertaining to the breach of the Stage-I and Stage-II Forest Clearance dated 25.06.2020 and 31.03.2021 pertaining to diversion of 35.507 ha of forest land for construction of 132 KV transmission line from 132/33 KV Grid Station of OPTCL at Barbil, Keonjhar.

3. At the outset, Respondent No. 8 (hereinafter referred as the "answering Respondent") categorically denies and disputes all the contentions and

N. R. SL. VO. 2290  
DATE 15.7.23



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FOR RUNGTA MINES LTD.

Pranaya Kumar Deo  
Director

Attested  
15/7/2023

Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991

allegations raised by the Applicant in the captioned Application, save and except what has been specifically admitted hereunder. Any omission on the part of Respondent No. 8 to deal with or controvert any contention of the Application should not be construed as an admission/acceptance thereof by the Applicant. Further, Respondent No. 8 craves leave to add, amend, or supplement the present Reply at a later date, if deemed necessary.

4. That before averting to the para-wise Reply on the merits of the Original Application, the answering Respondent seeks to place on record its Preliminary Objections/Submissions, which in its humble opinion, are crucial for a holistic adjudication of the present matter.

#### PRELIMINARY OBJECTIONS

(i) *The present O.A. is not maintainable*

5. The present Original Application is not maintainable as any alleged violation of Stage I clearance cannot be challenged at this stage as such an in-principle clearance merges with the Stage-II Forest Clearance which eventually results in an Order of diversion of forest land under Section 2 of the Forest (Conservation) Act, 1980 by the State, which can only be challenged in an Appeal under Section 16(e) of the National Green Tribunal Act, 2010. There is a catena of judgments in this regard by this Hon'ble Tribunal which shall be relied upon during the course of arguments. A case in point is *Vimal Bhai vs. MoEF&CC & Ors. (Appeal No. 5 of 2011)*.
6. That it is submitted that the answering Respondent had sought diversion of forest land in an area of 35.507 ha of forest land (31.806 ha in Keonjhar Division and 3.701 ha under Bonai Division) for construction of 132 KV transmission line from 132/133 KV OPTCL Grid Station at Barbil,

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Attested  
Director  
Pranaya Kumar Das  
Director

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20.23



Keonjhar District, Odisha. That the answering Respondent was granted Stage-I Forest Clearance or in-principle approval, on 25.06.2020. As per the procedures and guidelines issued from time to time by the MOEF&CC, the conditions under Stage-I or the in principle approval are required to be fulfilled by the project proponent. Once such conditions are fulfilled, a Stage-II Forest Clearance is granted by the MOEF&CC (in this case by the Regional Office of the MOEF&CC), which was done on 31.03.2021. Thereafter, on 12.04.2021, the Government of Odisha also granted diversion of forest land in favour of the User Agency as per Section 2 of the Forest (Conservation) Act, 1980.

7. That it is a settled position in law that as per Section 16(e) of the National Green Tribunal Act, 2010, this Hon'ble Tribunal has Appellate Jurisdiction in cases where an Order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government or other authority under Section 2 of the Forest (Conservation) Act, 1980. The same has also been observed by this Hon'ble Tribunal in *Vimal Bhai vs. MoEF&CC (Appeal No. 5 of 2011)*.

It is further submitted that the limitation period for preferring such appeal under Section 16(e) is 30 days from the date of communication of such order. The appeal may be allowed to be filed within a further 60 days if the Hon'ble Tribunal is satisfied that the appellant was prevented by sufficient cause from filing an appeal within the original period of 30 days.

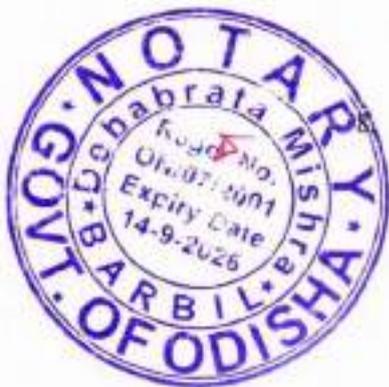
9. That the present Original Application is therefore an Appeal against the Forest Clearance in disguise, filed solely to overcome limitation, and hence is not maintainable. In any case, this Hon'ble Tribunal has held in numerous occasions, and which is also established law, that where an Appeal under

For RUNGTA MINES LTD.

Accepted

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Director

Suryakanta Tripathy (Advt) 02  
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2023



Section 16 of the National Green Tribunal Act, 2010 lies against any Order or Decision, the same issue cannot be raised by an Application under Section 14 of National Green Tribunal Act, 2010 as it will defeat the purpose of the Act itself [A case in point is *DV Girish & Ors. Secretary to Government (Environment & ecology) & Anr. 2015 SCC OnLine NGT 37*]. It is humbly submitted that this itself is ground enough to dismiss the Original Application *in limine*. There are a catena of judgments in this regard by this Hon'ble Tribunal which shall be produced at the time of arguments.

- (ii) *Without prejudice, even if the present Application were to be treated as an O.A. under Section 14, the same is time barred and beyond the stipulated period of Limitation under the National Green Tribunal Act, 2010*

10. That the present Original Application too suffers from serious infirmities not only on grounds of maintainability but is also severely time barred as per the limitation period prescribed under the National Green Tribunal Act, 2010. The Original Applicant has challenged the breach of conditions of Stage-I clearance dated 25.06.2020 and Stage-II Forest Clearance dated 31.03.2021, albeit wrongly in an Original Application, after a delay of over 2 (two) years, which is way beyond the limitation period of 6 (six) months as specified under Section 14(3) of the National Green Tribunal Act, 2010. It is reiterated that no Original Application lies under the present circumstances and at best an Appeal lies if the forest clearance needs to be assailed which is hopelessly barred by time as the limitation period under Section 16 of the NGT Act, 2010 is 30 days with a maximum of an additional sixty days at the discretion of the National Green Tribunal Act, 2010.



For RUNGTA MINES LTD.

Kunwar Dho  
Director

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Pranaya

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20/3

11. That further, the Original Applicant has falsely taken recourse to RTI applications as a ruse for overcoming the period of limitation. At the outset, it is pertinent to submit that in compliance with Condition No. (i) of the Stage II Forest Clearance dated 31.03.2021, the information pertaining to Stage I and Stage II Forest Clearance was published in an English and Odiya newspaper on 12.02.2021 and 20.04.2021, respectively. Thus, Applicant's reliance on the Right to Information Application is false and the same has been annexed merely to overcome the limitation period. True Copy of the Public Notices dated 12.02.2021 and 20.04.2021 are marked and annexed as **Annexure R/1 (Colly)**.

12. This Hon'ble Tribunal in a catena of cases has refused to entertain Original Applications severely barred by limitation. [*Nisarga Nature Club v. Shri Satyawan B Prabhudessai & Ors. (OA No. 29 of 2012)*; *Appaso Satappa Tambekar v. Appellate Authority [2014 (4) FLT 321 (NGT WZ)]*]. That the Applicant has further stated that the cause of action is a 'continuing cause of action' and hence the Original Application is within the period of limitation. It is humbly submitted, arguendo, that Section 14(1), only in case of Original Application, which is not the present case, clearly states that such Applications will be entertained by the Hon'ble Tribunal within a period of six months from the date when the cause of action for such dispute first arose. There is no concept of 'recurring or continuous cause of action' for an Application filed under Section 14 of the National Green Tribunal Act, 2010. The case of *Forward Foundation Vs State of Karnataka and Others (2015 SCC OnLine NGT 5)* has made this amply clear in a detailed judgment which is being relied upon and which has not disturbed by the Hon'ble Supreme Court. In fact, the same has been affirmed in the case of *Mantri Tech Zone v. Forward Foundation and Ors (2019 18 SCC 4944)*,

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where the Hon'ble Supreme Court has held that this Hon'ble Tribunal cannot condone delay where an application has been filed under Section 14, beyond the period of six months and without an application for condonation of delay.

13. It is also pertinent to highlight that the documents annexed in the Original Application do not bear the seal and stamp of the RTI Authorities and thus cannot be considered as documents that have been procured under the RTI Act, 2005. The Office Memorandum dated 06.10.2015 issued by the Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training, Government of India states that the documents supplied under the RTI Act, 2005 have to be provided in a particular format, which includes *inter alia* an endorsement stating "true copy of document / record supplied under RTI Act", the date and seal containing name of the officer, Central Public Information Officer, and name of the Public Authority is concerned. It is *prima facie* evident that none of the documents annexed to the present Application are in conformity with such format, and therefore the claim of the Applicant that time was taken to obtain documents under the RTI Act, 2005 is blatantly false.

A true copy of the Office Memorandum dated 06.10.2015 issued by the Ministry of Personnel, PG & Pension, Department of Personnel & Training, Government of India is annexed herewith and marked as **Annexure R/2**.

14. That to further buttress the aforesaid point, reference may be made to Annexure-6 of the present Application, at Page 108, where one of the documents is stated to have been "supplied under RTI Act". The said annotation is handwritten without any endorsement to the effect that the said document is a true copy and is without any seal/stamp of the Public Information Officer or the authority concerned. It is evident therefore that



FOR RUNGTA MINES LTD.

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this document was not procured under the RTI Act, 2005. This itself casts doubt on the manner of procurement of documents by the Applicant.

15. That therefore, it is submitted that the present Application deserves to be dismissed also on the ground that it is barred by delay and laches.

(iii) *The Appellant is not an Aggrieved Person under Section 18 of the National Green Tribunal Act, 2010*

16. That the Applicant has not brought on record any material to show how he is aggrieved within the meaning of Section 18 of the National Green Tribunal Act, 2010. In a project of this nature, not a single person who owns the property in the area of the Project has opposed or come before this Hon'ble Tribunal.

17. That further, the Applicant has not disclosed its credentials nor any demonstrated environmental work in the region. On one hand, he appears to be aware of the entire procedure for obtaining Forest Clearance, at the same time there is no material on record to demonstrate his own credibility in the field of environment. All this certainly proves that there is something more than meets the eye and the Applicant cannot be conceived as a 'person aggrieved' within the meaning of Section 18 of the NGT Act, 2010.

18. That this Hon'ble Tribunal in the case of *Anand Kumar Jha v. Union of India & Others*, while placing reliance on the Hon'ble Supreme Court Judgment in *State of Uttar Pradesh & Ors. Etc. Etc. vs. Uday Education and Welfare Trust & Anr.*, had dismissed the Appeal due to Appellant's failure in clarifying his credentials and *bona fides*. Similarly, in the present case the Original Applicant has failed to submit a single document, verifying his credentials or how he is impacted by the Project. This is ground alone to dismiss the case *in limine* and impose huge costs on the



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15/07/2023

Original Applicant for approaching this Hon'ble Tribunal, for reasons best known to them.

19. In this regard, it is pertinent to note the following details mentioned in the Application:

Address of the Counsel

20. The address of the counsel, Ms. Soumya Mishra, is shown as 552/t/13, Friends Colony, B.K. Road, P.O. – Buxi Bazar, P.S. – Mangalabag, Dist- Cuttack, Odisha – 753001. It is peculiar to note that this very address is shown as the office as well as residential address of one Mr. Sambit Samal, Advocate in the Telephone Directory of the Orissa High Court Bar Association. The antecedents of the said Mr. Sambit Samal shall be adverted to shortly.

A copy of the extracts of the Telephone Directory of the Orissa High Court Bar Association is annexed herewith and marked as **Annexure R/3**.

Applicant's email address

The Applicant's contact details: e-mail address and mobile number, are identical to those of the counsel representing him, i.e., one [behera.pramodadv1111@gmail.com](mailto:behera.pramodadv1111@gmail.com). Furthermore, while the counsel for the Applicant is stated to be one Ms. Soumya Mishra, even the email address of the counsel has been stated to be [behera.pramodadv1111@gmail.com](mailto:behera.pramodadv1111@gmail.com).

22. While the name of said counsel is conspicuous by its absence in the memo of parties, it is significant to note that this e-mail address appears to belong to one Pramod Kumar Behera, Advocate, Orissa High Court, whose antecedents will be adverted to shortly.



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15/07/2022

23. It is submitted that the aforementioned counsels, i.e., Mr Sambit Samal and Mr Pramod Kumar Behera, have a demonstrated history of filing vexatious motions in the nature of public interest litigations on behalf of petitioners claiming to be aggrieved persons, especially against the answering Respondent and/or its sister concerns before the Hon'ble High Court of Orissa. On more than one occasion, the Hon'ble High Court of Orissa has dismissed their petitions, observing that the conduct of the Petitioners has been of personal interest litigation and has imposed costs. The said observation was also challenged before the Hon'ble Supreme Court however it was dismissed for want of merit in SLP (Civil) No. 8637 of 2022 as well as by imposition of costs on the Appellants whose alibis are the present Applicant. The relevant Orders and Judgments of the Odisha High Court in *Rup Ranjan Panda & Ors. vs. State of Odisha & Ors.* (W.P. (C) PIL No. 16719 of 2020) and *Ashirbad Pattnaik & Ors. vs. State of Odisha & Ors* (W.P. (C) No. 33158 of 2021), *Neelakantha Tripathy & Ors. vs. UOI & Ors* (Writ Petition (C) No. 1416 of 202 and the Hon'ble Supreme Court in SLP (Civil) No. 8637 of 2022, are being collectively marked and annexed herein as **Annexure R/4 (Colly)**.

24. That further, the allegations that are raised in the present Application were also raised in one of the earlier petitions, being the case of *Ashirbad Pattnaik*, which already stands dismissed by the Hon'ble High Court of Orissa vide its judgment dated 02.12.2021 and thereafter affirmed by the Hon'ble Supreme Court vide its order dated 09.09.2022. For convenience, Paragraph 7 of the petition in *Ashirbad Pattnaik* is extracted hereunder:

"7. That it is also pertinent to mention here that, as per the news reported by the *New Indian Express* dated 03.07.2021 and *Oriya Weekly Newspaper, Barta* corroborating their statements with certain live photographs stated therein, that



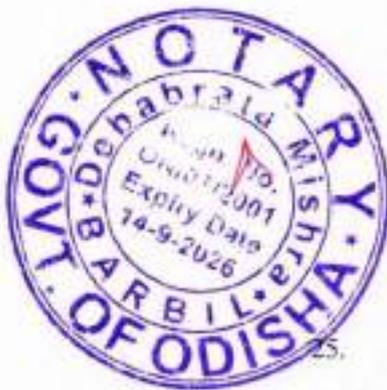
For RUNGTA MINES LTD.

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Suryakanta Tripathy  
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Enrol. No. O-719/1991

19/09/2023

*the Rungta Mining Company has cut down numerous amount of trees of the reserve forest area for its personal gain without obtaining the prior permission from the forest department near Jagadasahi Village under Joda Block of Keonjhar district. The aforesaid mining firm needs power supply of 132 KB electricity line for its proposed project at Kamanda Village under Bonai tehsil of Sundergarh district by utilizing 31 Hectares of forest land and such deforestation is largely affecting the environment of the said mining areas for which the presence of trees is utmost essential. Further, the forest range officer of Barbil enquired about the said activity of the said mining firm, lodged a case against the said mining firm for blatant violation of the forest laws. The above said violation is against the provision of Sec. 2 of the Forest Conservation Act, 1980 which clearly states that for any non-forest activity within forest land, needs prior approval from the Ministry of Environment and Forest and Climate Change (MOEF & CC). But at the instant case the said erring mining firm not felt necessary to obtain the said permission before the aforesaid illegal deforestation activity."*



25. Thus, it is clear that the very issue that is sought to be agitated before this Hon'ble Tribunal in the present Application was in fact also raised before the Hon'ble High Court of Orissa in an earlier petition, which stands dismissed vide judgment dated 02.12.2021, which has also been affirmed by the Hon'ble Supreme Court vide its order dated 09.09.2022.
26. That undeterred by the orders and also by the strictures passed by the Hon'ble Courts, the present Application is yet another attempt to file a vexatious and frivolous complaint against the answering Respondent for an oblique motive.
27. That it is submitted that the e-mail address of Mr. Pramod Kumar Behera is shown as the e-mail address of the Applicant, and the office address of the

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counsel in the present Application is that of Mr. Sambit Samal, Advocate, which clearly depicts that the Applicant as well as the counsel on record are nothing but proxies of the very same Mr. Sambit Samal and Mr. Pramod Kumar Behera, who have repeatedly been filing motions against the answering Respondent or its sister concerns.

28. That the answering Respondent humbly submits that the present Application must be dismissed at the very outset with exemplary costs on the Applicant as well as the counsel.

**PRELIMINARY SUBMISSIONS ON MERITS**

29. That at the outset, it is submitted that the present Application raises several unfounded and baseless allegations of breach of the Stage-I and Stage-II Forest Clearances dated 25.06.2020 and 31.03.2021 pertaining to diversion of 35.507 ha of forest land for construction of 132 KV transmission line from 132/33 KV Grid Station of OPTCL at Barbil, Keonjhar.

30. That the answering Respondent after obtaining the Stage I Forest Clearance had duly complied with all the conditions specified in the Stage I of the Forest Clearance, including additional conditions imposed by the Government of Odisha.

That after the requisite authority was duly satisfied with the compliance of the conditions imposed for Stage-I Forest Clearance, the Stage-II Forest Clearance was granted on 31.03.2021. The answering Respondent after obtaining the Stage-II Forest Clearance had duly complied with all the conditions specified in Stage-II Forest Clearance.



FOR RUNGTA MINES LTD.

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Suryakanta Tripathy (Adv) 15/07/2023  
Enrol. No. O-719/1991

32. That subsequently, vide Order dated 12.04.2021, the Government of Odisha has under Section 2 of the Forest (Conservation) Act, 1980 allowed diversion of 35.07 ha of forest land in favour of the answering Respondent as per the approved land pattern. The conditions specified in the said order were also complied with by the answering Respondent, pursuant to which the transfer of forest land had been initiated by the authorities. The Order dated 12.04.2021 is available for the perusal of this Hon'ble Tribunal, if it so directs.
33. That during the process, the answering Respondent has deposited approx. Rs. 343.08 lakhs for site specific wildlife conservation plan and Rs. 244.8 lakhs as compensatory levies, apart from additional cost for removal of trees among others. The answering Respondent has also been in due compliance with all conditions of the Stage-II Forest Clearance and the Section 2 Order dated 12.04.2021, and has been periodically submitting compliance reports to the Divisional Forest Officer, Bonai and Keonjhar.
34. That at this juncture, it is also imperative to highlight that none of the Governmental authorities have addressed any communication/s to the answering Respondent alleging any violation/s of the aforesaid stipulations.
35. That the Applicant herein has approached this Hon'ble Tribunal at a belated stage, alleging non-compliance with Stage-I Forest Clearance, without placing on record an iota of evidence to substantiate his allegations and moreover after the same which has merged with the Stage-II forest clearance, which has not been assailed in accordance with law.
36. That however for the sake of satisfying this Hon'ble Tribunal as to the merits of the matter, the answering Respondent is setting forth its response

FOR RUNGTA MINES LTD.

Director

Kunwar Deo

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19/07/2023Suryakanta Tripathy (Adv.) 19/07/2023  
Enrol. No. O-719/1991

to the specific allegations of non-compliance with conditions of Stage-I Forest Clearance:

a. *Condition No. (viii) - compliance with barbed wire and spikes on the base of the tower*

37. Condition No. (viii) of the Stage-I Clearance as approved by MOEF&CC stipulates the following:

*"The base of the towers in the forest area to be fenced with barbed wire in addition to spike on the legs of the towers as to avoid elephant electrocution/death of the wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to provide towers which shall be provided with spike on the leg of the towers."*

The allegation of the Applicant that the electric towers pertaining to the answering Respondents project have not been installed in accordance with Condition No. (viii) is denied as erroneous and contrary to record. A copy of the sample pictures of said towers is annexed herewith and marked as **Annexure R/5**. A perusal of the same would clearly depict that the base of the towers are fenced with barbed wires along with spikes fixed on the legs. Thus, the allegation of the Applicant is categorically false. It is reiterated that all such conditions are verified before a Stage-II clearance is granted by the MOEF&CC.

38. In addition to the above, it is reiterated that a Site-Specific Wildlife Conservation Plan has also been approved by the PCCF (Wildlife) on 22.01.2021 for protection and management of wildlife in the said area. In furtherance of the same, as per demand letters raised by DFO, Bonai and DFO, Keonjhar, dated 25.01.2021 and 27.01.2021 respectively, the



For RUNGTA MINES LTD.

Koushalya Krasar Das  
Director

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14/02/2023

Respondent No. 8 has deposited Rs. 277.08 Lakhs to the State CAMPA Fund on 28.01.2021.

Relevant extracts of the approved Plan are annexed herewith and marked as **Annexure R/6.**

Copy of the letters from DFO Keonjhar and DFO Bonai with demands for compensatory levies of Rs. 277.09 lakhs along with RTGS Receipt dated 28.01.2021 showing due payment thereof are annexed herewith and marked as **Annexure R/7 (Colly).**

**b. Condition No. (x) - compliance with minimum ground clearance in forest areas**

39. Condition No. (x) of the Stage-I Forest Clearance states as under:

*"In hilly slopy areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop untoward incidence of electrocution as per existing guidelines of MOEF&CC dated 05.05.2014 and 19.11.2014."*

40. It is submitted that as per Regulation 58 the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010, the minimum ground clearance between the bottom conductor of the 132KV EHT line should be 6.4 metres. As per MOEF&CC Guidelines dated 19.11.2014, in forest area, the additional ground clearance should be an additional 6 metres more than the prescribed limit, which in the present case would be 12.4 metres. In the present case, the answering Respondent in adherence to Condition (x) of the Stage-I Clearance, has ensured that the minimum ground clearance at all places is more than the 12.4 metres prescribed according to the guidelines dated 19.11.2014 so as avoid any



For RUNGTA MINES LTD.

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incidence of electrocution of wildlife/elephants. The compliance of such conditions again is a prerequisite for grant of Stage II clearance as well as the Section 2 Order granted by the State Government under the Forest (Conservation) Act, 1980.

**c. Condition No. (xi) - compliance with felling of trees**

41. Condition No. (xi) of the Stage-I Clearance as approved by the MOEF&CC stipulates the following:

*"The user agency shall restrict the felling of trees to minimum number in the diverted forest land and tree shall be felled under the strict supervision of the State Forest Department and cost of felling of trees shall be deposited by the user agency with the state Forest Department."*

42. That it is submitted that in accordance with the said condition, minimum no. of trees have been felled within the diverted forest land. It is further pertinent to highlight that the felling was not executed by the Respondent No. 8 itself, but the felling was actually executed by the Odisha Forest Development Corporation Ltd. ("OFDC") itself, which is a Government of Odisha undertaking. Thus, the contention of the Applicant that the User Agency has undertaken excess felling and pruning of trees in the area without supervision is baseless and false.

43. That the answering Respondent has in fact duly deposited Rs. 40,91,662/- (Forty Lakhs Ninety-One Thousand Six Hundred and Sixty-Two Rupees Only) and Rs. 4,42,919/- (Four Lakhs Forty-Two Thousand Nine Hundred and Nineteen Rupees Only) to the OFDC as the cost towards such felling in Keonjhar and Bonai, as per letters dated 13.04.2021 and 26.03.2021 respectively.



For RUNGTA MINES LTD.

Banmaya Kumar Deo  
Director

Witnessed  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
19/08/2023

Copies of the communications dated 26.03.2021 and 13.04.2021 are annexed herewith and marked as **Annexure R/8 (Colly)**.

Furthermore, a copy of the payment vouchers in favour of OFDC in this regard is annexed herewith and marked as **Annexure R/9**.

44. That pursuant to said deposit, approval was sanctioned for felling of 1359 trees of girth above 30 cm in Keonjhar, whereas only 1208 trees were felled as per the minimum requirement. The same can be verified from the Letter of the Forest Range Officer, Barbil Range, dated 29.10.2022. A copy of the same is annexed herewith and marked as **Annexure R/10**.
45. That in the Bonai Division as well only 61 trees were felled in spite of approval for felling of 147 trees.
46. That thus, it is *prima facie* evident that at the time of construction only those trees have been felled which were deemed to be necessary to carry out the works, and well within the approved enumeration of trees. Further, only those trees that were enlisted for pruning have been pruned. There is no iota of evidence against such facts adduced by the Applicant herein.
47. That with respect to the averment of lodging of a so-called FIR (though factually it is not a FIR, but a prosecution report) against one Bijay Kumar Pandey (Contractor) and Abhimanyu Das (Labour) for allegedly felling 5 (five) unmarked trees, it is categorically denied that the said activity is in any way is related to the User Agency. It is reiterated that in the Keonjhar District, only 1208 trees were felled even though permission had been granted for 1359 trees. Furthermore, the said felling of trees is not actually carried out by the answering Respondent. OFDC was responsible for carrying out the felling through its approved contractors.



For RUNGTA MINES LTD.

Accepted  
for  
Sumanaya Kumar Deo  
Director

Suryakanta Tripathy (Adv)  
Enrol. No. O-719/1991  
19/09/2023

48. That it is submitted that the accused persons in the said prosecution report were the contracted workers of OFDC, and the answering Respondent has nothing to do with the same. The Forest Department had filed the prosecution report before the Judicial Magistrate, First Class, Barbil, pursuant to which a case was registered, being 2(b)CC Case No. 1 of 2022, which remains *sub judice* before the Court of J.M.F.C, Barbil. Hence, it is patently false on the Applicant's part to state that the accused were contracted by/related to the User Agency and that no action in that regard has been taken since. In any event, there lies no correlation between the ongoing case and project approval.

49. That it is pertinent to note that the DFO, Keonjhar vide letter dated 22.12.2021 has clearly stated that "*M/s. Rungta Mines Ltd. has no involvement in felling of unmarked trees, as because OFDC Ltd. has been entrusted with felling of trees in the above project.*" A copy of said communication is annexed herewith and marked as **Annexure R/11**.

**d. Condition No. (xviii) - compliance with layout plan**

50. Condition No. (xviii) of the Stage-I Clearance as approved by the MOEF&CC stipulates the following: "*The lay out plan of the proposed forest land shall not be changed without the prior approval of Central Government.*"

The answering Respondent vehemently denies being in violation of the afore-mentioned stipulation. It is submitted that construction of the 132KV transmission line by answering Respondent has been undertaken as per the proposal/layout plan approved by the MOEF&CC and there has been no deviation in route alignment.

For RUNGTA MINES LTD.  
Karanaya Kumar Das  
Director

Attested  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/01/2023



It is reiterated that all compliance under Stage-I is verified before a Stage II clearance is granted. This is further fortified by the fact that before the Order of diversion of land by the State Government the compliances are checked and verified as well. If anyone is aggrieved by non-compliance and issuance of such clearance, an appeal lies under the NGT Act, 2010 as stated in earlier paras which has not been done by the present Applicant.

*e. Condition No. (xxi) - there was no damage to forest growth or felling of trees by the answering Respondent during execution of its work*

52. Condition No. (xxi) of the Stage-I Clearance approved by the MOEF&CC stipulates the following: "The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner."
53. The answering Respondent vehemently denies the Applicant's claim that there has been any violation of said condition. In addition to reiterating the submissions made hereinabove in this regard, it is relevant to state the felling orders were issued by the concerned DFOs to OFDC, who in turn executed the said orders. It is once again clarified that felling and pruning were not User Agency mandates as the same were executed by OFDC's authorized contractors. The answering Respondent was only liable to make working cost payments in this regard.
54. It is reiterated that the DFO, Keonjhar vide letter dated 22.12.2021 has clearly stated that "M/s. Rungta Mines Ltd. Has no involvement in felling of unmarked trees, as because OFDC Ltd. Has been entrusted with felling of trees in the above project." Thus, it is evident that the Original Applicant, is presenting half-baked facts, for reasons best known to them.



For RUNGTA MINES LTD.  
Pranaya Kumar Deo  
Director

Attached  
2/10/2023  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991

Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991

*f. Condition No. (xxiii) - no additional or new path was constructed by the answering Respondent*

55. Condition No. (xxiii) of the Stage-I Clearance approved by the MOEF stipulates the following: "No additional or new path will be constructed inside the forest area for any activity related to the work."
56. The allegation of the Applicant that the answering Respondent is in violation of the aforesaid stipulation is devoid of any merit and hence liable to be rejected. It is submitted that for the construction of towers and stretching of electric lines, the answering Respondent has only used the corridor approved for the said purpose by the MOEF&CC.
57. No evidence has been produced by the Applicant to show any additional or new path in the forest area. It is reiterated that all compliance under Stage-I is verified before a Stage II clearance is granted.

*g. The answering Respondent has complied with the one-year timeline for carrying out work in forest area*

58. At paragraph 14 of the Application, the Applicant has also alleged that as per DFO order dated 16.03.2021, work in forest land was permitted for a period of one year from the order; but that the answering Respondent has failed to execute the work within the one-year period. It is submitted that this allegation is patently false and erroneous and is vehemently denied.
59. That the DFO, Keonjhar vide letter dated 16.03.2021 issued permissions for executing project-related works for a period of one year. In pursuance of the same, felling of trees and tower construction commenced simultaneously and were completed on 09.03.2022, before expiry of the working permission on 15.03.2022.



For RUNGTA MINES LTD.  
Karanam Kuresone Deo  
Director

Attested  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/07/2023

60. That the letters dated 18.10.2022 and 29.10.2022 annexed by the Applicant are misleading. The said letters only show that the Forest Range Officer is intimating the DFO, Keonjhar that construction had already been completed and materials had been transported from the site area. Therefore, the letters attached by the Applicant do not at all show that work was carried out beyond the period of one year of the working permission, and thus are irrelevant and misleading. The argument of pre-requisites of Stage-II clearance and Order for diversion by the state government and its consequences is not being reiterated as mentioned in above paras for the sake of brevity but may be read as a part of this para.

61. That the completion of work was intimated to OPTCL vide letter dated 09.03.2022, a copy of which is annexed herewith and marked as **Annexure R/12**. Hence, it is completely erroneous on the Applicant's part to allege that works were not carried out within stipulated timelines.

*h. The answering Respondent has installed the bird deflectors*

62. That with respect to the averment of the Applicant that the answering Respondent has failed to install bird deflectors in accordance with the stipulations of the Stage-II clearance is vehemently denied. The answering Respondent has affixed bird deflectors on the upper conductor of the transmission lines to avoid bird hits. A copy of the photographs of certain sample towers showing affixation of bird deflectors is annexed herewith and marked as **Annexure R/13**.

63. It is therefore respectfully submitted that all stipulations of the Stage-I Forest Clearance were complied with and upon the same being meticulously scrutinized by the requisite authorities including the MoEF&CC, the answering Respondent was granted Stage-II Clearance on 31.03.2021. It is

For RUNGTA MINES LTD.  
 Approved  
 Roanaya Kumar Das  
 Director

Suryakanta Tripathy (A/15/102/2023)  
 Enrol. No. O-719/1991



humbly submitted that the present Application is riddled with bald and unsubstantiated averments and deserves to be dismissed for submitting false and incomplete information regarding the project of the answering Respondent. This Hon'ble Tribunal may take strict note of the above impropriety and Order accordingly.

**PARA-WISE REPLY TO THE O.A. NO. 53 OF 2023**

Without prejudice to any of the foregoing submissions, the answering Respondent shall now advert to the specific paragraphs of the Application:

64. That the contents of Paragraph 1 of the Application do not require any specific reply. To the extent the same are matters of record, the same are admitted, and the rest are denied.
65. That the contents of Paragraph 2 of the Application are vehemently disputed and denied. It is submitted that construction of the 132KV transmission line by answering Respondent has been undertaken as per the proposal/layout plan approved by the MOEF&CC vide Stage-I approval and there has been no deviation in route alignment. Apart from a bald assertion that the answering Respondent has changed the route alignment and deviated from the layout plan, no evidence is produced by the Applicant in support of its statement. The photograph annexed at Annexure-2 of the captioned Application is not indicative of any change in route alignment or change in layout plan.
66. That the contents of Paragraph 3, 4, 5 and 6 of the Application do not require any specific reply. To the extent the same are matters of record, the same are admitted, and the rest are denied.



For RUNGTA MINES LTD.  
Pranaya Kumar Deo  
Director

Attested  
20/07/2023  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991

67. That the contents of Paragraph 7 of the Application are vehemently disputed and denied. The allegation of the Applicant that the electric towers have not been fenced with barbed wires and that there is no installation of spiked legs on the towers to avoid electrocution of elephants is completely false. A copy of the sample pictures of said towers is annexed herewith and marked at Annexure R/5. A perusal of the same would clearly depict that the bases of the towers are fenced with barbed wires along with spikes fixated on the legs. Thus, the allegation of the Applicant is categorically false. →

68. That the contents of Paragraph 8 of the Application are vehemently disputed and denied. It is submitted that insofar as the Keonjhar Division is concerned, approval was sanctioned for felling of 1359 trees of girth above 30 cm in Keonjhar, whereas only 1208 trees were felled as per the minimum requirement. The same can be verified from the Letter of the Forest Range Officer, Barbil Range, dated 29.10.2022, a copy of which is annexed herewith and marked as ANNEXURE-R/10. Similarly, for the Bonai Division only 61 trees were felled in spite of approval for felling of 147 trees. Therefore, only those trees have been felled which were deemed to be necessary to carry out the works, and well within the approved enumeration of trees. Further, only those trees that were enlisted for pruning have been pruned.

69. That the contents of Paragraph 9 and 10 of the Application are vehemently disputed and denied. As already submitted, the allegation that there has been any change in layout plan is completely false, baseless and without any supporting evidence. Insofar as the so-called FIR (though factually it is not an FIR, but a prosecution report) dated 28.06.2021 is concerned, it is categorically denied that said activity is in any way related to the User Agency. As already pointed out, in the Keonjhar District, only 1208 trees

Attested For RUNGTA MINES LTD.  
*[Signature]*  
 Ranaya Kumar Deo  
 Director

Suryakanta Tripathy (Adv.)  
 Enrol. No. O-719/1991  
*[Signature]*  
 20/2/22



were felled even though permission had been granted for 1359 trees. Furthermore, the said felling of trees is not actually carried out by the Respondent No. 8. Rather, it is OFDC which carries out the felling through its approved contractors. It is submitted that the accused persons in the prosecution report are actually the contracted workers of OFDC, and the answering Respondent has nothing to do with the same. The Forest Department had filed a prosecution report before the Judicial Magistrate, First Class, Barbil, pursuant to which a case was registered, being 2(b)CC Case No. 1 of 2022, which remains sub-judice before the Court of J.M.F.C., Barbil. Hence, it is patently false on the Applicant's part to state that the accused were contracted by/related to the User Agency and that no action in that regard has been taken since. Here, it is pertinent to note that the DFO, Keonjhar vide letter dated 22.12.2021 has clearly stated that "*M/s. Rungta Mines Ltd. has no involvement in felling of unmarked trees, as because OFDC Ltd. has been entrusted with felling of trees in the above project.*".

70. That the contents of Paragraph 11 of the Application are vehemently disputed and denied. No additional/new path inside the forest area has been constructed by the answering Respondent. Apart from a bald assertion that the answering Respondent has constructed an additional / new path inside the forest area, no evidence is produced by the Applicant in support of its claim.

71. That the contents of Paragraph 12 of the Application are vehemently disputed and denied. It is submitted that the DFO, Keonjhar vide letter dated 16.03.2021 issued permissions for executing project-related works for a period of one year. In pursuance of the same, felling of trees and tower construction commenced simultaneously and were completed on 09.03.2022. Therefore, it is evident that the project work was carried out



For RUNGTA MINES LTD.

Ranaya Kumar Deo  
Director

15/03/2023

Attested  
Suryakanta Tripathy  
Enrol. No. O-719/1991

pursuant to specific working permission granted by the DFO, Keonjhar on 16.03.2021.

72. That the contents of Paragraph 13 of the Application are vehemently disputed and denied. In adherence with Condition No. (ii) of the Stage-I Clearance, the answering Respondent has already deposited a sum of Rs. 2,24,50,800/- (Two Crores Twenty-Four Lakhs Fifty Thousand and Eight Hundred Rupees Only) towards cost of Compensatory Afforestation as per demands raised by the DFOs of both divisions.

In addition to Compensatory Afforestation, the Respondent No. 8 has also deposited sums towards NPV, Site Specific Wildlife Conservation Plan, and plantation of dwarf species as per the table below:

S. No.	Items	Amount deposited (Rs.)
1.	Compensatory Afforestation	2,24,50,800/-
2.	NPV	2,32,18,380/-
3.	Site Specific Wildlife Conservation Plan	2,77,08,000/-
4.	Plantation of dwarf species	33,01,300/-

73. That the contents of Paragraph 14 of the Application are vehemently disputed and denied. It is submitted that the allegation that the answering Respondent has failed to complete work within one year is patently false and erroneous. It is submitted that the DFO, Keonjhar vide letter dated 16.03.2021 issued permissions for executing project-related works for a period of one year. In pursuance of the same, felling of trees and tower construction commenced simultaneously and were completed on 09.03.2022, before expiry of the working permission on 15.03.2022. The letters dated 18.10.2022 and 29.10.2022 annexed by the Applicant are misleading. The said letters only show that the Forest Range Officer is intimating the DFO, Keonjhar that construction had already been completed

Attested For RUNGTA MINES LTD.  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/02/2023  
Director



and materials had been transported from the site area. Therefore, the letters attached by the Applicant do not at all show that work was carried out beyond the period of one year of the working permission, and thus are irrelevant and misleading. The completion of work was intimated to OPTCL vide letter dated 09.03.2022, a copy of which is annexed herewith and marked as Annexure R/12. Hence, it is completely erroneous on the Applicant's part to allege that works were not carried out within stipulated timelines.

74. That the contents of Paragraph 15 of the Application are vehemently disputed and denied. The allegation that the electric towers have not been fenced with barbed wires and that there is no installation of spiked legs on the towers is false. A copy of the sample pictures of said towers is annexed herewith and marked at Annexure R/5. A perusal of the same would clearly depict that the bases of the towers are fenced along with spikes fixed on the legs.

75. That the contents of Paragraph 16 of the Application are vehemently disputed and denied. The answering Respondent has affixed bird deflectors on the upper conductor of the transmission lines to avoid bird hits. A copy of the photographs of certain sample towers showing affixation of bird deflectors is annexed herewith and marked as Annexure R/13.

76. That the contents of Paragraph 17 of the Application are vehemently disputed and denied. The answering Respondent has been fully compliant with the conditions of the Stage-I Forest Clearance dated 25.06.2020, and the MoEF&CC, being satisfied with the compliance of conditions specified in the Stage-I Forest Clearance, was pleased to grant final Stage-II Forest Clearance on 31.03.2021.



FOR RUNGTA MINES LTD.

Kumar Deo  
Director

Attested  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/199

Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/199

77. That the contents of Paragraph 18 of the Application are vehemently disputed and denied. As already pointed out, felling of trees is not actually carried out by the answering Respondent. Rather, it is OFDC which carries out the felling through its approved contractors. It is submitted that the accused persons in the prosecution case are actually the contracted workers of OFDC, and the answering Respondent has nothing to do with the same.
78. That the contents of Paragraph 19 with respect to the Representation submitted by the Applicant, are a matter of fact and to that extent does not require any specific response. It is humbly submitted that the Representation was submitted at a belated stage, almost a year after the work has been completed, merely to approach this Hon'ble Tribunal for overcoming the issue of limitation. The contents of the Representation highlight that the allegations raised therein are mere surmises and conjectures and there is no evidence to substantiate the same.

#### REPLY TO GROUNDS

That para 29 to 63 may be read in response to Grounds (A) to (F) and are not being repeated herein for the sake of brevity.

80. That the allegation in Ground (G) is denied as wrong, false and devoid of any merit. The Environment and Forest Department of the Government of Odisha, vide Order dated 12.04.2021 has categorically allowed diversion of 35.07 ha of forest land in favour of the User Agency /answering Respondent as per the approved land pattern subject to fulfilment of the conditions of final forest clearance.



For RUNGTA MINES LTD.

Roanaya Kumar Dabo  
Director

Attested  
Suryakanta Tripathy  
21/07/2023

Suryakanta Tripathy (Adv.)  
Enrol. No. O-7191991

81. That in response to Ground (H) to (L), para. 29 to 63 of the Preliminary Submissions may be read as a response and are not being reiterated herein for the sake of brevity.
82. That the contents of Ground (M) are vehemently denied. The answering Respondent obtained the requisite Compliance Certificate from the District Collector, Keonjhar on 18.02.2020 and District Collector, Keonjhar stating that the process for identification and settlement of rights has been completed under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
83. That in response to Ground (N) to (S), para 29 to 63 of the Preliminary Submissions may be read as a response and are not being reiterated herein for the sake of brevity.
84. That in response to the contents of Ground (T), it is humbly submitted that the Plantation was undertaken by the Forest Department after transfer of non-forest land by the answering Respondent. The answering Respondent was required to submit Compensatory levies of Rs. 277 lakhs, which were duly submitted to the requisite authorities on 28.01.2021.
85. That in response to Ground (U), it is humbly submitted that there has been no violation by the answering Respondent of the Forest (Conservation) Act, 1980 or the Guidelines issued thereunder.
86. That the contents of Ground (V) are vociferously denied as wrong, false and devoid of any merit. From the Preliminary Submissions, it is evident that the answering Respondent has acted in complete accordance with the law and the present case is not one where work has been undertaken without obtaining the requisite permission or clearances from the MoEF&CC. The



For RUNGTA MINES LTD.

Keonaya Kumar Das  
Director

Attested  
Suryakanta Tripathy  
Enrol. No. O-719/1994  
15/07/2023

Original Applicant based on mere surmises and conjectures is alleging violation of law. This Hon'ble Tribunal may take strict note of the same.

87. That in response to Grounds (W) – (Y), paras 29-63 of the Preliminary Submissions may be read as a response and is not being repeated for the sake of brevity.

88. That in response to the contents of Ground (Z), it is humbly submitted that the answering Respondent's project is clearly away from the Elephant Corridor and does not fall within any notified Elephant Reserve or Protected Area as per the Wildlife Protection Act, 1972.

89. That in view of the abovementioned facts and position of law, it is submitted that the present Original Application suffers from serious laches not only on grounds of maintainability, limitation and *bona fides* of the Original Applicant but also on merits and should be dismissed with huge costs.

For RUNGTA MINES LTD.  
Attested Pranaya Kumar Deo Director  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/07/2023



Attested  
For RUNGTA MINES LTD.  
Pranaya Kumar Deo  
DEPONENT  
Director  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/07/2023  
VERIFICATION

I, the deponent above named, do hereby verify the contents of the above affidavit as being true and correct. I state that nothing material has been concealed therefrom.

Verified at Bombay on this the 15th day of July, 2023. For RUNGTA MINES LTD.

Attested  
Pranaya Kumar Deo  
DEPONENT  
Director  
Suryakanta Tripathy (Adv.)  
Enrol. No. O-719/1991  
15/07/2023

Solemnly Affirmed before me

75723  
DEBABRATA MISHRA  
ADVOCATE & NOTARY  
Regd. No. ON/07/2001  
GARBIL, Dist. Keonjhar (ODISHA)

Government of India / भारत सरकार  
 Ministry of Environment, Forest & Climate Change / पर्यावरण, वन एवं जलवायु परिवर्तन विभाग  
 Eastern Regional office / पूर्वी क्षेत्रीय कार्यालय  
 A/3, Chandrasekharpur, Bhubaneswar / A/3, चंद्रसेखरपुर, भुवनेश्वर

ANNEXURE R/1 (Colly)

Telephone: 0674 - 2301213, 2301248, 2302432  
 No. 5-ORC418/2020-BHU

E-mail : roez.bsr-mef@nic.in  
 25th June, 2020

To  
 The Addl. Chief Secretary,  
 Forest & Environment Deptt.  
 Government of Odisha,  
 Bhubaneswar-751001

Sub: Diversion of 35,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district of Kamanda Steel Plant of M/s Rungta Mines Ltd, In village Kamanda in Sundargarh District, Odisha.

Madam,  
 I am directed to refer to State Govt. letter no. 10F (Cons) 97/2020-8598/F&E dated 03.06.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 16.06.2020, the Ministry of Environment, Forest & Climate Change hereby conveys 'Stage-I/in-principle' approval for diversion of 35,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district of Kamanda Steel Plant of M/s Rungta Mines Ltd, In village Kamanda in Sundargarh District, Odisha, subject to the fulfilment of the following conditions.

- i) Legal status of forest land shall remain unchanged.
  - ii) Compensatory afforestation shall be raised over 37,281 ha of non-forest forest land identified in 232 (P), 233 (P) & 234 (P), Khata No. 67 (AAA), Kisan Parbat of village Lungajhar under Banspal Tehsil of Keonjhar district (32,261 ha) and in Plot No. 1263 (P), Khata No. 77, Kisan Palit of village Badabanga under Laphnpara Tahasil of Sundargarh District (5.02 ha) against the area of forest land proposed to be diverted at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - iii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
  - iv) The non-forest land over which compensatory afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.
  - v) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
  - vi) The State Govt. shall charge the Net Present Value (NPV) for 35,507 ha forest area to be diverted under this proposal from the user agency as per the Order of Hon'ble Supreme Court of India dated 31.10.2002, 01.08.2003, 28.03.2005, 24.04.2006 and 09.05.2006 in IA no. 566 in Write Petition (Civil) No. 202/1995 and as per the guidelines issued by Ministry vide letter No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and No. 5-3/2007-FC dated 05.02.2009 in this regard.
  - vii) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.
  - viii) The base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
  - ix) The site specific wildlife conservation plan shall be prepared and duly approved by CWLW. Odisha may be implemented at project cost.
  - x) In hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop upward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
  - xi) The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
  - xii) All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through (<https://parivesh.nic.in/>).
  - xiii) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  - xiv) The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
  - xv) The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
  - xvi) The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. 7-25/2012-FC dated 05.05.2014 and 19.11.2014.
  - xvii) The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable.
  - xviii) The layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.
  - xix) No labour camp shall be allowed in the forest area.
  - xx) Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or Forest Development corporation or any other legal source of alternate fuel.
  - xxi) The user agency while executing works, shall not fell any tree or damage the forest growth in the surrounding forest area in any manner.
  - xxii) The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
  - xxiii) No additional or new path will be constructed inside the forest area for any activity related to the project work.
  - xxiv) The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.
  - xxv) The forest land shall not be used for any purpose other than that specified in the project proposal.
  - xxvi) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without the prior approval of Government of India.
  - xxvii) The State Govt. and user agency shall ensure compliance to provisions of the all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
  - xxviii) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
  - xxix) The compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in/>).
3. After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-I approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.
4. However, to facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency, the State Govt. may allow the commencement of work of the linear project in forest land for a period of one year as per Para 11.2 of Chapter-II of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.

Yours faithfully,

(R.K. Samal)  
 Dy. Inspector General of Forests (C)

Copy to:

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Keonjhar/ Bonai Forest Division, Keonjhar/ Bonai, Odisha
3. M/s Rungta Mines Ltd, (Kamanda Steel Plant), Main Road, Barbil-759035, Odisha
4. Guard File

Dy. Inspector General of Forests (C)

BUSINESS STANDARD, 12.02.2021

**Government of India / भारत सरकार**  
**Ministry of Environment, Forest & Climate Change / पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय**  
**Eastern Regional office / पूर्वी क्षेत्रीय कार्यालय**  
**A/3, Chandrasekharpur, Bhubaneswar / A/3, चन्द्रसेखरपुर, भुवनेश्वर**

Telephone: 0674 - 2301213, 2301248, 2302432  
 No. 5-ORC418/2020-BHU

E-mail : roez.bar-mef@nic.in  
 25th June, 2020

To: The Addl. Chief Secretary,  
 Forest & Environment Deptt.,  
 Government of Odisha,  
 Bhubaneswar-751 001

Sub: Diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbi, Keonjhar district of Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha.

Madam,  
 I am directed to refer to State Govt. letter no. 10F (Cons) 97/2020-8596/F&E dated 03.06.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 16.06.2020, the Ministry of Environment, Forest & Climate Change hereby conveys 'Stage-I-in-principle' approval for diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbi, Keonjhar district of Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha, subject to the fulfillment of the following conditions.
- i) Legal status of forest land shall remain unchanged.
  - ii) Compensatory afforestation shall be raised over 37.281 ha of non-forest forest land identified in 232 (P), 233 (P) & 234 (P), Khata No. 87 (AAA), Kisan Parbet of village Lungarhar under Banspal Tehsil of Keonjhar district (32.261 ha) and in Plot No. 1263 (P), Khata No. 77, Kisan Patit of village Badabanga under Lephpara Tahasil of Sundargarh District (6.02 ha) against the area of forest land proposed to be diverted at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - iii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
  - iv) The non-forest land over which compensatory afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.
  - v) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
  - vi) The State Govt. shall charge the Net Present Value (NPV) for 35.507 ha forest area to be diverted under this proposal from the user agency as per the Order of Hon'ble Supreme Court of India dated 31.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA no. 566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by Ministry vide letter No. 5-1/1998-FC (Pt. II) dated 16.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and No. 5-3/2007-FC dated 05.02.2009 in this regard.
  - vii) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.
  - viii) The base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
  - ix) The site specific wildlife conservation plan shall be prepared and duly approved by CWLW. Odisha may be implemented at project cost.
  - x) In hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop untoward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
  - xi) The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
  - xii) All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through (<https://parivesh.nic.in/>).
  - xiii) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  - xiv) The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
  - xv) The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
  - xvi) The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. 7-25/2012-FC dated 05.05.2014 and 19.11.2014.
  - xvii) The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable.
  - xviii) The layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.
  - xix) No labour camp shall be allowed in the forest area.
  - xx) Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or Forest Development corporation or any other legal source of alternate fuel.
  - xxi) The user agency while executing works, shall not fell any tree or damage the forest growth in the surrounding forest area in any manner.
  - xxii) The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
  - xxiii) No additional or new path will be constructed inside the forest area for any activity related to the project work.
  - xxiv) The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.
  - xxv) The forest land shall not be used for any purpose other than that specified in the project proposal.
  - xxvi) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without the prior approval of Government of India.
  - xxvii) The State Govt. and user agency shall ensure compliance to provisions of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
  - xxviii) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
  - xxix) The compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in/>).
3. After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-I approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.
4. However, to facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency, the State Govt. may allow the commencement of work of the linear project in forest land for a period of one year as per Para 11.2 of Chapter-II of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

Yours faithfully,

(R.K. Samal)  
 Dy. Inspector General of Forests (C)

Copy to:

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Keonjhar/ Bonai Forest Division, Keonjhar/ Bonai, Odisha
3. M/S Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbi-758035, Odisha
4. Guard File

Dy. Inspector General of Forests (C)

The SAMAYA, 12.02.2021

**NOTICE**

Government of India  
Ministry of Environment, Forest & Climate Change  
Eastern Regional Office  
A-3, Chandrasekharpur, Bhubaneswar A/3,  
Telephone No. 0674-2301213, 2301245, 2302432 E-mail: rose.bar-mef@nic.in

No. S-ORC418/2020 BHU

25<sup>th</sup> June, 2020

To

The Addl. Chief Secretary  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar-751001

Sub : Diversion of 35,507 ha of forest land (31,808) ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in village Kamanda in Sundargarh District, Odisha.

Madam,

I am directed to refer to State Govt. letter No. ICF (Conc)97/2020-8098/FAE dated 03.08.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 16.06.2020, the Ministry of Environment, Forest & Climate Change hereby conveys **Stage-I-in-principle** approval for diversion of 35,507 ha of forest land (31,808 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in the village Kamanda in Sundargarh District, Odisha. Subject to the fulfilment of the following conditions.

- i. Legal status of forest land shall remain unchanged.
  - ii. Compensatory afforestation shall be raised over 37,281 ha of non-forest forest land identified in 232(P), 230 (P) & 254 (P) Khata No. 67 (AAA), Kisan Palt of village Lungahar under Banspal Tahsil of Keonjhar district (32,261 ha) and in Plot No. 1263 (P); Khata No. 77, Kisan Palt of village Badabonga under Lathipara Tahsil of Sundargarh District (5,02 ha) against the area of forest land proposed to be diverted at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - iii. The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
  - iv. The non-forest land over which compensatory afforestation will be taken up shall be notified as PFIRF and shall remain under the administrative control of the State Forest Department.
  - v. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
  - vi. The State Govt. shall charge the Net Present Value (NPV) for 35,507 ha forest area to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2005, 24.04.2008 and 09.05.2009 in IA No. 506 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by Ministry vide letter No. S-1/T998-FC (P. II) dated 18.09.2003, as well as letter No. S-3/2006-FC dated 03.10.2006 and No.5-3/2007-FC dated 05.02.2008 in this regard.
  - vii. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.
  - viii. The base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
  - ix. The site specific wildlife conservator plan shall be prepared and duly approved by CWLW, Odisha may be implemented at project cost. In hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop unwanted incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
  - x. The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
  - xi. All the funds received from the user agency under the project shall be transferred/deposited to State GANPA fund only through (<https://pariveesh.nic.in/>).
  - xii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  - xiii. The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably regional species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
  - xiv. The user agency at its cost shall provide bird defectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
  - xv. The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. T-25/2012-FC dated 05.05.2014 and 19.11.2014.
  - xvi. The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1986, if applicable.
  - xvii. The layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.
  - xviii. No labour camp shall be allowed in the forest area.
  - xix. Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department of Forest Development Corporation or any other legal source of alternate fuel.
  - xx. The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
  - xxi. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
  - xxii. No additional or new path will be constructed inside the forest area for any activity related to the project work.
  - xxiii. The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.
  - xxiv. The forest land shall not be used for any purpose other than that specified in the project proposal.
  - xxv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without the prior approval of Government of India.
  - xxvi. The State Govt. and user agency shall ensure compliance to provisions of the all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
  - xxvii. Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
  - xxviii. The compliance report of the State-I approval shall be uploaded on e-portal (<https://pariveesh.nic.in/>).
3. After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.
4. However, to facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency, the State Govt. may allow the commencement of work of the linear project in forest land for a period of one year as per Para 11.2 of Chapter-II of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No. S-2/2017-FC dated 28.03.2019.

Yours Faithfully,  
(R.K. Samal)

Dy. Inspector General of Forests (C)

Copy to :

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Keonjhar/Bona Forest Division, Keonjhar/Bona, Odisha.
3. M/s Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbil-758035, Odisha
4. Guard File.

Sannaya : dt. 20/04/21

Government of India  
Ministry of Environment, Forest & Climate Change  
Eastern Regional Office  
A-3, Chandrasekharpur, Bhubaneswar-75,  
Bhubaneswar-751022, Odisha

Telephone No. 0674-2301213, 2302432, 2301248, 2302452, 2302455 E-mail: roee@mef.nic.in

No. 5-ORC418/2020 BHU

31<sup>st</sup> March, 2021

To  
The Addl. Chief Secretary  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar-751001

Sub: Diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonga Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha.

Madam,

I am directed to refer to State Govt. Letter No. 16F/Cum/97/2020-6986/F&E dated 03.08.2020, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonga Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of decision of Regional Empowered Committee meeting held on 18.06.2020, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 25.08.2020, subject to fulfillment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested for grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No. 51659F (Trans)/4/2019 dated 09.03.2021 and uploading of the Stage-I compliance report in Parivish web portal on 18.03.2021, **Stage-I final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonga Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha, subject to the fulfillment of the following conditions:**

**A: Conditions which need to be complied prior to handing over of forest land.**

- i. The State Govt. shall ensure the complete compliance on FRA, 2006.
- ii. The State Govt. shall ensure that forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
- iii. The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- iv. The State Govt. shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.

**B: Conditions which need to be complied after handing over of forest land to the user agency.**

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 37.281 ha of non-forest forest land identified in Plot No. 232/431, 233/432 & 234/433, Khata No. 672, Kisan Pariat of village Lungajhar under Banspal Tehsil of Keonjhar district (32.281 ha) and in Plot No. 1203/1448, Khata No. 69/121, Kisan Pariat of village Batobanga under Lephipara Tehsil of Sundargarh District (5.02 ha) within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The species to be planted shall be indigenous to the area and naturally growing species shall be planted using intensive planting techniques to ensure survival of the plantation. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. These reports shall be communicated to IRD periodically (six monthly).
- iii. The State Govt. shall ensure that the Site Specific Wildlife Conservation Plan shall be implemented by State Forest Department from the funds deposited in CAMPA account by the user agency.
- iv. The State Govt. and user agency shall ensure that the base of towers in forest area to be fenced with barbed wire in addition to spike on the top of the towers so as to avoid elephant electrocution/death of wild animals specially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the top of the towers.
- v. The State Govt. and user agency shall ensure that in hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop unward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
- vi. The State Govt. shall ensure that the State Forest Department shall carry out plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account.
- vii. The user agency shall pay the additional amount of NPL, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- viii. The State Govt. shall ensure that the user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- ix. The State Govt. shall ensure that the user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014 and 19.11.2014.
- x. The State Govt. and the user agency shall ensure that the period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.
- xi. The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide tools preferably aluminum tools to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xii. The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xiii. The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xiv. The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be deposited in the adjoining forest area by the user agency.
- xv. The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvi. The State Govt. shall ensure that 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 user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvii. The State Govt. shall ensure that the user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xviii. The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of the Ministry by the end of March every year regularly.
- xix. The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
- xx. The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- xxi. I may please note that violation of any of these conditions will be amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 of Chapter-1 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017 FC issued 28.03.2019.

Yours faithfully,  
(Padma Mohanti)

Dy. Inspector General of Forests (C)

Copy to:

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
2. M/s Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbil-758035, Odisha.
3. Guard File.

**NOTICE**

Government of India  
 Ministry of Environment, Forest & Climate Change  
 Eastern Regional Office  
 A-3, Chandrasekharpur, Bhubaneswar-751023,  
 Telephone No. 0674-2301212, 2301248, 2302432 E-mail: roez.bsr-mef@nic.in

No. S-ORC418/2020 BHU

22<sup>nd</sup> June, 2020

To  
 The Addl. Chief Secretary  
 Forest & Environment Deptt.,  
 Government of Odisha,  
 Bhubaneswar-751001

Sub : Diversion of 35.507 ha of forest land (31.806) ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonal Division for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in village Kamanda in Sundargarh District, Odisha.

Madam,

I am directed to refer to State Govt. letter No. 10F (Cons)97/2020-8595/F&E dated 03.06.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 18.08.2020, the Ministry of Environment, Forest & Climate Change hereby conveys **Stage-I-in-principle** approval for diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonal Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in the village Kamanda in Sundargarh District, Odisha. Subject to the fulfillment of the following conditions.

- i. Legal status of forest land shall remain unchanged.
  - ii. Compensatory afforestation shall be raised over 37.201 ha of non-forest forest land identified in 232(P), 233 (P) & 234 (P), Khass No. 67 (AAA), Kham Parbat of village Lungahar under Barapal Tehsil of Keonjhar district (32.261 ha) and in Plot No. 1263 (P), Khass No. 77, Kham Parbat of village Badabang under Lohripada Tahsil of Sundargarh District (3.02 ha) against the area of forest land proposed to be diverted at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
  - iii. The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
  - iv. The non-forest land over which compensatory afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.
  - v. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
  - vi. The State Govt. shall charge the Net Present Value (NPV) for 35.507 ha forest area to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 30.10.2002, 21.08.2003, 28.03.2006, 24.04.2008 and 09.05.2008 in IA No. 566 in Writ Petition (Civil) No. 252/1995 and as per the guidelines issued by Ministry vide letter No. 5-1/1996-FC (Pt. II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 02.10.2006 and No.5-3/2007-FC dated 05.02.2009 in this regard.
  - vii. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.
  - viii. The base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
  - ix. The site specific wildlife conservation plan shall be prepared and duly approved by CWLW, Odisha may be implemented at project cost. In hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the egg and swing of lines and height of elephants to stop unwanted incidence of electrocution as per existing guidelines of MEF&CC dated 05.05.2014 and 18.11.2014.
  - x. The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
  - xi. All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through <https://panivesh.eco.in/>.
  - xii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
  - xiii. The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
  - xiv. The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
  - xv. The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. 7, 25/2012-FC dated 05.05.2014 and 18.11.2014.
  - xvi. The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1986, if applicable.
  - xvii. The layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.
  - xviii. No labour camp shall be allowed in the forest area.
  - xix. Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or Forest Development Corporation or any other legal source of alternate fuel.
  - xx. The user agency while executing works, shall not fall any tree or damage forest growth in the surrounding forest area in any manner.
  - xxi. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
  - xxii. No additional or new path will be constructed inside the forest area for any activity related to the project work.
  - xxiii. The period of diversion under this approval shall be co-terminus with the period of issue granted in favour of user agency or the project life, whichever is less.
  - xxiv. The forest land shall not be used for any purpose other than that specified in the project proposal.
  - xxv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without the prior approval of Government of India.
  - xxvi. The State Govt. and user agency shall ensure compliance to provisions of the all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
  - xxvii. Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
  - xxviii. The compliance report of the State-I approval shall be uploaded on a-portal (<https://panivesh.eco.in/>).
3. After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by the Ministry. Transfer of forest land to user agency should not be affected by the State Government of Odisha till final Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.
4. However, to facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency, the State Govt. may allow the commencement of work of the linear project in forest land for a period of one year as per Para 11.2 of Chapter-II of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

Yours Faithfully,  
 (R.K. Samal)

Dy. Inspector General of Forests (C)

Copy to :

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Keonjhar/Bonal Forest Division, Keonjhar/Bonal, Odisha.
3. M/s Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbil-750035, Odisha
4. Guard File.

StateBman : BBSR : 20104/21

Government of India  
Ministry of Environment, Forest & Climate Change  
Eastern Regional Office  
A-3, Chandrasekharpur, Bhubaneswar A/3,  
Bhubaneswar-751023, Odisha

Telephone No. 0674-2301213, 2302432, 2301248, 2302452, 2302453 E-mail: roeez.bar-mef@nic.in

No. S-ORC418/2020 BHU

31<sup>st</sup> March, 2021

To  
The Addl. Chief Secretary  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar-751001

Sub : Diversion of 35,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in village Kamanda in Sundargarh District, Odisha.

Madam,

I am directed to refer to State Govt. Letter No. 10F(Cons)/97/2020-8595/F&E dated 03.06.2020, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion 35,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd in village Kamanda in Sundargarh District, Odisha, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of decision of Regional Empowered Committee meeting held on 16.06.2020, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 25.06.2020, subject to fulfilment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No. S165/9F (Trans)-94/2019 dated 09.03.2021 and uploading of the Stage-I compliance report in Parivesh web portal on 16.03.2021, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 35,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha, subject to the fulfilment of the following conditions :

**A: Conditions which need to be complied prior to handing over of forest land.**

- i. The State Govt. shall ensure the complete compliance on FRA, 2006.
- ii. The State Govt. shall ensure that forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
- iii. The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- iv. The State Govt. shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.

**B: Conditions which need to be complied after handing over of forest land to the user agency.**

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 37,281 ha of non-forest forest land identified in Plot No. 232/431, 233/432 & 234/433, Khata No. 87/2, Kisan Parbat of village Lungahar under Banspal Tahsil of Keonjhar district (32,281 ha) and in Plot No. 1253/1446, Khata No. 66/121, Kisan Patla of village Badabanga under Lopinripa Tahsil of Sundargarh District (5,02 ha) within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The species to be planted shall be indigenous to the area and naturally growing species shall be planted using intensive planting technique to ensure survival of the plantation. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. These reports shall be communicated to SRO periodically (six monthly).
- iii. The State Govt. shall ensure that the Site Specific Wildlife Conservation Plan shall be implemented by State Forest Department from the funds deposited in CAMPA account by the user agency.
- iv. The State Govt. and user agency shall ensure that the base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals specially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
- v. The State Govt. and user agency shall ensure that in hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop onward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
- vi. The State Govt. shall ensure that the State Forest Department shall carry out plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account.
- vii. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- viii. The State Govt. shall ensure that the user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- ix. The State Govt. shall ensure that the user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014 and 19.11.2014.
- x. The State Govt. and the user agency shall ensure that the period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency of the project site, whichever is less.
- xi. The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuel preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xii. The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xiii. The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xiv. The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed in the adjoining forest area by the user agency.
- xv. The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvi. The State Govt. shall ensure that 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 user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvii. The State Govt. shall ensure that the user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xviii. The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of the Ministry by the end of March every year regularly.
- xix. The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
- xx. The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- xxi. It may please note that violation of any of these conditions will be amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 of Chapter-1 of Handbook of Guidelines issued under F.C., Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2018.

Yours faithfully,  
(Padma Mohanti)

Dy. Inspector General of Forests (C)

Copy to :

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
2. M/s Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbil-760035, Odisha.
3. Guard File.

No. 10/1/2013-IR  
 Government of India  
 Ministry of Personnel, PG & Pension  
 Department of Personnel & Training

## ANNEXURE R/2

North Block, New Delhi  
 Dated 6<sup>th</sup> October, 2015

Office Memorandum

Subject: Format for giving information to the applicants under RTI Act- issue of guidelines regarding

It has been observed that different public authorities provide information to RTI applicants in different formats. Though there cannot be a standard format for providing information, the reply should however essentially contain the following information:

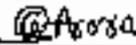
- (i) RTI application number, date and date of its receipt in the public authority.
- (ii) The name, designation, official telephone number and email ID of the CPIO.
- (iii) In case the information requested for is denied, detailed reasons for denial quoting the relevant sections of the RTI Act should be clearly mentioned.
- (iv) In case the information pertains to other public authority and the application is transferred under section 6(3) of the RTI Act, details of the public authority to whom the application is transferred should be given.
- (v) In the concluding para of the reply, it should be clearly mentioned that the First Appeal, if any, against the reply of the CPIO may be made to the First Appellate Authority within 30 days of receipt of reply of CPIO.
- (vi) The name, designation, address, official telephone number and e-mail ID of the First Appellate Authority should also be clearly mentioned.

2. In addition, wherever the applicant has requested for 'certified copies' of the documents or records, the CPIO should endorse on the document "True copy of the document/record supplied under RTI Act", sign the document with date, above a seal containing name of the officer, CPIO and name of public authority, as enumerated below:

<p>True copy of the document/record supplied under RTI Act.          Sd/-          Date          (Name of the Officer)          CPIO          (Name of the Public Authority)</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Further in case the documents to be certified and supplied is large in number, information on RTI application should be supplied by a designated PIO but the certification of the documents, if need be, could be done by an other junior gazetted officer.

3. This may be brought to the notice of all concerned.

  
 (G. S. Arora)  
 Deputy Secretary (IR)  
 Tel. 23092755

1. All the Ministries / Departments of the Government of India.

2. Union Public Service Commission /Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat/ Prime Minister's Office/ NITI Ayog/ Election Commission.
3. Central Information Commission/ State Information Commissions.
4. Staff Selection Commission, CGO Complex, New Delhi.
5. O/o the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.

Copy to: Chief Secretaries of all the States/UTs

# TELEPHONE DIRECTORY



ORISSA HIGH COURT BAR ASSOCIATION



HIGH COURT BAR ASSOCIATION TELEPHONE DIRECTORY

<p><b>Membership Life</b>                      Enrollment No: O-1342667  <b>Name</b>: Samit Sengupta    <b>Blood Group</b>: B+ve  <b>Address</b>: 011, 12th Floor, 27, Panchsheel Park, Conch, New Delhi-110017  <b>Contact</b>:                      E-mail: s_sengupta@rediffmail.com                      Phone: 9111441111                      Mobile: 9810355522, 9776108555</p>	<p><b>Membership General</b>                      Enrollment No: 15991999  <b>Name</b>: Samit Sengupta    <b>Blood Group</b>:  <b>Address</b>: 101, Conch, Panchsheel Park, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email:                      Phone:                      Mobile: 9810355522</p>
<p><b>Membership General</b>                      Enrollment No: O-1341449  <b>Name</b>: Samit Sarin/Krishna    <b>Blood Group</b>: O+ve  <b>Address</b>: 011, 1st Floor, Dandshahpur Khod, Badli, Delhi-110042  <b>Contact</b>:                      Fax:                      Email:                      Phone:                      Mobile: 990640118, 8165911951</p>	<p><b>Membership Life</b>                      Enrollment No: O-1341997  <b>Name</b>: Samit Shashi Kumar    <b>Blood Group</b>: B+ve  <b>Address</b>: 011, 1st Floor, 10, Dhandshahpur Khod, Badli, Delhi-110042  <b>Contact</b>:                      Fax:                      Email:                      Phone:                      Mobile: 9777946680</p>
<p><b>Membership General</b>                      Enrollment No: O-8551415  <b>Name</b>: Samit Singh Garg    <b>Blood Group</b>: A+ve  <b>Address</b>: 011, Saket, 104, 102, Saket, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email:                      Phone:                      Mobile: 9974214471</p>	<p><b>Membership Life</b>                      Enrollment No: O-4436120  <b>Name</b>: Samit Singh Garg    <b>Blood Group</b>: A+ve  <b>Address</b>: 011, Mangal, 10th, Mangal, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email:                      Phone:                      Mobile: 9977348102</p>
<p><b>Membership General</b>                      Enrollment No: O-13622021  <b>Name</b>: Samit Sanyal    <b>Blood Group</b>: O+ve  <b>Address</b>: 011, Navin, 1st, Navin, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email: sanyal.samit09@gmail.com                      Phone:                      Mobile: 9810471081, 7547817847</p>	<p><b>Membership General</b>                      Enrollment No: O-28211817  <b>Name</b>: Samit Sanyal    <b>Blood Group</b>: B+ve  <b>Address</b>: 011, Mangal, 10th, Mangal, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email: sanyal.samit09@gmail.com                      Phone: 847441847                      Mobile: 9988589900, 9416671121</p>
<p><b>Membership L</b>                      Enrollment No: O-13419999  <b>Name</b>: Samit Sanyal    <b>Blood Group</b>: B+ve  <b>Address</b>: 011, 1st Floor, 10th, Mangal, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email: sanyal.samit09@gmail.com                      Phone: 847441847                      Mobile: 9988589900, 9416671121</p>	<p><b>Membership Life</b>                      Enrollment No: O-13419999  <b>Name</b>: Samit Sanyal    <b>Blood Group</b>: B+ve  <b>Address</b>: 011, 1st Floor, 10th, Mangal, Conch, New Delhi-110017  <b>Contact</b>:                      Fax:                      Email: sanyal.samit09@gmail.com                      Phone: 847441847                      Mobile: 9988589900, 9416671121</p>

S

**ANNEXURE R/4 (Colly)****High Court of Orissa****High Court of Orissa  
Case Details**

Case Type	: WP(C)		
Filing Number	: 16719/2020	Filing Date:	15-07-2020
Registration Number	: 16719/2020	Registration Date:	15-07-2020
CNR Number	: ODHC01-038391-2020		

**Case Status**

First Hearing Date	:	
Decision Date	:	21st July 2020
Case Status	:	CASE DISPOSED
Nature of Disposal	:	Contested--Withdrawn
Coram	:	2997KUMARI JUSTICE SANJU PANDA , MR. JUSTICE S.K.MISHRA
Bench	:	Division Bench
State	:	ORISSA
District	:	Kendujhar
Judicial	:	Civil Section
Causelist Name	:	Supplementary(Daily)

**Petitioner and Advocate**

1) RUP RANAJN PANDA Advocate- SAMBIT SAMAL
2) RUDRA NARAYAN PATNAIK
3) JAMADARE MUNDA
4) KEDAR MOHAPATRA
5) RINA MAJHI
6) NIRTAKAR MAHANTA

**Respondent and Advocate**

1) UNION OF INDIA
2) UNION OF INDIA
3) UNION OF INDIA
4) SERIOUS FRAUD INVESTIGATION OFFICE
5) DIRECTOR, CENTRAL BUREAU OF INVESTIGATION
6) STATE OF ODISHA

**Acts**

Under Act(s)	Under Section(s)
CONSTITUTION OF INDIA, 1950	226,227

**IA Details**

IA Number	Party	Date of Filing	Next Date	IA Status
IA/7879/2020	RUP RANAJN PANDA UNION OF INDIA	15-07-2020	--	Pending

**History of Case Hearing**

Cause List Type	Judge	Business On Date	Hearing Date	Purpose of hearing
Supplementary(Daily)	KUMARI JUSTICE SANJU PANDA , MR. JUSTICE S.K.MISHRA		21-07-2020	FRESH ADMISSION
	KUMARI JUSTICE SANJU PANDA , MR. JUSTICE S.K.MISHRA			Disposed

#### Orders

Order Number	Judge	Order Date	Order Details
1	KUMARI JUSTICE SANJU PANDA,MR. JUSTICE S.K.MISHRA	21-07-2020	

#### Category Details

Category
LETTER PETITION & PIL MATTER ( 21 )

#### OBJECTION

Sr.No.	Scrutiny Date	OBJECTION	Compliance Date	Receipt Date
1	15-07-2020	All Objections are Complied	15-07-2020	--

## WPC Nos. 16719 of 2020

2. 21.07.2020 This matter is taken up through video conferencing.

Learned counsel for the petitioners submits that the petitioners want to withdraw the writ application with liberty to file a better application.

The prayer is allowed and the writ petition is dismissed as withdrawn giving liberty to the petitioners to file better application, if they are so advised.

.....  
**S. Panda, J.**

.....  
**S. K. Mishra, J.**

A.F.R.

**IN THE HIGH COURT OF ORISSA AT CUTTACK****W.P.(C) No.33158 of 2021**

An application under Article 226 and 227 of the Constitution of India

*Ashirbad Pattnaik and others* .... *Petitioners**-versus-**Union of India and others* .... *Opp. Parties***Advocates appeared in the case through Hybrid Mode:***For Petitioners* : Mr. Sambit Samal, Advocate*-versus-**For Opp. Parties* : None**CORAM:  
JUSTICE JASWANT SINGH  
JUSTICE S.K. PANIGRAHI****DATE OF HEARING:-02.12.2021****DATE OF JUDGMENT:-02.12.2021****J. Singh, J.**

1. The present writ petition has been filed by the petitioners purportedly in the nature of a Public Interest Litigation seeking reliefs against the State and some of the private opposite parties alleging some illegal mining and transportation of minerals etc. resulting in loss of public exchequer.

2. Without going into the merits of the matter, we feel the procedural improprieties resorted to by the petitioners herein

and their counsel persuade us to believe that there is something much more than which meets the eye.

**3.** We find from the perusal of the file attached herewith that the same advocate had filed a previous writ petition in the form of Public Interest Litigation being W.P. (C) 16719 of 2020 with different set of petitioners (11 in number) with similar content and seeking identical relief sought herein. We find further from the perusal of the file of the earlier similar Public Interest Litigation-W.P.(C) No.16719 of 2020 attached herewith that the allegation/grievance raised in both the petitions are similar in substance. In fact, it is noticed that the advocate in both the petitions is the same i.e. one Mr. Sambit Samal. What has changed is that the earlier set of petitioners have merely been replaced by another set of petitioners and some minor alterations have been made in the pleadings in the subsequent/instant Writ Petition. The aforesaid writ petition got dismissed as withdrawn by this Court vide order dated 21.07.2020.

This Court has to be satisfied about the credentials of the applicant; *prima facie* correctness or nature of information given by him and the information furnished being not vague and indefinite. But in the present case, we find it to be a mischievous petition seeking to assail with oblique motives which prevents us from invoking our discretionary writ jurisdiction.

**4.** No declaration has been made so as to validate the *bona fide* of the petitioners or to demonstrate in what manner they have been said to be public spirited persons except for the fact that

they are purportedly residents of Keonjhar. It also reveals that in order to pay a lip service to the rules a representation has been made in order to facilitate the filing of the present writ petition.

5. At this juncture, it will be worthwhile to briefly deal with the relevant rules. The petition has not been filed in the form appended to the Orissa High Court Public Interest Litigation Rules, 2010 wherein Rule 6 clearly stipulates that "*Public Interest Litigation under Article 226 of the Constitution of India shall be in the form appended here to*". In gross contravention to the mandatory requirements of the form, the petitioners have deliberately suppressed that a previous Writ Petition (PIL) was filed by the same Advocate in question on the very same issue vide W.P.(C) PIL No.16719 of 2020 and the same was withdrawn by the order dated 21.07.2020. Also, the petitioners have not annexed any document in order to validate either their credentials or to demonstrate that they are public spirited persons, except for a bald pleading to that effect. Even the addresses of most of the petitioners are incomplete in contravention to Rule 5 of the Orissa High Court Public Interest Litigation Rules, 2010. A bare perusal of Rule 5 of the extant rules demonstrates that an obligation is cast upon the court itself to verify and satisfy itself as to the *bona fide* of not only the cause in question but also the parties who bring such a cause to the court. Rule 5 of the rules provides as hereunder:

*" 5.The Court before entertaining the PIL is to prima facie*

*(i) verify the credentials of the petitioner/ petitioners*

- (ii) *shall satisfy with regard to the correctness of the contents of the petition and*
- (iii) *shall satisfy that substantial public interest involved in the PIL.”*

6. Further, Rule 7 of the said Rules provides that if certain pleadings in the petition are based on news reports, the petitioners must verify as to the veracity of the pleadings being made therein and it must be specifically stated that the said exercise as postulated under the said Rule has been undertaken. Such a verification assumes significance because the courts place heavy reliance upon the counsels who appear in the matters and the pleadings being made by parties before it. It must be borne in mind that in petitions which seek to address a public interest, the parties approaching the court must come with clean hands and the same must be borne from the records of the case itself. Generally, the courts rely on the counsels to advise their clients to be truthful and explain to them the consequences that entail in the event of misadventures. More so, in the case of Public Interest Litigation the petitioners must be like the proverbial Caesar's wife “above suspicion”. The said Rule 7 reads as hereinunder:

*7. The petition shall contain the facts of the case in chronological order. If the petition is based on news report, it must be stated as to whether the petitioner has verified the truth of the facts by personally visiting the place or by talking to the people concerned or has verified from the reporter or editor of the newspaper concerned.*

In the same vein, Rule 9 deals with frivolous and vexatious PILs and provides that where the Court is of the opinion that the PIL petition filed by the petitioner is frivolous or vexatious or is devoid of public interest or is filed as camouflage to foster

personal gain or is filed for extraneous and ulterior motives, it shall dismiss the same with exemplary cost. In the instant case, despite the earlier petition based on the same subject matter with different set of parties being dismissed, the advocate in question should have known better and advised his purported “clients” accordingly. Instead, another set of petitioners have been replaced in the place of the earlier petitioners while keeping most of the contents of petition unchanged.

7. In fact, almost immediately after the advent of PILs on the jurisprudential horizon of the country, the Hon’ble Apex Court in the case of **State of H.P. v. A Parent of a Student of Medical College** reported in **(1985) 3 SCC 169** used a word of caution wherein it has noted that public interest litigation is a weapon which has to be used with great care and circumspection. In his separate supplementing judgment Khalid, J. recognized the pitfalls attached to such petitions and foresaw those certain self-imposed restrictions might be the call of the hour in **Sachidanand Pandey v. State of W.B.** reported in **(1987) 2 SCC 295** said:

*“...46. Today public-spirited litigants rush to courts to file cases in profusion under this attractive name. They must inspire confidence in courts and among the public. They must be above suspicion.*

*....59. Public interest litigation has now come to stay. But one is led to think that it poses a threat to courts and public alike. Such cases are now filed without any rhyme or reason. It is, therefore, necessary to lay down clear guidelines and to outline the correct parameters for entertainment of such petitions. If courts do not restrict the free flow*

*of such cases in the name of public interest litigations, the traditional litigation will suffer and the courts of law, instead of dispensing justice, will have to take upon themselves administrative and executive functions.*

*...61. I will be second to none in extending help when such help is required. But this does not mean that the doors of this Court are always open for anyone to walk in. It is necessary to have some self-imposed restraint on public interest litigants.”*

Overtime, having noticed the growing trend of abuse of such petitions the Hon'ble Apex Court in the case of **Ashok Kumar Pandey v. State of W.B.**, reported in **(2004) 3 SCC 349** laid down certain parameters, which now stand codified in the form of various High Court rules, by laying down as follows:

*“14. The court has to be satisfied about: (a) the credentials of the applicant; (b) the prima facie correctness or nature of information given by him; and (c) the information being not vague and indefinite. The information should show gravity and seriousness involved. Court has to strike balance between two conflicting interests: (i) nobody should be allowed to indulge in wild and reckless allegations besmirching the character of others; and (ii) avoidance of public mischief and to avoid mischievous petitions seeking to assail, for oblique motives, justifiable executive actions. In such case, however, the court cannot afford to be liberal. It has to be extremely careful to see that under the guise of redressing a public grievance, it does not encroach upon the sphere reserved by the Constitution to the executive and the legislature. The court has to act ruthlessly while dealing with imposters and busybodies or meddlesome interlopers impersonating as public-spirited holy men. They masquerade as crusaders of justice. They pretend to act in the name of pro bono publico, though they have no interest of the public or even of their own to protect.*

15. Courts must do justice by promotion of good faith, and prevent law from crafty invasions. Courts must maintain the social balance by interfering where necessary for the sake of justice and refuse to interfere where it is against the social interest and public good. (See *State of Maharashtra v. Prabhu* [(1994) 2 SCC] and *A.P. State Financial Corpn. v. Gar Re-Rolling Mills* [(1994) 2 SCC 647]) No litigant has a right to unlimited draught on the court time and public money in order to get his affairs settled in the manner as he wishes. Easy access to justice should not be misused as a licence to file misconceived and frivolous petitions. [See *Buddhi Kota Subbarao (Dr) v. K. Parasaran* [(1996) 5 SCC 530] .] Today people rush to courts to file cases in profusion under this attractive name of public interest. They must inspire confidence in courts and among the public.”

8. In the case of ***KushumLata v. Union of India*** reported in **(2006) 6 SCC 180**, the Hon’ble Supreme Court held that the Court must be careful to see that a body of persons or member of public, who approaches the Court is acting *bona fide* and not for personal gain or private motive or political motivation or other oblique considerations. The Hon’ble Supreme Court further held that when genuine litigants with legitimate grievances are standing in a long serpentine queue for years with the fond hope of getting into the courts and having their grievances redressed, the busybodies, meddlesome interlopers, wayfarers or officious interveners having absolutely no public interest except for personal gain or private profit either of themselves or as a proxy of others or for any other extraneous motivation or for glare of publicity, break the queue muffing their faces by wearing the mask of public interest litigation and get into the courts by filing

vexatious and frivolous petitions. It would be profitable at this stage to reproduce the observations which were as hereunder:

*“12. It is depressing to note that on account of such trumpety proceedings initiated before the courts, innumerable days are wasted, which time otherwise could have been spent for the disposal of cases of the genuine litigants. Though we spare no efforts in fostering and developing the laudable concept of PIL and extending our long arm of sympathy to the poor, the ignorant, the oppressed and the needy whose fundamental rights are infringed and violated and whose grievances go unnoticed, unrepresented and unheard; yet we cannot avoid but express our opinion that while genuine litigants with legitimate grievances relating to civil matters involving properties worth hundreds of millions of rupees and criminal cases in which persons sentenced to death facing gallows under untold agony and persons sentenced to life imprisonment and kept in incarceration for long years, persons suffering from undue delay in service matters - government or private, persons awaiting the disposal of cases wherein huge amounts of public revenue or unauthorized collection of tax amounts are locked up, detenu expecting their release from the detention orders, etc. etc. are all standing in a long serpentine queue for years with the fond hope of getting into the courts and having their grievances redressed, the busybodies, meddlesome interlopers, wayfarers or officious interveners having absolutely no public interest except for personal gain or private profit either of themselves or as a proxy of others or for any other extraneous motivation or for glare of publicity, break the queue muffing their faces by wearing the mask of public interest litigation and get into the courts by filing vexatious and frivolous petitions and thus criminally waste the valuable time of the courts and as a result of which the queue standing outside the doors of the courts never moves, which piquant situation creates frustration in the minds of the genuine litigants and resultantly they lose faith in the administration of our judicial system.*”

*13. Public interest litigation is a weapon which has to be used with great care and circumspection and the judiciary has to be extremely careful to see that behind the beautiful veil of public interest an ugly private malice, vested interest and/or publicity-seeking is not lurking. It is to be used as an effective weapon in the armoury of law for delivering social justice to the citizens. The attractive brand name of public interest litigation should not be used for suspicious products of mischief. It should be aimed at redressal of genuine public wrong or public injury and not publicity oriented or founded on personal vendetta. As indicated above, the court must be careful to see that a body of persons or member of public, who approaches the court is acting bona fide and not for personal gain or private motive or political motivation or other oblique considerations. The court must not allow its process to be abused for oblique considerations by masked phantoms who monitor at times from behind. Some persons with vested interest indulge in the pastime of meddling with judicial process either by force of habit or from improper motives, and try to bargain for a good deal as well to enrich themselves. Often they are actuated by a desire to win notoriety or cheap popularity. The petitions of such busybodies deserve to be thrown out by rejection at the threshold, and in appropriate cases with exemplary costs.”*

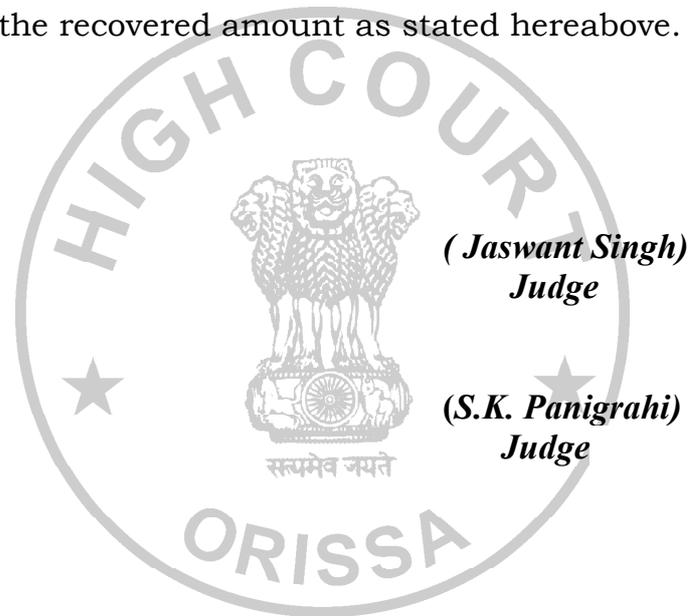
**9.** With the above observations, the present writ petition stands dismissed.

**10.** We would have ordinarily observed something against the counsel appearing in the case. However, keeping in view the early stages of his career, we refrain from commenting upon his conduct except to advise him to be careful in future and not be a party to such a litigation initiated by unscrupulous litigants.

The Registry is also directed to stringently comply with the rules as indicated hereinabove while dealing with Public

Interest Litigations so as to prevent valuable judicial time from being wasted and prevent certain unscrupulous elements from weaponizing petitions in courts of law.

**11.** We feel constrained to direct the petitioners (10 in number) to deposit cost of Rs.5,000/- each (totalling Rs.50,000/-) before the Orissa High Court Bar Association Advocates Welfare Fund positively within four weeks from today, failing which Collector, Keonjhar shall proceed to recover the same as arrears of land revenue and ensure the deposit of the recovered amount as stated hereabove.



*Orissa High Court, Cuttack,  
December 2<sup>nd</sup>, 2021/PCD*

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.33158 of 2021**

***Ashribad Pattnaik & Ors. .... Petitioners***

Mr. Biwaranjan Paramguru, Adv.  
proxy counsel on behalf of  
Mr. Sambit Samal, Adv.

*-versus-*

***Union of India and Ors. .... Opp. Parties***

Ms. Babita Sahu, CGC

**CORAM:**

**JUSTICE JASWANT SINGH**

**JUSTICE S.K. PANIGRAHI**

**ORDER (ORAL)**

**10.03.2022**

**I.A. Nos.18125 and 18395 of 2021**

**Order  
No.**

05. 1. This matter is taken up through hybrid mode.
2. The present I.As. have been filled by the petitioners praying for modification of the judgment dated 02.12.2021 passed by this Court in W.P.(C) No.33158 of 2021.
3. Learned counsel for the petitioners submits that Paragraph 3 and 10 of the aforementioned judgment dated 02.12.2021 which bears the name of Mr. Sambit Samal, learned Advocate who was appearing on behalf of the petitioners in W.P.(C) No. 33158 of 2021 with a negative connotation which raises doubts on the conduct of the counsel. Thus, Mr. Sambit Samal, learned Advocate represented by the present counsel prays for

expunging the relevant portions of the aforementioned judgment dated 02.12.2021.

4. Heard learned counsel for the petitioners.

5. At this juncture, it is apposite to reproduce the relevant portions of judgment dated 02.12.2021 as under:

*“3. We find from the perusal of the file attached herewith that the same advocate had filed a previous writ petition in the form of Public Interest Litigation being W.P.(C) 16719 of 2020 with different set of petitioners (11 in number) with similar content and seeking identical relief sought herein. We find further from the perusal of the file of the earlier similar Public Interest Litigation-W.P.(C) No.16719 of 2020 attached herewith that the allegation/grievance raised in both the petitions are similar in substance. In fact, it is noticed that the advocate in both the petitions is the same i.e. one Mr. Sambit Samal. What has changed is that the earlier set of petitioners have merely been replaced by another set of petitioners and some minor alterations have been made in the pleadings in the subsequent/instant Writ Petition. The aforesaid writ petition got dismissed as withdrawn by this Court vide order dated 21.07.2020.*

*This Court has to be satisfied about the credentials of the applicant; prima facie correctness or nature of information given by him and the information furnished being not vague and indefinite. But in the present case,*

*we find it to be a mischievous petition seeking to assail with oblique motives which prevents us from invoking our discretionary writ jurisdiction.*

*Xx xx xx*

*10. We would have ordinarily observed something against the counsel appearing in the case. However, keeping in view the early stages of his career, we refrain from commenting upon his conduct except to advise him to be careful in future and not be a party to such a litigation initiated by unscrupulous litigants.*

*The Registry is also directed to stringently comply with the rules as indicated hereinabove while dealing with Public Interest Litigations so as to prevent valuable judicial time from being wasted and prevent certain unscrupulous elements from weaponizing petitions in courts of law.”*

Nowhere, in the entire paragraphs extracted above, there is any mentioning which reflects the petitioners in negative light.

6. The concept of “Public Interest Litigation” was conceived by Hon’ble Justice V.R. Krishna Iyer in **Akhil Bharatiya Soshit Karamchari Sangh (Rly.) v. Union of India**<sup>1</sup>, wherein an unregistered association of workers was permitted to institute a writ petition under Article 32 of the Constitution for redressal of their common grievances. Prior to this, the traditional rule of locus standi was that only a

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<sup>1</sup>(1981) 1 SCC 246

person whose right is affected, alone, can file a petition. However, now the Courts permit “Public Interest Litigations” instituted at the instances of public spirited citizens for the enforcement of constitutional legal rights. In various judgments passed by the Apex Court, the issue of PILs was widely considered and PILs have since achieved a place of importance in our legal system. Reference may be made to ***Mumbai Kamgar Sabha v. Abdulbhai Faizullabhai***<sup>2</sup>, ***M.C. Mehta v. Union of India***<sup>3</sup>, ***Pt. Parmanand Katara v. Union of India***<sup>4</sup>, ***Vishaka v. State of Rajasthan***<sup>5</sup> and ***Javed v. State of Haryana***<sup>6</sup>.

7. However, with great power also comes great responsibility. As PILs began gaining acceptance, it was observed by Courts that, many unscrupulous litigants started inappropriately using the wide contours of a Public Interest Litigation to approach the Court without having any semblance of public interest at heart. Thereafter, the Hon’ble Supreme Court ***in R & M Trust v. Koramangla Residents Vigilance Group***<sup>7</sup> laid down some basic questions to be answered at the time of admitting a PIL petition so

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<sup>2</sup>(1976) 3 SCC 832

<sup>3</sup>(1986) 2 SCC 176

<sup>4</sup>(1989) 4 SCC 286

<sup>5</sup>(1997) 6 SCC 241

<sup>6</sup>(2003) 8 SCC 369

<sup>7</sup>(2005) 3 SCC 91

as to verify the *bonafideness* of a person, group or organisation. These questions were enumerated as follows:

*“(i) Whether the petitioner is bonafide and whether he has/had filed any PIL for any other cause before any competent Court?*

*(ii) Whether the petition filed sounds of bonafide?*

*(iii) No petition was filed earlier for the same cause.*

*(iv) No petition was earlier decided by the Court for the same cause.*

*(v) Whether cause relates to poor and needy persons in general suffering from violation of their fundamental rights?*

*(vi) The petition is not filed for personal gain or private profit or political motive or oblique consideration?*

*(vii) The petition is not vexatious petition under the colour of PIL.*

*(viii) The petition is not filed for vindicating any personal grievance.*

*(ix) The petition is not filed with an intention to abuse process of law.*

*(x) Petitioner is not a proxy of others.*

*(xi) The petition is not filed for extraneous motivation or for glare of publicity.”*

**8.** It was the Hon’ble Apex Court’s opinion that while genuine and bonafide PIL must be encouraged by all Courts but at the same time, a frivolous PIL which is being filed for extraneous reasons must be discouraged. This has been laid

down as the law by the Hon'ble Supreme Court in its seminal judgment in **State of Uttaranchal v. Balwant Singh Chauhal**<sup>8</sup>, wherein the following guidelines have been set forth, which are reproduced below:

*“(1) The courts must encourage genuine and bona fide PIL and effectively discourage and curb the PIL filed for extraneous considerations.*

*(2) Instead of every individual Judge devising his own procedure for dealing with the public interest litigation, it would be appropriate for each High Court to properly formulate rules for encouraging the genuine PIL and discouraging the PIL filed with oblique motives. Consequently, we request that the High Courts who have not yet framed the rules, should frame the rules within three months. The Registrar General of each High Court is directed to ensure that a copy of the rules prepared by the High Court is sent to the Secretary General of this court immediately thereafter.*

*(3) The courts should prima facie verify the credentials of the petitioner before entertaining a PIL.*

*(4) The courts should be prima facie satisfied regarding the correctness of the contents of the petition before entertaining a PIL.*

*(5) The courts should be fully satisfied that substantial public interest is involved before entertaining the petition.*

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<sup>8</sup>(2010) 3 SCC 402

*(6) The courts should ensure that the petition which involves larger public interest, gravity and urgency must be given priority over other petitions.*

*(7) The Courts before entertaining the PIL should ensure that the PIL is aimed at redressal of genuine public harm or public injury. The Court should also ensure that there is no personal gain, private motive or oblique motive behind filing the public interest litigation.*

*(8) The Courts should also ensure that the petitions filed by busy bodies for extraneous and ulterior motives must be discouraged by imposing exemplary costs or by adopting similar novel methods to curb frivolous petitions and the petitions filed for extraneous considerations.”*

**9.** As we now advert to the contention of the learned counsel for the petitioners, it must be borne in mind that the accountability of the legal profession is complex and varied. It transcends and extends beyond the responsibility to the client and the Court.

**10.** The legal profession is of vital importance not only to the administration of justice but also for the rule of law and good governance. It was once very aptly remarked by the Hon'ble High Court of Karnataka, lawyers are to the civil society what soldiers are to the frontiers of a nation. Marcus Tullius Cicero centuries ago called this profession

as a 'noble profession'. Lawyers lend voice to the voiceless, they stand unfazed during social tumult and it is they who draw the chariot of law and justice.

**11.** A lawyer has a duty to the Court, a duty to his client and a duty to the profession as well. The observations of the Hon'ble Calcutta High Court in ***Emperor v. Rajanikanta Bose***<sup>9</sup>, are worth reproducing:

*"The practice of the law is not a business open to all who wish to engage in it. It is a personal right or privilege .... It is in the nature of a franchise from the State. That you are a member of the legal profession is your privilege; that you can represent your client is your privilege; that you can in that capacity claim audience in Court is your privilege. Yours is an exalted profession in which your privilege is your duty and your duty is your privilege. They both coincide"*

**12.** In a courtroom, neither the view of the author of the judgement nor the pleadings of a counsel are personal. Judicial pronouncements are based on two principles, facts and circumstances of the case and the submissions made by the counsel for both the parties. A remark in the course of such pronouncement pertaining to the counsels only

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<sup>9</sup>ILR (1922) 49 Cal 732

reflects the professional character which is succinctly reflected in the case of **R. Muthukrishnan vs The Registrar General of High Court of Judicature at Madras**<sup>10</sup>, wherein the Supreme Court observed that :

*“The judgment rendered by a Judge is based upon the dint of hard work and quality of the arguments that are advanced before him by the lawyers. There is no room for arrogance either for a lawyer or for a Judge.”*

**13.** The observations made in Paragraph 3 and 10 of the judgment dated 02.12.2021 in no way affects the image of the arguing counsel. It was only a note of caution sounded to the counsel so that he may not get involved with unscrupulous litigants. It was merely a reminder on the duty of the counsel to the court and to his profession. The court has, in fact, restrained itself from passing any adverse order considering the petitioner's lesser length of practice at the Bar.

**14.** This court makes it clear that in the absence of any disparaging remark made against the counsel for the petitioners, he should take the observations of this Court in the manner in which it was intended, i.e. as a fillip to mould his legal career in a better way in future.

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<sup>10</sup>AIR 2019 SC 849

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**15.** In view of the above, this Court is not inclined to accept the prayer of the petitioners made in the I.As. to effect any change in the judgment dated 02.12.2021 passed by this Court in W.P.(C) No.33158 of 2021.

**16.** Accordingly, both the I.As. are dismissed.

**(Jaswant Singh)**  
**Judge**

**(S.K.Panigrahi)**  
**Judge**

*December 10th March, 2021*  
*Cuttack*

*T/BJ*



**AFR**

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**I.A. No. 12110 of 2022 in/and W.P.(C) PIL No.1416 of 2021**

*Neelakantha Tripathy & Others* .... *Petitioners*  
 None

-versus-

*Union of India & Others* .... *Opposite Parties*  
 Mr. Ashok Kumar Parija, Advocate General  
 assisted by Mr. Debakanta Mohanty, AGA

**CORAM:**  
**JUSTICE JASWANT SINGH**  
**JUSTICE M.S. RAMAN**

**ORDER**  
**22.09.2022**

**Order No.**

- 05.** This matter is taken up by virtual/physical mode.
- 1.** Alleging illegal mining and transportation of iron ore and other minerals causing loss to the public exchequer, the Petitioners claiming themselves to be permanent residents of Keonjhar District, filed the writ petition in the nature of public interest litigation seeking for a direction to the Opposite Party No.1 to 10 (Union of India and State of Odisha) to take legal action against the Private Opposite Parties (Opposite Party Nos.11 to 18).
  - 2.** The averments contained in the writ petition apparently indicate that this Court is called upon to conduct fishing and roving investigation into alleged illegal mining activities carried on by the private opposite party Nos.11 to 18.

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3. This matter was listed on 2<sup>nd</sup> November, 2021, when Ms. Rajashree Barik, counsel for the Petitioners requested for adjournment.

On the next date of hearing *i.e.*, on 4<sup>th</sup> August, 2022, Ms. Rajashree Barik, proxy counsel appearing on behalf of Mr. Pramod Kumar Behera, Advocate for the Petitioner prayed for further adjournment on the ground of illness. This Court on the said date has passed the following order:

“ 1. *On behalf of Mr. P. K. Behera, learned counsel for the Petitioner, it is pleaded that he is unwell and, therefore, the petition must be adjourned.*

2. *Mr. Debakanta Mohanty, learned Additional Government Advocate points out that another petition with identical averments and prayers being W.P.(C) No.33158 of 2021 (Ashirbad Pattnaik v. Union of India) was dismissed by this Court by a Division Bench of Justice Jaswant Singh and Dr. Justice S. K. Panigrahi with costs.*

3. *In the circumstances, it is directed that this petition be listed before the Bench of Justice Jaswant Singh on 5th September, 2022.*

Sd-/  
(Dr. S. Muralidhar)  
Chief Justice

Sd-/  
(R.K. Pattanaik)

Judge

”

In view of the above, the matter was listed before this Bench on 5<sup>th</sup> September, 2022 when Mr. Pramod Kumar Behera, counsel for the Petitioners prayed for further accommodation.

4. When the matter is called today before lunch and post lunch, none appeared for the Petitioners.

5. Mr. Ashok Kumar Parija, learned Advocate General assisted by Mr. Debakanta Mohanty, Additional Government Advocate submitted that an identical writ petition in the nature of Public Interest Litigation was filed by certain other residents of Keonjhar District which was registered as *Ashirbad Pattnaik & Others*. This Court delivered Judgment on 2<sup>nd</sup> December, 2021 in the case of *Ashirbad Pattnaik & Others Vrs. Union of India & Others, W.P.(C) No. 33158 of 2021*, wherein making remarks about the *bona fides* of the Petitioners and taking note of withdrawal of another identical writ petition bearing W.P.(C)No. 16719 of 2020 (*Rupranjan Panda and Others Vrs. Union of India & Others*) on 21<sup>st</sup> July, 2020, declined to entertain the writ petition. It is pointed out by Mr. Parija, learned Advocate General that this Court did not stop by simply dismissing the writ petition, but proceeded further by imposing costs in order to discourage filing of the cases of present nature. He pressed Paragraphs 10 & 11 of the said Judgment, which is quoted herein below:

*“10. We would have ordinarily observed something against the counsel appearing in the case. However, keeping in view the early stages of his career, we refrain from commenting upon his conduct except to advise him to be careful in future and not be a party to such a litigation initiated by unscrupulous litigants.*

*The Registry is also directed to stringently comply with the rules as indicated hereinabove while dealing with Public Interest Litigations so as to prevent valuable judicial time from being wasted and prevent certain unscrupulous elements from weaponizing petitions in courts of law.*

*11. We feel constrained to direct the petitioners (10 in number) to deposit cost of Rs.5,000/- each (totalling*

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*Rs.50,000/-) before the Orissa High Court Bar Association Advocates' Welfare Fund positively within four weeks from today, failing which Collector, Keonjhar shall proceed to recover the same as arrears of land revenue and ensure the deposit of the recovered amount as stated hereabove."*

6. It is also brought to the notice of this Court that the said Judgment dated 2<sup>nd</sup> December, 2021 was assailed before the Hon'ble Supreme Court in SLP(C) No.8637 of 2022, which came to be dismissed on 9<sup>th</sup> September, 2022 with the following order:

*"Permission to file the Special Leave Petition granted.*

*2 Delay in refiling the Special Leave Petition is condoned.*

*3 Application for permission to implead the High Court of Orissa is dismissed.*

*4 Having heard senior counsel appearing on behalf of the petitioners, we see no reason to entertain the Special Leave Petitions. The High Court was entirely justified in coming to the conclusion that the petition was filed after suppressing the fact that an earlier petition filed by the same advocate had been dismissed as withdrawn. The subsequent petition contains substantially the same averments. The Special Leave Petitions are an abuse of process. We accordingly dismiss the Special Leave Petitions with costs quantified at Rs 25,000, which shall be paid to the Supreme Court Bar Association within four weeks.*

*4 Pending application, if any, stands disposed of."*

7. Mr. Ashok Kumar Parija, learned Advocate General submits that the present petition has been filed with similar allegations claiming similar relief but with only the change of the persons as Petitioners, thus pressed not only for dismissal of the present writ petition but also to award exemplary cost in order to deter filing of

vexatious and frivolous petition before this Court in order to avoid wastage of valuable time of the Court.

8. It may be pertinent to take cognizance of the fact that after disposal of the writ petition being *W.P.(C) No. 33158 of 2021 : Ashirbad Pattnaik and Others Vrs. Union of India and Others, vide Judgment dated 2<sup>nd</sup> December, 2021*, applications being I.A. Nos. 18125 of 2021 and 18395 of 2021 were filed seeking modification of said Judgment. This Court while rejecting the said I.As passed the following order on 10<sup>th</sup> March, 2022:

“2. *The present I.As. have been filled by the petitioners praying for modification of the judgment dated 02.12.2021 passed by this Court in W.P.(C) No.33158 of 2021.*

3. *Learned counsel for the petitioners submits that Paragraph 3 and 10 of the aforementioned judgment dated 02.12.2021 which bears the name of Mr. Sambit Samal, learned Advocate who was appearing on behalf of the petitioners in W.P.(C) No. 33158 of 2021 with a negative connotation which raises doubts on the conduct of the counsel. Thus, Mr. Sambit Samal, learned Advocate represented by the present counsel prays expunging the relevant portions of the aforementioned judgment dated 02.12.2021.*

4. *Heard learned counsel for the petitioners.*

5. *At this juncture, it is apposite to reproduce the relevant portions of judgment dated 02.12.2021 as under:*

“3. *We find from the perusal of the file attached herewith that the same advocate had filed a previous writ petition in the form of Public Interest Litigation being W.P.(C) 16719 of 2020 with different set of petitioners (11 in number) with similar content*

*and seeking identical relief sought herein. We find further from the perusal of the file of the earlier similar Public Interest Litigation-W.P.(C) No.16719 of 2020 attached herewith that the allegation/grievance raised in both the petitions are similar in substance. In fact, it is noticed that the advocate in both the petitions is the same i.e. one Mr. Sambit Samal. What has changed is that the earlier set of petitioners have merely been replaced by another set of petitioners and some minor alterations have been made in the pleadings in the subsequent/instant Writ Petition. The aforesaid writ petition got dismissed as withdrawn by this Court vide order dated 21.07.2020.*

*This Court has to be satisfied about the credentials of the applicant; prima facie correctness or nature of information given by him and the information furnished being not vague and indefinite. But in the present case, we find it to be a mischievous petition seeking to assail with oblique motives which prevents us from invoking our discretionary writ jurisdiction.*

*xx xx xx*

*10. We would have ordinarily observed something against the counsel appearing in the case. However, keeping in view the early stages of his career, we refrain from commenting upon his conduct except to advise him to be careful in future and not be a party to such a litigation initiated by unscrupulous litigants.*

*The Registry is also directed to stringently comply with the rules as indicated hereinabove while dealing with Public Interest Litigations so as to prevent valuable judicial time from being wasted and prevent certain unscrupulous elements from weaponizing petitions in courts of law.”*

*Nowhere, in the entire paragraphs extracted above, there is any mentioning which reflects the petitioners in negative light.*

6. The concept of “Public Interest Litigation” was conceived by Hon’ble Justice V.R. Krishna Iyer in *Akhil Bharatiya Soshit Karamchhari Sangh (Rly.) v. Union of India*, (1981) 1 SCC 246, wherein an unregistered association of workers was permitted to institute a writ petition under Article 32 of the Constitution for redressal of their common grievances. Prior to this, the traditional rule of *locus standi* was that only a person whose right is affected, alone, can file a petition. However, now the Courts permit “Public Interest Litigations” instituted at the instances of public spirited citizens for the enforcement of constitutional legal rights. In various judgments passed by the Apex Court, the issue of PILs was widely considered and PILs have since achieved a place of importance in our legal system. Reference may be made to *Mumbai Kamgar Sabha v. Abdulbhai Faizullabhai* (1976) 3 SCC 832, *M.C. Mehta v. Union of India*, (1986) 2 SCC 176, *Pt. Parmanand Katara v. Union of India*, (1989) 4 SCC 286, *Vishaka v. State of Rajasthan*, (1997) 6 SCC 241 and *Javed v. State of Haryana*, (2003) 8 SCC 369.

7. However, with great power also comes great responsibility. As PILs began gaining acceptance, it was observed by Courts that, many unscrupulous litigants started inappropriately using the wide contours of a Public Interest Litigation to approach the Court without having any semblance of public interest at heart. Thereafter, the Hon’ble Supreme Court in *R & M Trust v. Koramangla Residents Vigilance Group*, (2005) 3 SCC 91 laid down some basic questions to be answered at the time of admitting a PIL petition so as to verify the bonafideness of a person, group or organisation. These questions were enumerated as follows:

“(i) Whether the petitioner is bonafide and whether he has/had filed any PIL for any other cause before any competent Court?

(ii) Whether the petition filed sounds of bonafide?

(iii) *No petition was filed earlier for the same cause.*

(iv) *No petition was earlier decided by the Court for the same cause.*

(v) *Whether cause relates to poor and needy persons in general suffering from violation of their fundamental rights?*

(vi) *The petition is not filed for personal gain or private profit or political motive or oblique consideration?*

(vii) *The petition is not vexatious petition under the colour of PIL.*

(viii) *The petition is not filed for vindicating any personal grievance.*

(ix) *The petition is not filed with an intention to abuse process of law.*

(x) *Petitioner is not a proxy of others.*

(xi) *The petition is not filed for extraneous motivation or for glare of publicity.”*

8. *It was the Hon'ble Apex Court's opinion that while genuine and bonafide PIL must be encouraged by all Courts but at the same time, a frivolous PIL which is being filed for extraneous reasons must be discouraged. This has been laid down as the law by the Hon'ble Supreme Court in its seminal judgment in State of Uttaranchal v. Balwant Singh Chauhal, (2010) 3 SCC 402, wherein the following guidelines have been set forth, which are reproduced below:*

“(1) *The courts must encourage genuine and bona fide PIL and effectively discourage and curb the PIL filed for extraneous considerations.*

(2) *Instead of every individual Judge devising his own procedure for dealing with the public interest*

*litigation, it would be appropriate for each High Court to properly formulate rules for encouraging the genuine PIL and discouraging the PIL filed with oblique motives. Consequently, we request that the High Courts who have not yet framed the rules, should frame the rules within three months. The Registrar General of each High Court is directed to ensure that a copy of the rules prepared by the High Court is sent to the Secretary General of this court immediately thereafter.*

(3) *The courts should prima facie verify the credentials of the petitioner before entertaining a PIL.*

(4) *The courts should be prima facie satisfied regarding the correctness of the contents of the petition before entertaining a PIL.*

(5) *The courts should be fully satisfied that substantial public interest is involved before entertaining the petition.*

(6) *The courts should ensure that the petition which involves larger public interest, gravity and urgency must be given priority over other petitions.*

(7) *The Courts before entertaining the PIL should ensure that the PIL is aimed at redressal of genuine public harm or public injury. The Court should also ensure that there is no personal gain, private motive or oblique motive behind filing the public interest litigation.*

(8) *The Courts should also ensure that the petitions filed by busy bodies for extraneous and ulterior motives must be discouraged by imposing exemplary costs or by adopting similar novel methods to curb frivolous petitions and the petitions filed for extraneous considerations.”*

9. *As we now advert to the contention of the learned counsel for the petitioners, it must be borne in mind that the accountability of the legal profession*

*is complex and varied. It transcends and extends beyond the responsibility to the client and the Court.*

10. *The legal profession is of vital importance not only to the administration of justice but also for the rule of law and good governance. It was once very aptly remarked by the Hon'ble High Court of Karnataka, lawyers are to the civil society what soldiers are to the frontiers of a nation. Marcus Tullius Cicero centuries ago called this profession as a 'noble profession'. Lawyers lend voice to the voiceless, they stand unfazed during social tumult and it is they who draw the chariot of law and justice.*

11. *A lawyer has a duty to the Court, a duty to his client and a duty to the profession as well. The observations of the Hon'ble Calcutta High Court in Emperor v. Rajanikanta Bose, ILR (1922) 49 Cal 732, are worth reproducing:*

*“The practice of the law is not a business open to all who wish to engage in it. It is a personal right or privilege .... It is in the nature of a franchise from the State. That you are a member of the legal profession is your privilege; that you can represent your client is your privilege; that you can in that capacity claim audience in Court is your privilege. Yours is an exalted profession in which your privilege is your duty and your duty is your privilege. They both coincide”*

12. *In a courtroom, neither the view of the author of the judgement nor the pleadings of a counsel are personal. Judicial pronouncements are based on two principles, facts and circumstances of the case and the submissions made by the counsel for both the parties. A remark in the course of such pronouncement pertaining to the counsels only reflects the professional character which is succinctly reflected in the case of R. Muthukrishnan vs The Registrar General of High Court of Judicature at Madras, AIR 2019 SC 849, wherein the Supreme Court observed that :*

// 11 //

*“The judgment rendered by a Judge is based upon the dint of hard work and quality of the arguments that are advanced before him by the lawyers. There is no room for arrogance either for a lawyer or for a Judge.”*

13. *The observations made in Paragraph 3 and 10 of the judgment dated 02.12.2021 in no way affects the image of the arguing counsel. It was only a note of caution sounded to the counsel so that he may not get involved with unscrupulous litigants. It was merely a reminder on the duty of the counsel to the court and to his profession. The court has, in fact, restrained itself from passing any adverse order considering the petitioner’s lesser length of practice at the Bar.*

14. *This court makes it clear that in the absence of any disparaging remark made against the counsel for the petitioners, he should take the observations of this Court in the manner in which it was intended, i.e. as a fillip to mould his legal career in a better way in future.*

15. *In view of the above, this Court is not inclined to accept the prayer of the petitioners made in the I.As. to effect any change in the judgment dated 02.12.2021 passed by this Court in W.P.(C) No.33158 of 2021.*

16. *Accordingly, both the I.As. are dismissed.”*

9. I.A. No. 12110 of 2022 has been filed by Sri Manoranjan Dixit, one of the petitioners in the present writ petition. Following has been affirmed at paragraph 2 of the affidavit of said I.A. sworn to for himself and on behalf of others:

*“2. That there is change of circumstances which were previously not there when the petitioners previous counsel*

// 12 //

*filed this writ petition and hence, the petitioner's want to withdraw the same with liberty from this Hon'ble Court for filing a better one."*

In the prayer the said deponent prayed for the following:

*"That, the petitioners therefore prays that the Hon'ble Court may graciously be pleased to allow the interim application (I.A.) for withdrawing the writ petition with liberty to file a better one otherwise the petitioners will be highly prejudiced."*

This Court finds that except change of set of the Petitioners posing themselves to be residents of Keonjhar district all other allegations and contents of the writ petition remained almost identical. Persons whose rights are impinged have a right to seek remedy before the court of law. Nevertheless, such a recourse should not be by way of abuse of process of law. When the Court is under heavy workload finding the ways to lessen the weight, vexatious petitions like the present nature particularly when identical matter [*W.P.(C) No. 33158 of 2021 : Ashirbad Pattnaik and Others Vrs. Union of India and Others, vide Judgment dated 2<sup>nd</sup> December, 2021*] has already stood closed, granting liberty to institute further proceeding would be to deprive genuine cause to be decided promptly and appropriately. Approaching the Court with frivolous cases is required to be dealt with severely & swiftly. It is gainsaid that Public Interest Litigation refers to such legal action which is initiated in a court of law in order to enforce the public interest or general interest in which the common people have some interest by which their legal right or liability is affected. The Hon'ble Supreme Court in the case of *Ardhendu Kumar Das Vrs. State of Odisha, 2022 SCC OnLine SC 718* has observed as follows:

“59. *In the recent past, it is noticed that there is mushroom growth of public interest litigations. However, in many of such petitions, there is no public interest involved at all. The petitions are either publicity interest litigations or personal interest litigation. We highly deprecate practice of filing such frivolous petitions. They are nothing but abuse of process of law. They encroach upon a valuable judicial time which could be otherwise utilized for considering genuine issues. It is high time that such so-called public interest litigations are nipped in the bud so that the developmental activities in the larger public interest are not stalled.*

60. *In the result, the appeals, having been found to be without any substance, are dismissed with costs, quantified at Rs. 1,00,000/- (Rupees one lakh) each, payable by the appellants to the respondent No. 1 within four weeks from the date of this judgment.”*

10. In the present case, while seeking permission to withdraw the writ petition, the petitioners have prayed for liberty to file fresh writ petition particularly when this Court *vide Judgment dated 2<sup>nd</sup> December, 2021 dismissed W.P.(C) No. 33158 of 2021 : Ashirbad Pattnaik and Others Vrs. Union of India and Others*, which is identical in nature with that of the present case stands already dismissed. Such a liberty if granted would be to invite and encourage unscrupulous busy bodies to approach this Court. Time and again to espouse their own hidden and motivated personal interest so this Court feels it expedient in the interest of justice to impose at least nominal costs to discourage filing of such petitions. Accordingly, the Court directs the 14 petitioners to deposit a sum of Rs.10,000/- per each Petitioner as costs (14 X Rs.10,000/- = Rs.1,40,000/-) with the Orissa High Court Bar Association Advocates' Welfare Fund positively within four weeks from today, failing which the Secretary of the High Court Bar Association

// 14 //

would move an application before the Collector, Keonjhar, who shall proceed to recover the same as arrears of land revenue and ensure deposit of the recovered amount as stated above.

11. In view of the above, the writ petition being W.P.(C) No.1416 of 2021 and I.A. No. 12110 of 2022 are dismissed with costs, as determined here above.

**(Jaswant Singh)**  
**Judge**

**(M.S. Raman)**  
**Judge**

Laxmikant

September 22, 2022 Cuttack



ITEM NO.3

COURT NO.2

SECTION XI-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s).8637/2022

(Arising out of impugned final judgment and order dated 02-12-2021 in WP(C) No. 33158/2021 passed by the High Court of Orissa at Cuttack)

ASHRIBAD PATTNAIK &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.70188/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Diary No(s). 12976/2022 (XI-A)

(WITH IA No.109428/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.109439/2022-IMPLEADMENT and IA No.109427/2022-PERMISSION TO FILE SLP and IA No.109426/2022-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS)

Date : 09-09-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Anukul Chandra Pradhan, Sr. Adv.  
Mr. B.R. Paramguru, Adv.  
Mr. Kausar Raza Faridi, AOR  
Mr. Shahbaaz Jameel, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Signature Not Verified  
Digitally signed by  
CHETAN KUMAR  
Date: 2022.09.09  
17:14:12 IST  
Reason:

Permission to file the Special Leave Petition granted.

2 Delay in reiling the Special Leave Petition is condoned.

3 Application for permission to implead the High Court of Orissa is dismissed.

4 Having heard senior counsel appearing on behalf of the petitioners, we see no reason to entertain the Special Leave Petitions. The High Court was entirely justified in coming to the conclusion that the petition was filed after suppressing the fact that an earlier petition filed by the same advocate had been dismissed as withdrawn. The subsequent petition contains substantially the same averments. The Special Leave Petitions are an abuse of process. We accordingly dismiss the Special Leave Petitions with costs quantified at Rs 25,000, which shall be paid to the Supreme Court Bar Association within four weeks.

4 Pending application, if any, stands disposed of.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**

**ANNEXURE R/5**



**TOWER BASE FENCED WITH BARBED WIRE & SPIKES AT THE LEG OF TOWER**



**TOWER BASE FENCED WITH BARBED WIRE & SPIKES AT THE LEG OF TOWER**

**WILD LIFE MANAGEMENT AND SITE  
SPECIFIC CONSERVATION PLAN  
FOR  
CONSTRUCTION OF 132 KV  
TRANSMISSION LINE**

**FROM OPTCL GRID STATION, BARBIL (KEONJHAR) TO  
KAMANDA STEEL PLANT,  
OF M/S RUNGTA MINES LIMITED  
SUNDARGARH DISTRICT, ODISHA**

**PREPARED BY  
SARANGI & RAY ECO CONSULTANTS**

**P. K. Sarangi IFS (Retd)**

Plot No.2134, Baramunda,

Bhubaneswar, 751003

Phone-9437213455



OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (WILDLIFE) &  
CHIEF WILDLIFE WARDEN, ODISHA

Department of Forest and Environment, Government of Odisha

PRAKRUTI BHAWAN, PLOT NO.1469, SAHEED NAGAR, BHUBANESWAR- 751007

Phone: 0674-2602250, Website: www.wildlife.odisha.gov.in, Email: odishawildlife@gmail.com

No. 605 /7WL-FD&WLC-73/2020

Dated, Bhubaneswar the 22<sup>nd</sup> January, 2021

To

M/s Rungta Mines Ltd.  
(Kamanda Steel Plant),  
Main Road, Barbil, Dist.-Keonjhar,  
Odisha-758035

Sub: Diversion of 35.507 ha of Forest Land (31.806 ha Forest Land under Keonjhar Division & 3.701 ha Forest Land under Bonai Division) for construction of 132KV transmission line from 132/33KV OPTCL Grid Station at Barbil, Keonjhar District to Kamanda Steel Plant of M/s Rungta Mines Ltd. in Sundargarh District, Odisha - Approval of Site Specific Wildlife Conservation Plan

Sir,

It is to inform that you have to implement a Site Specific Wildlife Conservation Plan for construction of 132KV transmission line from 132/33KV OPTCL Grid Station at Barbil, Keonjhar District to Kamanda Steel Plant in Sundargarh District, Odisha in compliance to the condition No.2(ix) of the Stage-I approval granted by Government of India, MoEF&CC, ERO, Bhubaneswar for diversion of 35.507 ha of forest land (31.806 ha forest land under Keonjhar Division & 3.701 ha forest land under Bonai Division) for the above purpose.

2. The Site Specific Wildlife Conservation Plan in respect of the above project has been approved by the undersigned with financial forecast of ₹343.08 lakh (Three crore forty-three lakh eight thousand) only for the following activities.



a. For activities to be implemented by the user agency in project area	₹66.00 lakh
b. For activities to be implemented in project impact area in	
(i) DFO, Keonjhar Division	₹217.08 lakh
(ii) DFO, Bonai Division	<u>₹60.00 lakh</u>
Total:	₹343.08 lakh

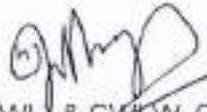
3. Various activities in the forest area to be diverted will be executed by the project proponent under the guidance of DFO, Keonjhar/ Bonai Division. A sum of ₹277.08 lakh only may kindly be deposited in State CAMPA fund only through <<https://parivesh.nic.in>> for implementation of various activities within the project impact area by the State Forest Department through the DFO, Keonjhar/ Bonai Division.

4. You may please note the following conditions for future compliance.

- This plan may be revisited after 5 years and the user agency will give undertaking to contribute towards the revised cost of the conservation plan till the project period, if any.
- Should there be need for Site Specific Wildlife Conservation Plan after expiry of the present plan period, the user agency shall submit another such plan at least one year before the expiry of the present Conservation Plan and deposit the outlay amount upon its approval. In case of delay, it will be dealt as per law for violations of Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986.
- The user agency shall give an undertaking to bear the differential cost in case of enhancement of wage rate during implementation of this plan.

Yours faithfully

Encl: 2 copies of approved SSWLCP

  
 PCCF (WL) & CWLW, Odisha

Memo No. 606 /dt 22/01/2021

Copy forwarded for information and necessary action to -

1. Special Secretary to Government of Odisha, F&E Department with reference to that department letter No.10F(Cons)97/2020-10180/F&E dt 30.06.2020
2. Principal CCF & HoFF, Odisha with reference to F&E Department letter No.10179/F&E dt 30.06.2020
3. Regional Chief Conservator of Forests, Rourkela Circle with reference to his memo No.01 dt 01.01.2021
4. Divisional Forest Officer(s), Keonjhar/ Bonai Division alongwith approved copy of Site Specific Wildlife Conservation Plan



PCCF (WL) & CWLW, Odisha

**ACKNOWLEDGEMENT**

*The Transmission line of M/s Rungta Mines Ltd. is located partly in Keonjhar Forest Division in Keonjhar District and partly in Bonai Forest Division of Sundargarh District.*

*The purpose of setting up this Transmission line is to supply power for the Steel Plant at Kamando in Sundargarh District.*

*The total area involved in the project is 81.116 ha out of which Forest land involved is 35.507 ha. In order to minimize the adverse impact on the wild life and its habitat, this "Site Specific Wild Life Conservation/ Management Plan" proposes the ameliorative measures for the project area and its surrounding impact area to reduce the impact to as minimum as possible.*

*The Plan after implementation in in the area will provide a congenial habitat for the wild life within as well as in the periphery of the project area.*

*My thanks are due to the DFOs of Keonjhar and Bonai Forest Divisions as well as their staff for providing the required information for preparation of this Plan.*

*My thanks are also due to Shri I.Mukherjee and Shri H. Majumdar of Rungta Mines for helping me in preparation of this Plan and providing the required data.*

*My thanks are also due to Shri S. K. Ray OFS(I) Retd. for helping me for preparation of this plan.*

*My thanks are also due to the officials of Rungta Mines ltd. for providing the required information and assistance.*



P. K. Sarangi

**Table of Contents**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Page No.</b>
1	Executive Summary	3-5
2	Chapter-I: Introduction to the Project Area	6-37
3	Chapter-II: Impact of the Project	38-40
4	Chapter-III: Objective of Management & Strategies	41
5	Chapter-IV: Management Strategies within the Project Site	42-44
6	Chapter-V: Proposed Management Strategies within the Project Impact Area	45-48
7	Chapter-VI: List of Maps, Appendices & Cost Schedule	49-51
<b>Plates</b>		
1	Topo Map showing the Project Area	Plate No.-1
2	Topo Map showing the Impact/Study Area	Plate No.-2
3	Map showing the Location of the project area with reference to WL Sanctuaries and National Parks	Plate No.-3
<b>Annexure</b>		
1	Copy of Stage-I approval, issued in No. 5-ORC 418/2020-BHU dt.25 <sup>th</sup> June,2020 by MoEF, Government of India, Bhubaneswar Regional Office	Annexure-I
2	Copy of Site Inspection Report of DFO, Keonjhar Forest Division.	Annexure-II
3	Copy of Site Inspection Report of DFO, Bonai Forest Division.	Annexure-III

## **EXECUTIVE SUMMARY**

The Project is for construction of 132 KV Transmission Line from OPTCL Grid Station Baddil in Keonjhar District to the Steel Plant at Kamanda in Sundargarh District. This is a linear strip of land covering 12 Villages and one Reserved Forest in Keonjhar District and 5 Villages in Sundargarh District.

The total land required for the Project is 81.116 Ha. out of which Forest area is 35.507 Ha. Major portion of Forest area 31.806 ha falls within Keonjhar Forest Division in Keonjhar District while 3.701 ha is within Bonai Forest Division in Sundargarh District.

Stage-I approval of Forest clearance has been issued by MoEF & CC, Govt. of India, Eastern Regional Office, Bhubaneswar in letter No. 5-ORC 418/2020-BHU dt.25<sup>th</sup> June,2020

The proposed area can be located on Topo Sheet Nos. F45H8, F45N1, F45N5.

With Latitude between - 21° 55'37" N and 22° 05' 37" N

Longitude between - 85° 13' 30" E and 85° 23' 00" E.

As per the Site Inspection Report of DFO, Keonjhar Forest Division, commonly occurring fauna within the project area include Elephant, Leopard, Bear, Barking Deer, Hyena, Porcupine etc. Similarly in Bonai Forest Division the commonly occurring fauna within the project area are: Jungle Cat, Mongoose, Indian Hare, Jackal etc. However detail list has been furnished in Chapter-I

Human-animal conflict has been noticed at moderate rate according to information collected from the villages and from the office of Keonjhar Division & Bonai Forest Division. However, the threat to wildlife is from forest fire, water scarcity, poaching, habitat destruction, and movement of train within the forest area. Besides the stake holder's dependence on forests for legitimate use of fuel wood and other small timber and grazing of cattle also create some disturbance for the wild animals.

Wildlife Conservation PlanM/s Rungta Mines Limited

However, in order to ameliorate the threat due to the project implementation in the forest area, the proponent has been asked to prepare a Site Specific Wildlife Conservation Plan which includes mitigation measures.

The important measures envisaged to mitigate the negative impacts arising due to project implementation are as follows: -

Project Area Steps by the Project Proponent:

- a. Providing barbed wire and spikes around the base of the transmission posts.
- b. Plantation of dwarf species (mostly medicinal plants) under the transmission line.
- c. Provision of bird deflectors on the conductors.
- d. Creation of Awareness through, different media etc. The user agency will deposit Rs.20.00 lakhs with the Society "WILDLIFE ODISHA" for the purpose.
- e. The User Agency will provide one Vehicle as per specification of the PCCF (Wildlife).

Project Impact Area: Steps to be taken by Forest Department with the funds provided by the project proponent:

- a. Wildlife Protection and Man Animal Conflict will be reduced by:  
Engagement of 17 nos' of Gajabandhus during crop season of 6 months in a year, with wage rate of Rs.10,000/- per month.  
Total expenditure on this head will be Rs.102.00 lakhs.
- b. Early warning system will be installed in both the Divisions, i.e. Keonjhar Forest Division and Bonei forest Division.  
The proposed cost will be Rs.20.00 lakhs
- c. One Control Room will be established in Keonjhar Forest Division at a cost of Rs.78.90 lakhs.
- d. Physical barriers such as Solar Electric Fencing will be provided at strategic location to prevent the movement of elephants towards the transmission line. The proposed cost is Rs.30.00 lakhs.

Wildlife Conservation PlanM/s Rungta Mines Limited

This plan is being prepared for 10years and may be revised there after considering the changes which may take place in the forest in question after implementation of this plan.

The total allocation of funds during the plan period is as follows:

Project Area	-	Rs. 66.00 lakhs
Keonjhar Forest Division	-	Rs. 217.08 lakhs
Bonai Forest Division	-	<u>Rs. 60.00 lakhs</u>
Total	-	Rs.343.08 lakhs

Out of which an amount of Rs.277.08 lakhs shall be deposited with the Forest department/D.F.O. Keonjhar & Bonai for execution of different works within the project impact area and an amount of Rs. 66.00 lakhs will be spent by the user agency for the works indicated above.

**For Rungta Mines Limited**

*Vijaya Kumar Mishra*  
**Authorised Signatory**

## CHAPTER- I

### INTRODUCTION TO THE PROJECT AREA

#### (Location of the project and its impact area around)

The District of Keonjhar is very rich in Forest as well as wild life. This district is a part of Eastern Ghats and is a continuation of famous Saranda Forest. Various Wild Life species including Elephants are present in this District.

At the same time, it is the most mineralized district of the state of Odisha. The important minerals are mostly Iron Ore and Manganese.

Keonjhar District is also an Industrial Belt. A number of Industries have come up in District. Presence of Wild-Life along with Industries and Mining activities create a conflicting situation.

**S.R. RUNGTA GROUP** is one of the leading and the oldest mining group of the mineral rich belt of Orissa & Jharkhand. The group is engaged in these activities for the past six decades, which made the group a pioneer house of mineral Industry.

Rungta Mines Limited (RML), The Flag Ship Company of S.R. RUNGTA GROUP established in 1962 is one of the leading Iron Ore producers in Jharkhand & Odisha.

Today, the group is involved in the mining of iron ore & manganese ore. The company's vision & mission is to utilize its core values & strengths, complemented with the vast experience gained, to help it keep pace with the changing times and respond to domestic & international market forces by maintaining consistent quality & dispatch schedules, making RML synonymous with reliability. Further this group has established different industrial complexes in Odisha & Jharkhand and produce Sponge Iron, Steel & Power.

#### **The strengths of the company lies in:**

- 1) Large & highly productive lease holdings.
- 2) High production capacity.
- 3) Consistency of quality & timely despatch schedules.
- 4) Long experience in mining & willingness to accept new technology.
- 5) A team desirous of excellence, having strong managerial & technical skills.
- 6) Capacity to transport from railway outlets & also from ports.

Wildlife Conservation PlanM/s Rungta Mines Limited

- 7) A harmonious Industrial relation.
- 8) Investment in R&D.
- 9) Principled approach to business.
- 10) Positive Outlook.
- 11) Environment friendly mining operations.
- 12) Excellent track record.
- 13) A debt free company.

As a measure of its pro-activeness, the company has commissioned a state-of-the-art crushing unit with a capacity of 1.7 million TPA & is laying greater stress on high quality calibrated ore. Our constant endeavour to reduce costs has resulted in incorporating HEM systems & other innovative mining techniques.

RML is committed to consolidate its mining activities through modernization & up-gradation of technology, cost reduction, quality control and eco-friendly operations to remain competitive. The user agency expect to double our production due to various infrastructure developments & induction of new leases to our existing tally. Based on Techno-Economic suitability, RML is looking forward to adding a new dimension to its existing activity by venturing into Steel making through Pig Iron & Sponge Iron production. To facilitate this, deployment of a Ferro alloy unit & a captive power plant is under consideration. The company is undertaking Research & Investigative work on diversification in the field of metallurgy, manufacturing, IT & Finance, besides consolidating talents of earth scientists & allied technicians to initiate a consultancy wing.

M/s Rungta Mines Limited is expanding the Kamanda Integrated Steel Plant up to 0.75 MTPA from 0.60 MTPA in the State of Odisha. The Steel Manufacturing process will be via Pelletization, Sponge Iron, Sinter, Mini Blast Furnace, Coke Oven, Induction Furnace, Ladle Refining Furnace, Continuous Caster, Rolling Mill (TMT/ Round / Wire Rod / Structural/ Flat/ others), Ferro-Alloy Plant. The major Production

The Company has the proposal to construct 132 KV Transmission line from OPTCL Grid at Barbil to the Steel Plant at Kamanda in the district of Sundargarh.

Major part of the proposed project falls within Keonjhar Forest Division of Keonjhar District and some portion falls within Bonai Forest Division of Sundargarh district.

Wildlife Conservation PlanM/s Rungta Mines Limited**A. Location:**The Project Area

District and State - Keonjhar and Sundargarh, Odisha

The Project area is 81.116 ha. (includes Forest area of 35.507 ha)

This area can be located on Topo Sheet Nos. F45H8, F45N1, F45N5, with

Latitude between - 21° 55' 37" N and 22° 05' 37" N

Longitude between - 85° 13' 30" E and 85° 23' 00" E.

Villages in the vicinity:

Keonjhar District	Sundargarh District
1. Nuagan	1. Kamanda
2. Guali	2. Harischandrapur
3. Topadihi	3. Kusumdih
4. Laidapada	4. Kasira
5. Rugudih	5. Rengalbeda
6. Gamulai	
7. Gadadharpur	
8. Kanarda	
9. Lasarda	
10. Bolani	
11. Kolhabarapada	
12. Sundra Unit-12	

**Status of Land**

The status of land required for the project is as follows:

Sl. No.	Name of the village	Land required in Ha.			
		Forest	Non forest	Private	Total
KEONJHAR DISTRICT					
1	Nuagan	3.586	0.223	1.130	4.939
2	Guali	2.863	0	1.848	4.711
3	Topadihi	2.752	0	1.486	4.238
4	Laidapada	0.213	0.135	3.144	3.492
5	Rugudih	1.750	0.005	2.448	4.203
6	Gamulai	1.898	1.626	4.945	8.469
7	Gadadharpur	0.870	0	0	0.870

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

8	Kanarda	0.750	0.039	2.154	2.943
9	Lasarda	1.780	0.193	2.845	4.818
10	Bolani	1.807	0.042	7.057	8.906
11	Kolhabarapada	2.986	0	2.285	5.271
12	Sundra Unit-12	4.407	0	0	4.407
	<b>Sub Total</b>	<b>25.662</b>	<b>2.263</b>	<b>29.342</b>	<b>57.267</b>
13	R F	6.144	-	-	6.144
	<b>Dist. Total</b>	<b>31.806</b>	<b>2.263</b>	<b>29.342</b>	<b>63.411</b>
SUNDARGARH DISTRICT					
1	Kamanda	0	0.163	0.660	0.223
2	Harischandrapur	1.200	0.228	0.599	2.027
3	Kusumdihi	0.156	0.185	1.686	2.027
4	Kasira	1.596	1.455	4.689	7.740
5	Rengalbeda	0.749	3.698	2.241	6.688
	<b>Dist. Total</b>	<b>3.701</b>	<b>5.729</b>	<b>9.275</b>	<b>18.705</b>
	<b>Grand Total</b>	<b>35.507</b>	<b>11.538</b>	<b>35.071</b>	<b>81.116</b>

**ii. Proposed Land Use Pattern**

The linear strip of land will be required for installation of Transmission Line from Badbil Grid of Keonjhar district to the Steel Plant at Kamanda in the district of Sundargarh.

**B. Statutory Clearance:****i. Status of Forest Diversion Proposal**

Stage-I approval for the project has been issued in No. 5-ORC418/2020-BHU dt.25<sup>th</sup> June, 2020 by MoEF & CC, Government of India, Eastern Regional Office, Chandrasekharpur, Bhubaneswar.

In the said approval order the condition No. ix prescribes, The Site Specific Wildlife Conservation Plan shall be prepared and duly approved by the CWLW, Odisha may be implemented at the project cost.\*

Wildlife Conservation PlanM/s Rungta Mines LimitedC. Villages and Habitation

i. Project Area: The project area covers parts of seventeen villages as stated above. There is no population within the project area and hence there will be no displacement.

ii. Impact Area of 10 kms Radius: The impact area covers parts of Champua CD Block and Koida CD Block.

The demographic pattern of these two Blocks as per 2011 census can be described as follows.

Sl. No.	Particulars	Keonjhar Dist. Champua CD Block	Sundargarh Dist Koida CD Block
1	No. of House Hold	25736	19713
2	Total Population	115321	86818
3	Total Male	57732	44024
4	Total Female	57589	42794
5	Total S C	10255 (8.9%)	5475 (6.3%)
6	S C Male	5158	2794
7	S C Female	5097	2681
8	Total S T	52966 (45.9%)	60938 (70.2%)
9	S T Male	26360	30243
10	S T Female	26606	30695
11	Total Literate	70775 (61.3%)	40467 (46.6%)
12	Male Literate	40566	24673
13	Female Literate	30209	15794
14	Total Workers	53116 (46%)	33285 (38.3%)
15	Male Workers	31161	23021
16	Female Workers	21955	10264

Employment: The major employment of this part of Keonjhar and Sundargarh Districts are mining and mining related activities. Several people are also industrial workers. Some of the local people also practice Agriculture mostly for their own consumption.

Cropping Pattern: Agriculture in the area mostly depend on rains. The major crop is paddy. Other crops like Ragi, Maize etc. are grown to some extent. Some people also grow vegetables which finds a ready market.

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

**Biotic Pressure:** Mining activities and Industrial activities are predominant factors in these areas. Due to various mining and allied activities the Forest area is gradually getting reduced. Therefore, the forests in the impact area are under heavy biotic pressure. The local people depend on these forests for fuel wood, small timber, construction timbers and several NTFP items. Similarly, the cattle population of the area depend solely on grazing. Stall feeding is not practiced in the area. Besides these pressures, Forest fire occurs repeatedly every year which destroys the humus content of the soil and also damages the regeneration.

**Impact on Wildlife:** Due to the heavy biotic pressure as narrated above the wild animals are gradually getting rarer. But due to reduction and degradation of Forest and wildlife habitat, animal depredation as-well as man-animal conflicts are increasing.

**Forest Blocks:**

The Forest Blocks located along the project area are as follows:

Sl. No.	Name of the RF	Location	Distance
1	Thakurani RF	East	1 km
2	Sidhmath RF	East	Adjoining
3	Karo RF	West	Adjoining
4	Uliburu	West	4 km
5	Mendhamaruni RF	South	1 km
6	Karo RF	North	3 km
7	Kathmal RF	South	2 km
8	Toda RF	North	3 km

**D. Topography, Natural Drainage Lines, Water Source:**

The project area passes through mostly plane land with moderately undulating patches. Natural drainage in the area takes place through Karo river.

**Climate**

The project area falls within the Tropical region which is marked by very hot and prominent summer. There are three distinct seasons, a prominent summer season from March to June. Well defined rainy season from July to October and moderate winter from November to February.

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

The average annual rainfall of past 5 years is 1583 mm. Maximum rainfall is received due to South-West Monsoon. About 80% of the rainfall is received during the month of July & August. The number of rainy days varies from 65 to 80 days during the year.

The temperature during summer rises very high. The maximum temperature rises to 44°C in hot summer whereas the minimum temperature at times comes down to 7°C during winter months.

The relative humidity varies from 95% during rainy season to 18% during summer.

**E. Details of Linear Infrastructures:**

**Roads:** The major road of the area is NH-215. The project area runs along the side of the road for most part of the length.

**Rail Line:** The Railway line from Bolani to Badbil lies at a distance of about 2.0 kms in North direction.

**Water Ways:** Karo river flows parallel to the project area for most parts.

**Other Projects within the Impact Area:** This is a mining belt. Several mining projects are located in the area.

**F. Description of Flora & Fauna****Project Area**

The project area doesn't come within any National Park, Wild Life Sanctuary, Elephant Reserve, Biosphere Reserve or any critical wildlife habitat. There is also no such protected area within the impact area. There is also no Elephant corridor near the project area.

**Flora of the Project Area:**

The detail list of Flora and Fauna of the area is enclosed as *Annexure-V*. Some of the plant species of Forestry importance found in the project area are:

**Flora of the Project Area**

Local Name	Botanical Name	Family Name
TREES		
Achu	<i>Morinda tinctoria</i>	Rubiaceae
Amba (Mango)	<i>Mangifera indica</i>	Anacardiaceae

Wildlife Conservation PlanM/s Rungta Mines Limited

Local Name	Botanical Name	Family Name
Amla	<i>Emblica officinalis</i>	Euphorbiaceae
Asan	<i>Terminalia tomentosa</i>	Combretaceae
Bahada	<i>Terminalia bitorica</i>	Combretaceae
Char	<i>Buchnanian lanzan</i>	Anacardiaceae
Dhaman	<i>Grewia tillaefolia</i>	Combretaceae
Dhaura	<i>Anogeissus latifolia</i>	Combretaceae
Dhala siris	<i>Albizia procera</i>	Mimosaceae
Haldu	<i>Adina cordifolia</i>	Rubiaceae
Harida	<i>Terminalia chebula</i>	Combretaceae
Jamun	<i>Syzygium cumini</i>	Myrtaceae
Kaluchia	<i>Diospyros sylvatica</i>	Ebenaceae
Kamalagundi	<i>Mallotus philippinensis</i>	Euphorbiaceae
Kendu	<i>Diospyros melanoxylon</i>	Ebenaceae
Kumbhi	<i>Careya arborea</i>	Myrtaceae
Kusum	<i>Schleichera oleosa</i>	Sapindaceae
Mahul	<i>Madhuca indica</i>	Sapotaceae
Moi	<i>Lannea grandis</i>	Anacardiaceae
Mundi	<i>Mitragyna parviflora</i>	Rubiaceae
Palas	<i>Butea monosperma</i>	Papilionaceae
Rai	<i>Dillenia pentagyna</i>	Dilleniaceae
Rohini/ Som	<i>Soymida febrifuga</i>	Meliaceae
Sal	<i>Shorea robusta</i>	Dipterocarpaceae
Semul	<i>Bombax ceiba</i>	Bombacaceae
Sidha	<i>Lagerstroemia parviflora</i>	Lythraceae
Siris/ Tentra	<i>Albizia lebbek</i>	Mimosaceae
Teak	<i>Tectona grandis</i>	Verbenaceae
HERBS/SHRUBS		
Anantamula	<i>Hemidesmus indicus</i>	Asclepiadaceae
Arakha	<i>Calotropis procera</i>	Asclepiadaceae
Baibidanga	<i>Embellia robusta</i>	Myrsinaceae
Basanga	<i>Adhatoda vasica</i>	Acanthaceae
Dhatki	<i>Woodfordia fruticosa</i>	Lythraceae
Kurei	<i>Holarthema antidysenterica</i>	Apocynaceae
CLIMBERS		
Atundi	<i>Combretum decandrum</i>	Combretaceae
Baldanka	<i>Mucuna monosperma</i>	Papilionaceae

Wildlife Conservation PlanM/s Rungta Mines Limited

Local Name	Botanical Name	Family Name
Bichhuati	<i>Urtica dioica</i>	Euphorbiaceae
Muturi	<i>Smylax macrophylla</i>	Liliaceae
Siali	<i>Bauhinia vahlii</i>	Papilionaceae
Satabari	<i>Asparagus racemosus</i>	Liliaceae

Fauna of the Project Area:

As per the Site Inspection Reports of the DFOs, indicate as follows:

Keonjhar Forest Division: "Sidhamath Reserved Forest is the dwelling habitat for Elephant, Leopard, Bear, Barking Deer, Hyena, Porcupine etc. Wild elephants often visit Sidhamath Reserved Forest and the adjoining Forest Blocks. The proposed site falls under elephant habitat zone-2 as per the book titled Remote Sensing Application for characterization of elephant habitat and corridor in Odisha and parts of Bihar, published by ORSAC in September, 1999."

Bonai Forest Division: "Wild animals such as Jungle Cat, Mongoose, Indian Hare, Jackal etc. and different type of birds are noticed in the area. No rare or endangered flora or fauna is found in the area."

Besides the other fauna found in the project area are as follows:

Local Name	English Name	Zoological Name	Schedule
MAMMALS			
Bilua	Jackal	<i>Canis aureus</i>	II
Heta	Hyena	<i>Hyaena hyaena hyaena</i>	III
Kutura	Barking deer	<i>Muntiacus muntjak</i>	III
Mankad	Monkey	<i>Presbytes entellus</i>	II
Neula	Mongoose	<i>Herpestes edwardsii</i>	II
Sallapatni	Small Indian Civet	<i>Viverricula indica</i>	II
Thekua	Indian Hare	<i>Lepus nigricollis</i>	IV
BIRDS			
Bana Kukuda	Jungle fowl	<i>Gallus gallus</i>	IV
Gunduri	Grey Partridge	<i>Francolinus pondicerianus</i>	IV
Kajalpati	Black Drongo	<i>Didrirus adsimillis</i>	IV
Kapta	Ring Dove	<i>Streptopelia decacto</i>	IV
Kathahana	Goldenbacked Woodpecker	<i>Dinopium benghalense</i>	IV

Wildlife Conservation PlanM/s Rungta Mines Limited

Local Name	English Name	Zoological Name	Schedule
Koel	Cuckoo	<i>Eudynamis Scolopaceus</i>	IV
Pecha	Owl	<i>Athere brama brama</i>	IV
Kumbhatua	Crow pheasant	<i>Centropus sinensis</i>	IV
REPTILES			
Dhamana	Rat snake	<i>Ptyas mucosus</i>	II
Boda	Common Boa	<i>Boa constricta</i>	IV
Chiti	Common Indian Krait	<i>Bangarus caruleus</i>	IV
Naga	Cobra	<i>Naja naja</i>	II
Godhi	Monitor Lizard	<i>Varanus bengalensis</i>	II
Endua	Garden Lizard	<i>Calotes versicolor</i>	

Impact Area:

The impact area extends over several Forest Blocks. The important Forest Blocks have been indicated earlier:

Due to the presence of the Forest Blocks, the Flora and Fauna are quite diverse.

Flora of the Impact Area:

The following are the important Flora of the Impact area:

**Table No.-VII: Flora of the Impact Area**

Local Name	Botanical Name	Family Name
TREES		
Achu	<i>Morinda tinctoria</i>	Rubiaceae
Amba (Mango)	<i>Mangifera indica</i>	Anacardiaceae
Amia	<i>Emblica officinalis</i>	Euphorbiaceae
Asan	<i>Terminalia tomentosa</i>	Combretaceae
Bahada	<i>Terminalia bellerica</i>	Combretaceae
Bara bakulia	<i>Dalbergia paniculata</i>	Pailanaceae
Baruna	<i>Crateva religiosa</i>	Capparideceae
Bel	<i>Aegle marmelos</i>	Rutaceae
Bhalia	<i>Semecarpus anacardium</i>	Anacardiaceae
Bheru	<i>Chloroxylon swietenia</i>	Meliaceae
Bija/Piasal	<i>Pterocarpus marsupium</i>	Papilionaceae
Chadeigudi	<i>Vitex peduncularis</i>	Verbinaceae
Char	<i>Buchnanania lanzan</i>	Anacardiaceae
Chhatian	<i>Alostonia scholaris</i>	Apocynaceae

Wildlife Conservation PlanM/s Rungta Mines Limited

Local Name	Botanical Name	Family Name
Chikini/ Kalchua	<i>Glochidion lanceolarium</i>	Euphorbiaceae
Dhaman	<i>Grewia tillaefolia</i>	Combretaceae
Dhaura	<i>Anogeissus latifolia</i>	Combretaceae
Dhala siris	<i>Albizzia procera</i>	Mimosaceae
Gangasiuli	<i>Nyctanthes arbotristis</i>	Oleaceae
Gendull	<i>Sterculia urens</i>	Sterculiaceae
Ghar-Khair	<i>Acacia lenticularis</i>	Mimosaceae
Ghantol	<i>Zizyphus glaberrima</i>	Rhamnaceae
Giringa	<i>Pterospermum heyneanum</i>	Sterculiaceae
Haldu	<i>Adina cordifolia</i>	Rubiaceae
Harida	<i>Terminalia chebula</i>	Combretaceae
Jamun	<i>Syzygium cuminii</i>	Myrtaceae
Kaluchia	<i>Diospyros sylvatica</i>	Ebenaceae
Kamalagundi	<i>Mallotus philippinensis</i>	Euphorbiaceae
Kansa	<i>Hymenodictyon excelsum</i>	Rubiaceae
Kantapalas	<i>Cochlospermum gossypium</i>	Bixaceae
Kendu	<i>Diospyrus melanoxylon</i>	Ebenaceae
Khakra	<i>Casearia elliptica</i>	Samydaceae
Kodal	<i>Firmiana colorata</i>	Sterculiaceae
Kumbharchikni	<i>Canthium didymum</i>	Rubiaceae
Kumbhi	<i>Careya arborea</i>	Myrtaceae
Kusum	<i>Schleichera oleosa</i>	Sapindaceae
Mahul	<i>Madhuca indica</i>	Sapotaceae
Mankada Kendu	<i>Diospyros embryopteris</i>	Ebenaceae
Moi	<i>Lannea grandis</i>	Anacardiaceae
Mundi	<i>Mitragyna parviflora</i>	Rubiaceae
Paladhua	<i>Erithrina indica</i>	Papilionaceae
Palas	<i>Butea monosperma</i>	Papilionaceae
Rai	<i>Dillenia pentagyna</i>	Dilleniaceae
Ritha	<i>Sapindus emarginatus</i>	Sapindaceae
Rohini/ Som	<i>Soymida febrifuge</i>	Meliaceae
Sal	<i>Shorea robusta</i>	Dipterocarpaceae
Salai	<i>Boswellia serrata</i>	Burseraceae

Wildlife Conservation PlanM/s Rungta Mines Limited

Local Name	Botanical Name	Family Name
Semul	<i>Bombax ceiba</i>	Bombacaceae
Sidha	<i>Lagerstroemia parviflora</i>	Lythraceae
Siris/ Tentra	<i>Albizia lebbek</i>	Mimosaceae
Teak	<i>Tectona grandis</i>	Verbenaceae
Telkuran	<i>Ixora arborea</i>	Rubiaceae
Tinia	<i>Albizia odoratissima</i>	Mimosaceae
HERBS/SHRUBS		
Anantamula	<i>Hemidesmus indicus</i>	Asclepiadaceae
Arakha	<i>Calotropis procera</i>	Asclepiadaceae
Baibidanga	<i>Embelia robusta</i>	Myrsinaceae
Basanga	<i>Adhatoda vasica</i>	Acanthaceae
Dhatki	<i>Woodfordia fruticosa</i>	Lythraceae
Kurei	<i>Holarrhena antidysenterica</i>	Apocynaceae
CLIMBERS		
Atundi	<i>Combretum decandrum</i>	Combretaceae
Baidanka	<i>Mucuna monosperma</i>	Papilionaceae
Bichhuati	<i>Urtica dioica</i>	Euphorbiaceae
Muturi	<i>Smylax macrophylla</i>	Liliaceae
Siali	<i>Bauhinia vahlii</i>	Papilionaceae
Satabari	<i>Asparagus racemosus</i>	Liliaceae

**Fauna of the Impact Area:**

There are several mining and other projects operating within the impact area. Due to regular disturbance by various mining activities, the wild animals are rarely seen in this area. The common wildlife species which are occasionally seen in this area are:

**Table No.-VIII: Fauna of the Impact Area**

Local Name	English Name	Zoological Name	Schedule
MAMMALS			
Belera Musa	Giant squirrel	<i>Ratufa bicolor</i>	II
Bhalu	Sloth bear	<i>Melursus ursinus ursinus</i>	II
Barha	Wild Boar	<i>Sus scrofa cristatus</i>	III

Wildlife Conservation PlanM/s Rungta Mines Limited

<b>Local Name</b>	<b>English Name</b>	<b>Zoological Name</b>	<b>Schedule</b>
Bilua	Jackal	<i>Canis aureus</i>	II
Kalara Patria bagha	Leopard	<i>Panthera pardus</i>	I
Jhinka	Porcupine	<i>Hystrix indica</i>	IV
Kutura	Barking deer	<i>Muntiacus muntjak</i>	III
Harina	Spotted deer	<i>Axis axis</i>	III
Mankad	Monkey	<i>Presbytes entellus</i>	II
Neula	Mongoose	<i>Herpestes edwardsii</i>	II
Saliapatni	Small Indian Civet	<i>Viverricula indica</i>	II
Thekua	Indian Hare	<i>Lepus nigricollis</i>	IV
Heta Bagha	Striped Hyaena	<i>Hyaena hyaena hyaena</i>	III
Hati	Elephant	<i>Elephas maximus</i>	I
<b>BIRDS</b>			
Bana Kukuda	Jungle fowl	<i>Gallus gallus</i>	IV
Gundur	Grey Partridge	<i>Francolinus pondicerianus</i>	IV
Kajalpati	Black Drongo	<i>Didrirus adsimillis</i>	IV
Kapta	Ring Dove	<i>Streptopelia decaocto</i>	IV
Koel	Cuckoo	<i>Eudynamis scolopacea</i>	IV
Kumbhatua	Crow pheasant	<i>Centropus sinensis</i>	IV
Kathahana	Wood pecker	<i>Picoides nanus</i>	IV
Kathahana	Goldenbacked Woodpecker	<i>Dinopium benghalense benghalense</i>	IV
Sari	Hill Myna	<i>Gracula religiosa</i>	IV
Sua	Large Indian Parakeet	<i>Psittacula nipalensis</i>	IV
<b>REPTILES</b>			
Dhamana	Rat snake	<i>Ptyas mucosus</i>	II
Boda	Common Boa	<i>Boa constricta</i>	IV
Chiti	Common Indian Krait	<i>Bangarus caruleus</i>	IV
Ajagar	Indian python	<i>Python molurus molurus</i>	I
Naga	Cobra	<i>Neja neja</i>	II
Godhi	Monitor Lizard	<i>Varanus bengalensis</i>	II
Endua	Garden Lizard	<i>Calotes versicolor</i>	

**G. Description of Forest and Habitat Condition**i. Forest and Forest type:

As per the India State of Forest Report 2013 to 2019, Keonjhar and Sundargarh Districts have the following types of Forests.

**Keonihar District**

Type of Forest	Area in Sq. Kms			
	2013	2015	2017	2019
Geographical Area	8303	8303	8303	8303.
Very dense Forest	303	290	289	288.78
Moderately dense Forest	1385	1401	1404	1420.07
Open Forest	1523	1517	1519	1513.31
Total	3211	3208	3212	3222.16
% of Geographical Area	38.67	38.64	38.68	38.80
Scrub	54	56	55	53.24

It can be seen that, during the period, there has been some improvement of forest area. During the period although 15 sq. kms of very dense forest has been degraded, there has been improvement of moderately dense forest and open forest by 35 sq. km.

**Sundargarh District**

Type of Forest	Area in Sq. Kms			
	2013	2015	2017	2019
Geographical Area	9712	9712	9712	9712
Very dense Forest	1044	1020	1019	1020.87
Moderately dense Forest	1771	1826	1814	1858.38
Open Forest	1333	1309	1431	1394.12
Total	4148	4155	4264	4273.37
% of Geographical Area	42.71	42.78	43.90	44.00
Scrub	129	128	89	88.89

It can be seen that, during the period, there has been some degradation in dense forest and some improvement of moderately dense forest area. During the period although 24 sq. kms of very dense forest has been degraded, there has been improvement of moderately dense forest by 63 sq. km.

**Forest Type:** Total forests of Bonai Forest Division is 1683.677 km<sup>2</sup> as per current Working Plan. Forests of the Division have been classified into following types and sub-types by Champion and Seth.

1. Sub group 3C – Northern Indian Tropical Moist Deciduous Forests.
  - Type 3C / C2 Moist Peninsular Sal
  - Sub-type 3C/C2e (i) Moist Peninsular High level Sal
  - 3C/C2e (ii) Moist Peninsular Low level Sal
  - 3C/C2e (iii) Moist Peninsular Valley Sal
2. Sub group 5B – Northern Tropical Dry Deciduous Forests.
  - (i) Type 5B/C1 Dry Sal bearing forests
  - Sub-type 5B/C1e - Dry Peninsular Sal Forests
  - (ii) Type 5B/C2 – Northern Dry Mixed Deciduous Forests
  - (iii) Type 5E/ 9 Dry Bamboo break
3. Sub group 2B – Northern Tropical semi Evergreen Forests and *Terminalia tomentosa* forests.

The geological formation and the soil conditions are very suitable for the growth of sal and its associates.

The forest areas of this region in general are under heavy Biotic pressure.

ii. Wildlife Habitat:

There has been general deterioration in forest cover and wildlife habitat, but, Keonjhar Forest Division and parts of Bonai Forest Division continue to have rich wildlife resource. It has been found out that, the Reserved Forests in general sustain a substantial number of floral and faunal species, and their level of biodiversity is at par or even better than many Protected Areas. In many of the Forest patches Silvicultural operations are to be taken up in order to improve the habitat condition.

Heavy and continuous biotic pressure has caused considerable degradation of forests over the years and adversely affected the biodiversity of Flora and Fauna.

Habitat condition: The project area, is situated in the Mining/ Industrial belt of Odisha. Several mining projects and industries are in operation or proposed to be operated around the project area. Hence some of the impact zone of this project

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

will be the active project area of some other project. This belt once contained excellent forest growth.

The impact area has very important Reserved Forests like Thakurani RF, Sidhamath RF, Karo RF, Uliburu RF, Mendhamaruni RF, Karo RF, Kathmal RF, Toda RF.

As per the Working plan, the above forest blocks are placed under different working circles as follows:

Sl. No.	Name of the RF	Area in Ha.	Working Circle assigned
<b>KEONJHAR FOREST DIVISION</b>			
1	Sidhamath RF	5766.059	IWC & RWC
2	Karo RF	5272.879	IWC & Prot. WC
3	Thakurani RF	4455.306	RWC
4	Uliburu RF	980.205	IWC
<b>BONAI FOREST DIVISION</b>			
1	Karo RF	1419.063	SWC
2	Kathmal RF	101.174	SWC
3	Mendhamaruni RF	512.937	SWC & RWC
4	Toda RF	15703.988	SWC & Prot. WC

These Forest areas particularly, Karo RF and Toda RF are very large and having dense forest growth. These are good habitats for large animals like Elephants.

Other animals as indicated above are also present in these forests.

**H. Movement of Mega Wildlife in the Impact Area:**

Elephant movement is often noticed in the above areas.

**Man- Animal Conflict Data:****KEONJHAR FOREST DIVISION****Information of Death of Elephants**

Elephant	Range	Location	Cause of Death	
2016-17				
		NIL		
2017-18				
Female-40years	Telkoi	Udayagigi (Munda Sahi )	Due to	N- 21-18-47

Wildlife Conservation PlanM/s Rungta Mines Limited

			septicemia	E-85-22-27.44
Female-7 years	Keonjhar	Near Village Dumuria Rashi field		N-21-27-27.4 E-85-34-09.0
2018-19				
Male-12 to 14 Years	Champua	Chamakpur KF. 150 meters away from river Baitarani	Due to shock arising from septicemia	N-21-59-45.93 E- 85-28-21.93
Female-30 Years	Keonjhar	Basantpur & Naranpur between Railway Station	Due to Train accident	N- 21-34-39.9 E- 85-38-49.6
Male Calf- 1 Month old	Champua	Mahaparbat DPF, Near village Hatimara Chhak	Due to Fighting among male & Female elephants	N-21-51-14.6 E-85-25-16.6
2019-20				
Female- 15 to 20 years	Ghatagaon	Near Gayalmunda Village	Inside Barabanka RF	N- 21-27-43.7 E- 85-46-15.1
2 Female & 1 Calf	Ghatagaon	Atei RF	Truck & Bus Accident on 21.08.2019	

Human Death due to Wild Animal Attack

Name of the Range	No. of cases	Compassionate Amount
2015-16 (Human death by Elephants)		
Champua	3 nos	900000
Patna	1 no	300000
Telkoi	1 no	300000
Keonjhar	3 nos	900000
BJP	2 nos	600000
<b>Total</b>	<b>10 nos</b>	<b>3000000</b>
2016-17 (Human death by Elephants)		
Barbil	1 no	300000
BJP	1 no	300000
Ghatagaon	1 no	300000
Keonjhar	1 no	300000
Champua	3 nos	900000
<b>Total</b>	<b>7 nos</b>	<b>2100000</b>
2016-17 (Human death by Wild Bear)		
Patna	1 no	300000
Telkoi	1 no	300000
<b>Total</b>	<b>2 nos</b>	<b>600000</b>

Wildlife Conservation PlanM/s Rungta Mines Limited

2017-18 (Human death by Elephants)		
Champua	3 nos	900000
BJP	1 no	300000
Ghatagaon	2 nos	NIL
Telkoi	1 no	300000
Keonjhar	1 no	300000
	<b>8 nos</b>	<b>1800000</b>
2017-18 (Human death by Wild Bear)		
BJP	2 nos	600000
2018-19 (Human death by Elephants)		
BJP	1 no	NIL
Champua	3 nos	NIL
Keonjhar	3 nos	400000
Barbil	1 no	400000
	<b>8 nos</b>	<b>800000</b>
2018-19 (Human death by Wild Bear)		
Keonjhar	5nos	1600000
Ghatagaon	1 no	NIL
<b>Total</b>	<b>6 nos</b>	<b>1600000</b>
2019-20 (Human death by Elephants)		
BJP	1 no	NIL
Telkoi	1 no	NIL
<b>Total</b>	<b>2 nos</b>	<b>NIL</b>

XII: Human Injury Due to Wild Animal Attack

Human Injury by wild animal	Range	Number of cases	Amount Payment
2015-16			
Elephant	BJP	3 nos	10000
Elephant	Champua	1 no	5000
Bear	BJP	6 nos	15000
Bear	Ghatagaon	3 nos	110000
Bear	Patna	8 nos	110000
Bear	Keonjhar	10 nos	133330
Bear	Champua	1 no	100000
2016-17			
Elephant	Champua	1 no	NIL
Elephant	Telkoi	2 nos	10000
Elephant	Keonjhar	1 no	100000
Bear	Patna	5 nos	100000
Bear	BJP	7 nos	10000
Bear	Keonjhar	11 nos	125000
Bear	Ghatagaon	3 nos	180000
Bear	Telkoi	2 nos	10000
2017-18			
Elephant	BJP	1 no	NIL

Wildlife Conservation PlanM/s Rungta Mines Limited

Elephant	Telkoi	1 no	5000
Elephant	Keonjhar	1 no	NIL
Elephant	Champua	1 no	100000
Bear	Keonjhar	2 nos	NIL
Bear	BJP	5 nos	NIL
Bear	Patna	6 nos	10000
Bear	Keonjhar	1 no	NIL
Bear	Telkoi	2 nos	5000
Bear	Ghatagaon	5 nos	115000
2018-19			
Elephant	Telkoi	3 nos	5000
Elephant	Champua	1 no	NIL
Elephant	BJP	2 nos	NIL
Bear	Keonjhar	6 nos	205000
Bear	Ghatagaon	3 nos	NIL
Bear	Patna	5 nos	15000
Bear	Champua	5 nos	25000
Bear	Barbil	1 no	NIL
Bear	Telkoi	4 nos	NIL
Bear	BJP	1 no	NIL
2019-20			
Elephant	Ghatagaon	1 no	NIL
Bear	Patna	2 nos	NIL
Bear	Ghatagaon	1 no.	NIL

House Damage by Elephants

Range	No. of cases damaged			Amount Sanctioned
	Partly	Fully	Total	
<b>2016-17</b>				
Champua	55	6	61	170000
Barbil	9	0	9	18000
Patna	2	0	2	4000
BJP	15	6	21	90000
Ghatagaon	1	5	6	52000
Keonjhar	3	0	3	6000
<b>Total</b>	<b>85</b>	<b>17</b>	<b>102</b>	<b>340000</b>
<b>2017-18</b>				
Barbil	40	2	42	100000
Champua	87	30	117	474000
Patna	27	11	38	164000
BJP	13	2	15	46000
<b>Total</b>	<b>170</b>	<b>46</b>	<b>216</b>	<b>800000</b>
<b>2018-19</b>				
Champua	41	45	86	532000

Wildlife Conservation PlanM/s Rungta Mines Limited

Keonjhar	10	1	11	30000
Patna	1	0	1	2000
Telkoi	6	0	6	12000
<b>Total</b>	<b>58</b>	<b>46</b>	<b>104</b>	<b>576000</b>
<b>2019-20</b>				
Champua	10	9	19	110000
Keonjhar	0	1	1	10000

Crop Damage by Elephants

Range	No. of Villages	Type of Crop						Amount Rupees
		Paddy & cereals		Cash crop		Total		
		No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	
<b>2016-17</b>								
Keonjhar	10	82	27.38			82	27.38	273800
Patna	21	63	28.57	6	1.14	69	29.71	299380
Barbil	8	74	26.57	18	6.10	92	32.67	338900
Barbil	5	68	27.17	11	2.09	79	29.26	296780
Barbil	6	68	24.33			68	24.33	243300
Champua	17	103	40.16			103	40.16	401600
Champua	27	90	35.03			90	35.03	350300
Keonjhar	8	20	5.27	5	1.22	25	6.49	67340
Telkoi	11	27	8.34			27	8.34	83400
Patna	5	27	4.11			27	4.11	41100
Patna	12	78	25.80	3	0.46	81	26.26	263520
Ghatgaon	5	21	5.64	5	1.48	26	7.12	74160
BJP	9	51	9.12			51	9.12	91200
Champua	9	73	14.01			73	14.01	140100
Champua	15	92	20.72			92	20.72	207200
Telkoi	18	53	13.91	5	4.32	58	13.91	147740
Keonjhar	8	86	20.91			86	20.91	209100
Champua	13	75	30.67			75	30.67	306700
Telkoi	18	96	16.58			96	16.58	165800
Champua	2	90	15.43			90	15.43	154300
Champua	2	86	13.05			86	13.05	130500
Champua	1	78	15.59			78	15.59	155900
Keonjhar	8	85	23.15			85	23.15	231500
Keonjhar	15	93	20.59			93	20.59	205900
Telkoi	22	74	14.47			74	14.47	144700
BJP	15	62	13.69			62	13.69	136900
Ghatgaon	17	85	18.73			85	18.73	187300
Telkoi	32	95	16.49			95	16.49	164900
Telkoi	11	84	9.56			84	9.56	95600
Ghatgaon	17	79	17.55			79	17.55	175500
Patna	1	6	1.24			6	1.24	12400
Keonjhar	14	81	18.24			81	18.24	182400

Wildlife Conservation PlanM/s Rungta Mines Limited

Range	No. of Villages	Type of Crop						Amount Rupees
		Paddy & cereals		Cash crop		Total		
		No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	
Telkoi	14	62	9.50			62	9.50	95000
Keonjhar	16	82	18.11			82	18.11	181100
Champua	17	104	24.43			104	24.43	244300
Champua	4	105	24.15			105	24.15	241500
Keonjhar	19	96	22.32			96	22.32	223200
Ghatgaon	8	70	13.8			70	13.8	138000
Keonjhar	8	92	27.15			92	27.15	271500
Keonjhar	22	75	18.09	7	1.36	82	19.44	197160
Ghatgaon	22	81	15.81			81	15.81	158100
Keonjhar	11	61	13.51	3	1.35	64	14.86	137800
Champua	18	79	12.22			79	12.22	122200
Ghatgaon	11	53	10.79			53	10.79	107900
Champua	15	74	26.15			74	26.15	261500
Keonjhar	6	32	11.09	11	2.17	43	13.26	115240
Telkoi	14	49	10.10			49	10.10	101000
BJP		101	29.48			101	29.48	294800
Champua		91	22.76			91	22.76	227600
Champua		50	14.80			50	14.80	148000
Champua		86	28.01			86	28.01	280100
	<b>587</b>	<b>3688</b>	<b>934.34</b>	<b>74</b>	<b>21.69</b>	<b>3762</b>	<b>951.7</b>	<b>9525220</b>
<b>2017-18</b>								
Telkoi	11	55	10.43			55	10.43	104300
Patna	6	55	14.23			55	14.23	142300
Patna	4	49	17.26			49	17.26	172600
Patna	10	60	10.28	2	1.52	62	11.80	121040
Barbil	12	33	19.25	10	2.40	43	21.65	221300
Barbil	15	62	32.22	8	3.77	70	35.99	367440
Champua	15	73	18.42			73	18.42	184200
Champua	2	16	3.47			16	3.47	34700
Telkoi	15	26	3.95	10	3.54	36	7.49	81980
Telkoi	22	63	11.85			63	11.85	118500
Telkoi	13	34	4.47	16	5.61	50	10.35	114720
Telkoi	9	37	7.13			37	7.13	71300
patna	5	40	10.57			40	10.57	105700
keonjhar	15	49	12.20	1	0.24	50	12.44	124880
ghatgaon	11	36	11.56	1	0.12	37	11.68	117040
patna	3	49	9.29			49	9.29	92900
Telkoi	25	68	13.52			68	13.52	135200
Telkoi	28	73	15.03			73	15.03	150300
Champua	6	33	8.80			33	8.80	88000
Champua	9	68	15.94	1	0.20	69	16.14	161800
Champua	9	45	14.49			45	14.49	144900
Champua	12	59	16.60			59	16.60	166000
patna	9	65	20.56	10	2.60	75	23.16	236800
keonjhar	11	40	5.56			40	5.56	56500
keonjhar	4	50	13.72			50	13.72	137200

Wildlife Conservation PlanM/s Rungta Mines Limited

Range	No. of Villages	Type of Crop						Amount Rupees
		Paddy & cereals		Cash crop		Total		
		No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	
BJP	14	55	13.03	5	1.10	60	14.13	143500
Champua	10	39	13.50			39	13.50	135000
Keonjhar	18	58	8.52	2	0.50	60	9.02	91200
BJP	27	66	14.08			66	14.08	149600
BJP	15	60	12.35			60	12.35	123500
Champua	8	15	1.96			15	1.96	19600
Champua	8	33	10.47			33	10.47	104700
Champua	12	62	9.63			62	9.63	96300
Champua	4	57	8.52			57	8.52	85200
Champua	10	54	7.58			54	7.58	75800
Champua	3	35	4.96			35	4.96	49600
Champua	2	3	0.43			3	0.43	4300
Champua	11	100	14.98			100	14.98	149800
Ghatgaon	21	112	35.20	3	1.01	115	36.21	364120
Ghatgaon	38	145	43.55			145	43.55	435500
Champua	12	50	16.00			50	16.00	160000
Champua	17	79	18.79			79	18.79	187900
Champua	24	191	57.58			191	57.58	575800
Telkoi	22	71	13.62			71	13.62	136200
Keonjhar	22	95	31.21	5	0.95	100	32.16	323500
K/P/B/G						129	37.21	375480
Champua						4	0.74	8880
Keonjhar						10	2.61	31100
Keonjhar						29	7.65	76860
Keonjhar						158	52.82	539600
Keonjhar						165	34.09	342700
	<b>579</b>	<b>2618</b>	<b>656.76</b>	<b>74</b>	<b>23.56</b>	<b>3187</b>	<b>815.71</b>	<b>8237340</b>
<b>2018-19</b>								
Telkoi	11	15	3.70	6	1.68	21	5.38	57160.00
Telkoi	6	2	0.32	10	1.83	12	2.15	24800.00
Champua	5	5	0.93	20	4.87	25	5.80	67740.00
Telkoi	2	6	1.57			6	1.57	18600.00
Keonjhar	2	1	0.07	2	0.21	3	0.28	3220.00
Telkoi	4			12	2.02	12	2.02	24240.00
Telkoi	3	1	0.15	7	1.17	8	1.32	15540.00
Ghatgaon	8	3	0.82	11	3.42	14	4.24	49240.00
Patna	2	25	3.95			25	3.95	39500.00
Telkoi	11	26	2.79	20	3.33	46	6.12	67660.00
Keonjhar	20	31	3.84	13	2.16	44	6.00	64320.00
Telkoi	9	21	3.52	1	0.18	22	3.70	37300.00
Patna	3	13	2.11			13	2.11	21100.00
Keonjhar	19	29	6.28	4	1.18	33	7.46	76960.00
Keonjhar	8	38	5.58			38	5.58	55800.00
Keonjhar	4	27	4.65			27	4.65	46500.00
Telkoi	2	11	1.82			11	1.82	18200.00
Champua	8	29	9.40	1	0.60	30	10.00	100000.00

## Wildlife Conservation Plan

## M/s Rungta Mines Limited

Range	No. of Villages	Type of Crop						Amount Rupees
		Paddy & cereals		Cash crop		Total		
		No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	
Champua		35	4.80			35	4.80	48000.00
Telkoi	1	8	1.05			8	1.05	10500.00
Ghatgaon	6	30	9.63			30	9.63	96300.00
Keonjhar	16	44	9.93			44	9.93	99300.00
Keonjhar	22	56	14.32	1	0.19	57	14.51	145480.00
Keonjhar	12	41	7.18			41	7.18	71800.00
Telkoi	12	28	5.52			28	5.52	55200.00
Patna	8	28	7.75	8	0.98	36	8.73	89260.00
Keonjhar	20	64	15.64			64	15.64	156400.00
Champua	1	27	5.23			27	5.23	52300.00
Telkoi	7	16	4.7			16	4.70	47000.00
Champua	4	37	8.69			37	8.69	86900.00
Keonjhar	17	23	6.02			23	6.02	60200.00
Telkoi	6	23	5.83			23	5.83	58300.00
Champua	8	65	15.52			65	15.52	155200.00
Keonjhar	16	31	9.58			31	9.58	95800.00
Champua	12	48	10.13	3	0.76	51	10.89	108900.00
Keonjhar	14	31	12.16			31	12.16	121600.00
keonjhar	15	56	18.00			56	18	180000.00
keonjhar	20	49	15.04	4	0.4	53	15.44	155200.00
Patna	4	6	0.70			6	0.70	7000.00
Ghatagaon	3	18	4.9			18	4.90	49000.00
Ghatagaon	11	45	13.39			45	13.39	133900.00
keonjhar	18	40	14.38			40	14.38	143800.00
Telkoi	18	42	9.98			42	9.98	99800.00
Telkoi	11	31	5.72			31	5.72	57200.00
Champua	4	59	13.74			59	13.74	137400.00
Telkoi	20	104	26.83			104	26.83	268300.00
Telkoi	15	39	7.96			39	7.96	79600.00
Champua	7					55	13.26	135700.00
Champua	17	85	18.75			85	18.75	187500.00
Telkoi	11	31	5.94			31	5.94	59400.00
Telkoi	22	48	8.82	1	0.16	49	8.98	90100.00
keonjhar	28	43	15.79	2	0.59	45	13.38	164900.00
patna	7	22	4.80			22	4.80	48000.00
patna	7	70	21.43			70	21.43	214300.00
Champua	9	28	6.66			28	6.66	66600.00
Telkoi	24	43	9.30	1	0.57	44	9.87	99840.00
Champua	4	57	13.79			57	13.79	137900.00
Champua	14	45	10.64			45	10.64	106400.00
Ghatagaon	6	11	2.95			11	2.95	29500.00
Champua	2	27	6.28			27	6.28	62800.00
Champua	14	67	14.03			67	14.03	140300.00
Champua	2	31	6.83			31	6.83	68300.00

Wildlife Conservation PlanM/s Rungta Mines Limited

Range	No. of Villages	Type of Crop						Amount Rupees
		Paddy & cereals		Cash crop		Total		
		No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	No. of cases	Area (Ac.)	
Champua	9	63	13.43			63	13.43	134300.00
Champua	34	78	19.21			78	19.21	192100.00
BJP	19	95	27.52			95	27.52	279640.00
Telkoi	16	39	6.93	2	0.06	41	6.99	70100.00
Champua	14	73	16.11			73	16.11	161100.00
Champua	14	49	11.14			49	11.14	111400.00
patna	6	14	1.43			14	1.43	14340.00
BJP	21	95	26.13			95	26.13	261300.00
BJP	30	94	22.418			94	22.418	225444.00
Keonjhar	22	37	10.98	6	1.4	43	12.38	126600.00
Keonjhar	9	9				47	13.05	135160.00
Ghatagaon	16	98	27.00			98	27.00	270000.00
Ghatagaon	11	32	9.64			32	9.64	96400.00
BJP	19	77	22.542	8	1.38	85	23.926	241978.00
BJP	15	36	9.970	1	0.30	37	10.270	103300.00
BJP	6	35	8.802			35	8.802	88020.00
BJP	24	77	19.71			88	22.67	236220.00
Keonjhar	38	83				83	26.9	289740.00
B.J.P	24	64				64	16.96	170200.00
Telkoi	5	8				8	2.33	27500.00
B.J.P	1	44				44	11.78	117800.00
Telkoi	3	3	0.74	2	0.42	5	1.16	12400.00
Champua	8	27	2.8	7	1.24	34	4.04	42880.00
Patna	2			6	1.34	6	1.34	16060.00
Telkoi	4			6	1.24	6	1.24	14880.00
	992	3245	738.33	165	33.68	3514	856.26	8707922
2019-20								
Telkoi	4			33	4.60	33	4.60	53900
Telkoi	3			4	1.20	4	1.20	14300
Champua	2	1	0.12	2	0.26	3	0.38	4300
Champua	2			3	0.58	3	0.58	6960
Telkoi	5			8	1.90	8	1.90	22500
Barbil	2	2	0.60			2	0.60	6000
Patna	1	2	0.19			2	0.19	1900
	19	5	0.91	50	8.54	55	9.45	109860

Wildlife Conservation PlanM/s Rungta Mines LimitedBONAI FOREST DIVISION (SUNDARGARH DISTRICT)BONAI DIVISIONElephant Census

Year	No. of elephant found
2010	45
2012	42
2015	65
2017	60

Human Death by Wild Animal

Year	Human Death	Animal causing human death
2015-16	Nil	-
2016-17	Nil	-
2017-18	One	Elephant
2018-19	One	Elephant

Human Injury by Wild Animal

Year	No of Human involved	Animal causing injury
2015-16	Nil	-
2016-17	Nil	-
2017-18	Nil	-
2018-19	Nil	-

House damage by Elephants

Year	No. of Houses damaged
2015-16	30
2016-17	12
2017-18	15
2018-19	6

Crop damage by Elephants

Year	Crop area damaged in Ac.	Compensation paid in Rs.
2015-16	3.04	30,400
2016-17	40.30	4,03,000
2017-18	5.44	54,400
2018-19	22.88	2,28,800

Cattle kill by Wild Animal

Year	Name of Human Kill	Date & place of occurrence	Location
2015-16		- NIL -	

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

2016-17	- NIL -
2017-18	- NIL -
2018-19	- NIL -

**Details of death of wild animals**

Year	Date	Animal killed	Location	Cause of death
2015-16	-	Nil	-	-
2016-17	12.05.2016	Female Elephant-1	Teherai Khesra Forest, Teherai Beat. 21°54'33.5"N & 85°17'0.7" E	Natural
2017-18	-	Nil	-	-
2018-19	11.10.2018	Wild Boar - 1	Podadihi Khajuridih Beat	Poaching

Most of the man-elephant conflict takes place during crop harvesting season.

**I. Survey of Working Plan, Management prescriptions (as per Working Plan)**

The forest blocks present in the area are assigned to different Working Circles as follows:

Sl. No.	Name of the RF	Area in Ha.	Working Circle assigned
KEONJHAR FOREST DIVISION			
1	Sidhamath RF	5766.059	IWC & RWC
2	Karo RF	5272.879	IWC & Prot. WC
3	Thakurani RF	4455.306	RWC
4	Uliburu RF	980.205	IWC
BONAI FOREST DIVISION			
1	Karo RF	1419.063	SWC
2	Kathmal RF	101.174	SWC
3	Mendhamaruni RF	512.937	SWC & RWC
4	Toda RF	15703.988	SWC & Prot. WC

All these Forest Blocks coming within the impact zone have been placed under Selection Working Circle, Rehabilitation Working Circle, Improvement Working Circle or Protection Working Circle.

**a. Rehabilitation Working Circle:**

The forests under this Working Circle are mostly open mixed sal forests. The regeneration is poor because of biotic interference. Still sufficient rootstocks are

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

available at places like Thakurani, Baitarani etc. Normally these forests are found in close proximity to the human habitation and mines rich areas. Hence involvement of the local people JFM would give a better result to restore the forest.

The special objectives of Management of Rehabilitation Working Circle areas follows:

1. To regenerate the degraded forest blocks including the areas once affected by shifting cultivation, by appropriate silvicultural inputs and protection measures with people's participation.
2. To improve the micro-climate and micro-edaphic conditions through soil and moisture conservation measures.
3. To increase the biodiversity in forest crop by encouraging natural regeneration.
4. To meet the bona fide needs of the local inhabitants for fuel wood, small timber, fodder and N.T.F.P. to the extent possible depending upon the productivity of the forests to ensure their participation.

**b. Improvement Working Circle:**

The vegetation consists of mainly sal. These areas are affected by heavy grazing and illicit felling. Because of these biotic interferences the forests are tending towards open forest.

The Special objectives of Management of Improvement Working Circle areas follows:

1. To regenerate the degraded forest blocks by providing silvicultural inputs and protection measures with massive participation of people through JFM programmer.
2. To ensure soil and moisture conservation measures to enrich the micro-edaphic conditions for making the forest productive.
3. To meet the bona fide needs of the local inhabitants for fuel wood out of the thinning and other cultural operations as prescribed.
4. To tend the existing crop to get maximum growth.
5. To improve the density condition and composition of the crop.

**c. Selection Working Circle**

Special provisions are:

1. Trees standing within 50 mts on either side of nala banks shall not be marked for felling.

Wildlife Conservation PlanM/s Rungta Mines Limited

2. Trees standing within 50 mts radius of key habitats of wild animals shall not be marked
3. Trees having nesting dens of arboreal animals and the hollow trees which are used as assylum by wild animals shall not be marked for felling.
4. Except dead and uprooted trees, no tree standing within 20 mts along road sides shall be marked for felling.
5. Except for dead & uprooted trees, no tree shall be marked for felling in eroded areas and steep slopes.
6. Fruit bearing species shall not be marked.
7. All climbers should be cut at the time of marking except for endangered species.

Subsidiary silvicultural operations

1. Cleaning and thinning operations to be carried out in the year following main felling.
2. All marked trees left out to be removed.
3. Trees damaged more than 1/3<sup>rd</sup> at the time of main felling to be cut back.
4. All other species under 60 c.m. g.b.h. interfering with the growth of established regeneration of principal & secondary species to be felled and removed.
5. All the defective and mal formed stems of secondary species interfering with the growth of established regeneration of principal species are to be felled and removed.
6. Thinning is to be carried out in congested group of principal & secondary species under 60 c.m. g.b.h. as per prescribed formula.
7. No cleaning to be carried out in eroded areas.
8. In the blanks, eroded patches and pockets having sparse or bushy type are to be taken up for enrichment planting.

**d. Wild Life (Overlapping) Working Circle:**

The relentless anthropogenic pressure has adversely affected the biodiversity of flora and fauna due to considerable degradation of forests over the years.

This division has rich biodiversity of flora and fauna and has an important place in the wildlife wealth of Orissa. The major wild animals present in the division are given in the fore going paras. This Division forms an important buffer area to

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

Hadgarh Wildlife Sanctuary / form part of the migratory corridor for wild elephants. Proposals to declare the area as Baitarani Elephant Reserve is in the penultimate stage.

**Special Objective of Managements**

The special objectives of Management set for this Working Circle are within the ambit of the general objectives of management of the Working Plan. These include

- i To conserve, protect and improve wild life habitat with special emphasis on the proposed elephant reserve/corridor.
- ii To promote wild life in general and endangered species of fauna in particular.
- iii To create awareness among the local people regarding the necessity to conserve and protect the wild life and their habitat.
- iv To conserve and develop important wild life habitat for the purpose of eco-tourism.
- v To increase in biodiversity and wildlife population in the divisions.
- vi For prevention of wildlife related crimes.

**The Strategies:**

1. In a totally undisturbed natural process, the habitat needs no improvement, as the natural processes are self-sustaining and self-supporting ones that can very well take care of themselves. But biotic interferences have ravaged the natural system of both the Divisions, therefore bringing the need of controlling the factors required by species to follow in the course of evolution.
2. In order to achieve the objectives, the following strategies need to be adopted:

**Strategies for Wild Life Management.**

1	Biological & Ecological Measures	Habitat improvement, increasing prey-base, weed eradication, corridor linking.
2	Physical Measures	Site specific structures viz Water Harvesting Structures, Check Dams, Water holes, Soil and Water conservation measures.

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

3	Eco Development Measures	For fringe villages and villages located as islands inside forest blocks. Eco-development measures in the Multiple Use Zones.
4	Administrative Measures	Staff structure & amenities.
5	Landscape Approach	Overall

**Analysis and Valuation:**

Wildlife census has been carried out at intervals for different species of wildlife but no formal analysis and valuation of all such data have been done at the Divisional level except for statistical purposes. Due to degradation of the forest cover and the habitat, the number and type of wild animals in the forest is declining.

Wildlife and their habitat continue to be degraded which results in these wild animals coming out of the forests leading to man-animal conflicts. The major causes for habitat destruction are:

- i. Increased incidences of encroachment and clearance of forest areas for non-forest uses.
- ii. Increased demand for fuel wood, timber, fodder and other NTFPs
- iii. Lack of awareness amongst the people about wildlife conservation
- iv. Less focus on improvement of habitat for wildlife.
- v. Poaching for sport and meat, group hunting associated with festivals
- vi. Inadequacy of the forest staff to combat poaching incidence.
- vii. Heavy mining activities in both the divisions.
- viii. Habitat destruction and fragmentation, which affects wild life population

In spite of negligible inputs for wildlife and habitat improvement in the past, Keonjhar Forest Division still contains rich variety of wild animals.

**Area and Allotment:**

All the forest blocks, included in the Working Plan have been allotted to this Overlapping Working Circle in both Keonjhar and Bonai Forest Divisions. The circle covers the entire geographical area of Kendujhar Forest Division and Bonai Forest Division as far as protection of the wildlife is concerned.

**K. List of Experts and Methodology: -**Experts involved

Shri P. K. Sarangi I.F.S (Retd.) and Shri S.K. Ray OFS(I) Retd. took up the study along with the staff of Rungta Mines Ltd.

The team led by Shri P. K. Sarangi visited the field from 22.08.2020 to 30.08.2020 and collected the required information.

Methodology:Vegetation Study:**Project Area:**

The project area contains some portion of Sidhamath Reserved Forest.

As the project area is a linear strip, five patches of 100 m long strip of land was taken for the study and the list of flora available in the area was recorded.

**Impact Area:**

Since impact zone extends over some RF it was felt prudent to take up the study in the Reserve Forest area. Sidhamath and Mendhamaruni Reserve Forests were taken for the study. The methodology adopted for the study was as follows:

The methodology adopted for the study was as follows:

1. A base line of 500mts was selected in N-S direction including the project area.
2. Two transects lines of 500mts each perpendicular to the baseline one at a distance of 125 mts from the starting point and the other at a distance of 375 mts from the starting point was drawn. On the first transect line a sample plot of size 30m x 30m was marked at a distance of 150mts (transect line points 135mts to 165mts and 15 mts on either side of the transect line). On the second transect line the sample plot of size 30m x 30m was marked at a distance of 350mts (335 mts to 365 mts) as per the above procedure.
3. The list of the tree species available within the sample plot was prepared. Specimen of unidentified plants were preserved for further identification.
4. Secondary sample plots of size 5mx5m was laid at the center of each sample plot and in this secondary sample plot the list of herbs and shrubs were prepared.

**Wildlife Conservation Plan****M/s Rungta Mines Limited**

5. Tertiary sample plots of size 1mx1m was laid within the secondary sample plot to list out the grasses and ground cover.

**Study of Fauna**

This plan is prepared for conservation and management of wildlife depending on site specific problems. It is therefore necessary know the wildlife species present within the lease area as well as the impact area so as to design an appropriate plan.

**Methodology:**

Direct sighting of wild animals is a rare chance. The study had to rely on indirect evidences. The Site Inspection Report of the DFOs forms the main basis of to assess the presence of wildlife. Information are collected from the surrounding areas from various stake holders such as available records (wild life offence cases, animal depredation etc.), discussion with project employees, Forest Department staff and with the villagers within and around the project area as well as the impact zone. This method yielded the desired result. Besides where ever animal signs available at the time of field study the same was taken in to consideration. The wildlife habitat has also been studied and analyzed for possible presence of the animals.

Animal signs were also observed and recorded at the time of vegetation study.

The information was collected to deduce the presence of important wild animal species present in the area, particularly the scheduled animals in the category of Mammals, Birds, Reptiles, Amphibians and Insects and thereafter the final list has been prepared

**CHAPTER - II****IMPACT OF THE PROJECT**

This Project is a Transmission Line having two distinct phases, such as Construction Phase and Operation Phase. Hence the impact of the project is different in both the phases.

**A. Impact on Environment**

**Construction Stage:** Construction works which are likely to cause impact on Environment will involve the following activities:

- Site clearance and excavation;
- Transportation, storage and handling of construction materials;
- Movement of workers, vehicles and machineries;
- Construction work , such as digging of pits, assembly and fixing of transmission posts, drawing of electrical wires etc.;
- Solid Waste (debris) generation.

These activities may cause the following changes:

- There will be disturbance and dumping of soil,
- There may be generation of unused welding rods, metal scraps etc.

The impacts during the construction stage are temporary in nature. The perceived impact will cease as soon as the construction works are over.

**Operation Stage:**

The activities of Operation stage will be permanent in nature and will continue till the Steel Plant exist and operate. The impacts which are perceived during this phase will be due to the following activities:

- Sagging of the and damage of the Electric Posts: This is the most important threat for the wild elephant. Due to this electrocution of elephants may take place.
- Movement of maintenance personnel and equipments.
- Scattering of maintenance rejects.
- Electrical Transmission emergencies.

However the effect of all these activities on environment may be negligible.

**B. Impact on Soil**

The impact on soil is only for a temporary period of construction stage. There may be some surplus soil from the activities of fixing the Transmission Posts.

As far as the impact area is concerned, there will be no impact on soil.

**C. Impact on Vegetation**

Within the project area all the trees are to be removed for drawing Transmission Line.

There will also be no effect on vegetation of the impact area.

**D. Impact on Water Regime**

There will be no impact on water regime.

**E. Impact on Air:**

**Construction Phase:** The activities such as felling of Trees, digging of Pits, Transportation, storage and handling of construction materials; Movement of workers, vehicles and machineries etc. will generate some air pollutants like dust and emissions from the machineries. However, this type of pollution will be for a short period only.

**Operation Phase:** There will be no impact on air during the operation phase.

**F. Quantum of pollutants expected to be produced:**

Pollutants will not be produced during the operation phase.

**G. Degradation anticipated on account of project implementation:**

After the construction phase no further degradation can be anticipated.

**H. Study technique adopted and observations of the experts:**

The project area contains 35.507 ha of Forest land (including 6.144 Ha of Reserved Forest).

The study technique has already been discussed under Chapter-I.

**I. Nature of threat to the Flora and Fauna on account of project implementation:**

The only threat due to implementation of the linear project is to the elephants.

Wildlife Conservation PlanM/s Rungta Mines Limited

- The elephants may come in contact with the sagging wire.
- The elephants may also damage the Electric Posts by rubbing and thus there is a threat of Electrocutation.

**J. Probable increase in the vehicular traffic:**

During the Construction Phase some vehicle movement will be there for transport of construction materials.

There will be no increase in vehicular traffic during the Operation Phase.  
Some of

**K. Noise pollution, Water, Air and Underground pollutions:**

No such pollutions are anticipated.

**CHAPTER – III****OBJECTIVES OF MANAGEMENT & STRATEGIES****A. Objectives of Management:**

The Forest growth standing on the forest land which is required for the project will be completely removed. The forest area involved being 35.507ha, the impact of the project can be treated as substantial. The biotic pressure which was absorbed by the forest land (proposed to be diverted) will now be shifted to the adjoining Reserved Forests. However the strip of land can be converted in to grass land to provide fodder for the herbivores. Hence the objectives of management will depend on this consideration. Basing on the information as per the foregoing chapters, the Management objectives can be described as:

**Project Area:**

The total Forest area involved will be 35.507 ha. The entire strip of forest land will be cleaned for the purpose of drawing the Transmission Line.

The objectives of management for the project area will therefore be:

1. To take preventive measures to avoid electrocution of elephants.
2. To create Grass land to cater to the needs of small and medium herbivore animals.
3. To create awareness in the villages around the project area for protection of Forest and Wildlife.

**Impact Area:**

The objective of management in the impact area is to take steps for protection of wild animals particularly the Elephants.

**B. Strategies to Mitigate and Minimise Adverse Impacts:**

The strategies for preparation of Wildlife Conservation Plan will therefore be as follows:

**Strategies for the Project Area**

1. Grass land development along the entire strip of land.
2. Creation of Awareness in the surrounding area.

**Strategies for the Impact Area**

1. Protection of Elephants.
2. Creation of Awareness.

**CHAPTER –IV****MANAGEMENT STRATEGIES WITHIN THE PROJECT SITE**

Basing on the perceived impacts as per the foregoing chapter, the Management Plan is prepared to address such impacts. The project area as well as the Impact Zone will be appropriately treated for amelioration of the impacts.

**A. Interventions to be implemented by the project authorities inside the project area:**

The impact of the project implementation has been explained earlier. The interventions to be taken up by the project proponent are as follows:

**1. Prevent Elephant Electrocution:**

The condition No.2(VIII,) of Stage-I approval letter of MoEF& CC, Eastern Regional Office, Bhubaneswar vide F. No 5-ORC418/2020-BHU dt 25.06.2020 for Diversion of 35.507 Ha forest land (31.806 Ha of forest land under Keonjhar Division & 3.701 Ha of forest land under Bonai Division) for construction of 132 KV transmission line, prescribes "The base of the towers in the forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution death of the wild animals especially in forest areas".

Accordingly such steps will be taken by the Project proponent at their cost. Hence no cost is proposed in this Plan.

**2. Protect Birds:**

Similarly condition No.2(XV) of Stage-I approval letter of MoEF& CC, Eastern Regional Office, Bhubaneswar vide F. No 5-ORC418/2020-BHU dt 25.06.2020 for Diversion of 35.507 Ha forest land (31.806 Hs of forest land under Keonjhar Division & 3.701 Ha of forest land under Bonai Division) for construction of 132 KV transmission line, prescribes, "The user agency at its cost shall provide bird deflectors, which are to be fixed on the upper conductor of the transmission line at suitable intervals to avoid bird hits".

Hence no cost is proposed in this Plan.

**3. Measures to Maintain Ecology****a. Plantation of dwarf species:**

Further the condition No.2(XIV) of Stage-I approval letter of MoEF& CC, Eastern Regional Office, Bhubaneswar vide F. No 5-ORC418/2020-BHU dt 25.06.2020 prescribes, " The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of Dwarf species (preferably medicinal species) in right of the way under the transmission line and provide funds for execution of the said scheme by the State Forest Department".

Accordingly the said scheme has been prepared and technically approved by RCCF, Rourkela on 07.09.2020 with a total financial outlay of Rs 31,73,100/- (Rs 28,42,500 for Keonjhar forest division + Rs 3,30,600 for Bonai forest division). As per the demand raised by DFO, Bonai and Keonjhar on dated 09.09.2020 & 11.09.2020 the user Agency has deposited the total amount of Rs. 31,73,100/- through RTGS dated 17.09.2020 in State CAMPA fund.

**Creation of Awareness**

Public awareness is very important for protection of Forest and Wildlife. Awareness will be created by utilizing the scope of Television, Press and Social media etc. This activity will be implemented by utilizing the services of professional agencies at Wildlife H Q level through the Society, "WILDLIFE ODISHA"

The proposed expenditure is Rs.20.00 lakhs.

The user agency will deposit the amount of Rs.20.00 lakhs in favour of the said Society (WILDLIFE ODISHA).

**Provision of a Vehicle:**

The User Agency will provide one vehicle as per the specification of PCCF, Wildlife, Odisha, for use protection and monitoring works.

The user agency will procure the vehicle and handover to Forest Department.

The cost proposed for this is Rs.30.00 lakhs..

Wildlife Conservation PlanM/s Rungta Mines LimitedFinancial Forecast

The cost estimate for the proposed activities for the project area is given below:

To be implemented as per condition of Stage-I approval,

Sl. No.	Particulars	Estimated cost (In lakhs)
1	Provision of barbed wire and spikes around the base of the transmission posts.	To be done by the user agency.
2	Bird deflectors to be installed at required intervals	To be done by the user agency
3	Plantation of dwarf species, preferably of medicinal plants and provision of staggered trenches :- to be done by Forest Department	Deposited Rs. 33,01,300/- with the Forest Department

To be implemented by the User agency as per this Plan

Sl. No.	Particulars	Estimated cost (In lakhs)
1	Hoardings and Sign Boards	5.000
2	Creation of Awareness through TV/Press/Social media to be taken up at WL HQ level (To be deposited in the Society Account of THE WILDLIFE ODISHA)	20.000
3	Provision of a Vehicle as per specification of PCCF (WL), Odisha.	30.00
	<b>TOTAL</b>	<b>55.00</b>
	Cost escalation @20%	11.00
	<b>TOTAL</b>	<b>66.00</b>

These activities will be taken up by the project proponent in addition to the CSR activities of the locality.

Proposed Plan Period

This plan is proposed for a period of 10years. However, if necessary, interim revision of this plan can be taken up depending on the actual requirement. The proposed mitigation measures are therefore:

For Rungta Mines Limited

*[Signature]*  
Authorised Signatory

*[Signature]*  
Approved

*[Signature]*  
Principal Chief Conservator of Forests  
(Wildlife) & Chief Wildlife Warden  
Odisha, Bhubaneswar

*[Signature]*

Divisional Forest Officer  
& Wildlife Warden  
BOUNAI DIVISION

*[Signature]*  
Regional Chief Conservator of Forests  
Rourkela Circle

**CHAPTER -V****PROPOSED MANAGEMENT  
STRATEGIES WITHIN THE PROJECT IMPACT AREA**

**Interventions to be adopted by the Divisional Forest Officers  
in the project impact area**

**PROJECT IMPACT ZONE****KEONJHAR FOREST DIVISION**

The project involves 31.806 Ha. of forest land in 12 villages and part of Sidhamath Reserved Forest.

The threat that can be perceived is electrocution of the elephants due to Sagging Wires and damaged Electric Posts.

It is therefore proposed to take preventive steps in the matter. Such steps are:

1. Engagement of Gajabandhu:

One Gajabandhu from each of the 12 villages (total 12 nos. of Gajabandhus) will be engaged during crop season for 6 months in a year. They will collect information about the movement and depredation of elephants and intimate to Forest Department staff so that, timely action can be taken. Besides, they will also visit the transmission line and quickly report any sagging of the transmission wire, or damage to the electric Posts etc.

The wage of each Gajabandhu will be @Rs.10,000.00 per month.  
(total cost Rs.10000/- x 12 x 6 x 10 = Rs.72,00,000.00.

2. Installation of early Warning System:

Steps will be taken to develop up a network for early Warning system through App. Phone etc. The required equipments and personnel will be deployed at vulnerable locations. An amount of Rs.10.00 lakhs is proposed for the same.

3. Establishment of Control Room:

It is proposed to establish a Control Room at Division Office on 24x7

Wildlife Conservation PlanM/s Rungta Mines Limited

basis with facilities of VHF, Telephone, Computer, Software etc. to monitor the movement of elephants and develop early warning system to deal with human elephant conflict and avoid threat to the elephants.

Total outlay proposed for this is Rs.78,90,000.00

4. Creation of Physical Barrier:

At critical area physical barrier such as Solar Electric Fencing will be installed to prevent movement of elephants towards the transmission line.

An amount of Rs.20,00,000.00 is provided for the same.

**BONAI FOREST DIVISION**

The project involves 3.701 Ha. of forest land in 5 villages.

The threat that can be perceived is electrocution of the elephants due to Sagging Wires and damaged Electric Posts.

It is therefore proposed to take preventive steps in the matter. Such steps are:

1. Engagement of Gajabandhu:

One Gajabandhu from each of the 5 villages (total 5 nos. of Gajabandhus) will be engaged during crop season for 6 months in a year. They will collect information about the movement and depredation of elephants and intimate to Forest Department staff so that, timely action can be taken. Besides, they will also visit the transmission line and quickly report any sagging of the transmission wire, or damage to the electric Posts etc.

The wage of each Gajabandhu will be @Rs.10,000.00 per month, (total cost Rs.10000/- x 5 x 6 x 10 = Rs.30,00,000.00.

2. Installation of early Warning System:

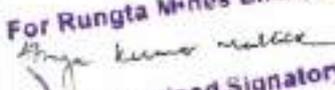
Steps will be taken to develop up a network for early Warning system through App. Phone etc. The required equipments and personnel will be deployed at vulnerable locations. An amount of Rs.10.00 lakhs is proposed for the same.

3. Creation of Physical Barrier:

At critical area physical barrier such as Solar Electric Fencing will be installed to prevent movement of elephants towards the transmission line. An amount of Rs.10,00,000.00 is provided for the same.

Wildlife Conservation PlanM/s Rungta Mines LimitedFINANCIAL FORECAST

Sl. No.	Particulars	Cost (In lakhs)
<b>KEONJHAR FOREST DIVISION</b>		
1.	Engagement of 12 nos Gajabandhu during crop season (6months/year) @10000/- per month. (Rs.10000/- x 6 x 12 x 10 =72,00,000/-)	72.00
2.	Establishment of facilities for early warning system network	10.00
3.	Establishment of control room along with VHF, Software, other equipments etc. at Division HQ to monitor elephant movement on 24x7 basis.	78.90
4.	Creation of physical barrier at critical location to prevent movement of elephant towards the transmission line.	20.00
5.		
	<b>Sub Total</b>	<b>180.90</b>
	Cost escalation @ 20%	36.18
	<b>Total</b>	<b>217.08</b>
<b>BONAI FOREST DIVISION</b>		
1.	Engagement of 5 nos Gajabandhu during crop season (6months/year) @10000/- per month. (Rs.10000/- x 6 x 5 x 10 = 30,00,000/-)	30.00
2.	Establishment of facilities for early warning system network	10.00
3.	Creation of physical barrier at critical location to prevent movement of elephant towards the transmission line.	10.00
	<b>Sub Total</b>	<b>50.00</b>
	Cost escalation @ 20%	10.00
	<b>Total</b>	<b>60.00</b>
	<b>G. TOTAL :-</b>	<b>277.08</b>

For Rungta Mines Limited  
  
 Authorized Signatory

Principal Chief Conservator of Forests  
 (Wildlife) & Chief Wildlife Warden  
 Odisha, Bhubaneswar

  
 Regional Chief Conservator of Forests  
 Rourkela Circle

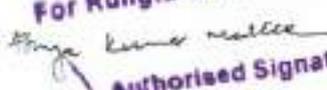
  
 Divisional Forest Officer  
 & Wildlife Warden  
 BONAI DIVISION

Wildlife Conservation PlanM/s Rungta Mines Limited

The total estimate of this plan is therefore (Rs.66.00 lakhs + 277.08 lakhs) = Rs.343.08 lakhs. Out of this amount the project proponent will take up the activities for Rs. 66.00 lakhs and Rs.277.08 lakhs will be deposited with the D.F.O/ Forest Department for taking up different activities within the Zone of Influence:

- a) **Locations (preferable with GPS coordinates) and Maps** of areas of the proposed interventions. Such maps also show location of above man made infrastructures and the ameliorative measures such as under/over passes ramps etc.
- b) **Monitoring & evaluation arrangement for the activities under taken**  
The performance of the Gajabandhus can be monitored by the Control Rooms.
- c) **Plan Period**

This plan is proposed for a period of 10years. However, if necessary, interim revision of this plan can be taken up depending on the actual requirement.

For Rungta Mines Limited  
  
 Authorised Signatory

  
 Divisional Forest Officer  
 & Wildlife Warden  
 BOMAJ DIVISION

  
 Regional Chief Conservator of Forests  
 Rourkela Circle

**CHAPTER – VI****MAPS ENCLOSED**

- a) Topo Map showing the project area - Plate No.-1
- b) Topo Map showing Impact/Study Area - Plate No.-2
- c) Map showing the Location of the project area with reference to WL Sanctuaries and National Parks - Plate No.-3

**APPENDICES**

- Annexure-I : Copy of Stage-I approval, issued in No. 5-ORC 418/2020-BHU dt.25<sup>th</sup> June,2020 by MoEF, Government of India, Bhubaneswar Regional Office.
- Annexure-II : Copy of Site Inspection Report of the DFO, Keonjhar Forest Division.
- Annexure-III: Copy of Site Inspection Report of the DFO, Bonal Forest Division.

Wildlife Conservation PlanM/s Rungta Mines Limited**COST SCHEDULE****ANNUAL FLOW OF FUNDS**

Basing on the proposals described in the fore going chapters, the total funds required for the activities within the project area will be Rs.66.00 lakhs. Similarly, the amount proposed to be utilised for the impact zone is Rs.277.08 lakhs. Year wise funds requirement will be as follows:

**YEARWISE REQUIREMENT OF FUNDS**  
**PROJECT AREA**

Year	Item wise expenditure in lakhs			Total
	Hoardings and sign boards	Provision of Vehicle	Awareness	
1 <sup>st</sup> Year	2.50	30.00	20.00	52.50
2 <sup>nd</sup> Year	0	0	0	0
3 <sup>rd</sup> Year	0	0	0	0
4 <sup>th</sup> Year	0	0	0	0
5 <sup>th</sup> Year	0	0	0	0
6 <sup>th</sup> Year	2.50	0	0	2.50
7 <sup>th</sup> Year	0	0	0	0
8 <sup>th</sup> Year	0	0	0	0
9 <sup>th</sup> Year	0	0	0	0
10 <sup>th</sup> Year	0	0	0	0
<b>Total</b>	<b>5.00</b>	<b>30.00</b>	<b>20.00</b>	<b>55.00</b>
<b>20% Esc.</b>	<b>1.00</b>	<b>6.00</b>	<b>4.00</b>	<b>11.00</b>
<b>G Total</b>	<b>6.00</b>	<b>36.00</b>	<b>24.00</b>	<b>66.00</b>

**YEARWISE REQUIREMENT OF FUNDS**  
**IMPACT AREA**  
**KEONJHAR FOREST DIVISION**

Year	Wages of Gajabandhu	Early Warning system	Control Room	Physical Barrier	Total
	1 <sup>st</sup> Year	7.20	5.50	35.70	
2 <sup>nd</sup> Year	7.20	0.50	4.80	0	12.50
3 <sup>rd</sup> Year	7.20	0.50	4.80	0	12.50

For Rungta Mines Limited

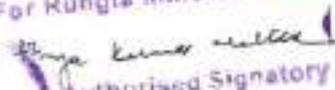
*[Signature]*  
Authorized Signatory

Wildlife Conservation PlanM/s Rungta Mines Limited

4 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
5 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
6 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
7 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
8 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
9 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
10 <sup>th</sup> Year	7.20	0.50	4.80	0	12.50
<b>Sub Total</b>	<b>72.00</b>	<b>10.00</b>	<b>78.90</b>	<b>20.00</b>	<b>180.90</b>
20% Cost escalation	14.40	2.00	15.78	4.00	36.18
<b>TOTAL</b>	<b>86.40</b>	<b>12.00</b>	<b>94.68</b>	<b>24.00</b>	<b>217.08</b>

BONAI FOREST DIVISION

Year	Wages of Gajabandhu	Early Warning system	Physical Barrier	Total
1 <sup>st</sup> Year	3.00	5.50	10.00	18.50
2 <sup>nd</sup> Year	3.00	0.50	0	3.50
3 <sup>rd</sup> Year	3.00	0.50	0	3.50
4 <sup>th</sup> Year	3.00	0.50	0	3.50
5 <sup>th</sup> Year	3.00	0.50	0	3.50
6 <sup>th</sup> Year	3.00	0.50	0	3.50
7 <sup>th</sup> Year	3.00	0.50	0	3.50
8 <sup>th</sup> Year	3.00	0.50	0	3.50
9 <sup>th</sup> Year	3.00	0.50	0	3.50
10 <sup>th</sup> Year	3.00	0.50	0	3.50
<b>Sub Total</b>	<b>30.00</b>	<b>10.00</b>	<b>10.00</b>	<b>50.00</b>
20% Cost escalation	6.00	2.00	2.00	10.00
<b>TOTAL</b>	<b>36.00</b>	<b>12.00</b>	<b>12.00</b>	<b>60.00</b>

For Rungta Mines Limited  
  
 Authorised Signatory

## ANNEXURE-I

Government of India भारत सरकार

Ministry of Environment, Forest &amp; Climate Change पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Eastern Regional Office: पूर्वी क्षेत्रीय कार्यालय

A/3, Chandrasekharpur, Bhubaneswar/ A.3, चंद्रसेखरपुर, भुवनेश्वर

Telephone: 0674 - 2301213, 2301248, 2302432

E-mail: roez.bar-mef@nic.in

No. S-ORC418/2020-BHU

25<sup>th</sup> June, 2020

To

The Addl. Chief Secretary,  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar-751 001

Sub: Diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha.

Madam,

I am directed to refer to State Govt. letter No10F(Cons)97/2020-8598/F&E dated 03.06.2020 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 16.06.2020, the Ministry of Environment, Forest & Climate Change hereby conveys 'Stage-I-in-principle' approval for diversion of 35.507 ha of forest land (31.806 ha of forest land under Keonjhar Division & 3.701 ha of forest land under Bonai Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. in village Kamanda in Sundargarh District, Odisha, subject to the fulfillment of the following conditions.

- i) Legal status of forest land shall remain unchanged.
- ii) Compensatory afforestation shall be raised over 37.281 ha of non-forest forest land identified in 232(P), 233 (P) & 234 (P), Khata No.67 (AAA), Kisan Parbat of village Lungajhar under Banspal Tehsil of Keonjhar district (32.261 ha) and in Plot No.1263 (P), Khata No.77, Kisan Patit of village Badabanga under Lephrigara Tahasil of Sundargarh District (5.02 ha) against the area of forest land proposed to be diverted at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- iii) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.
- iv) The non-forest land over which compensatory afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.
- v) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

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- vi) The State Govt. shall charge the Net Present Value (NPV) for 35.507 ha forest area to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No.566 in Writ Petition (Civil) No.202/1995 and as per the guidelines issued by Ministry vide letter No.5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No.5-2/2006-FC dated 03.10.2006 and No.5-3/2007-FC dated 05.02.2009 in this regard.
- vii) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.
- viii) The base of towers in forest area to be fenced with barbed wire in addition to spike on the legs of the towers so as to avoid elephant electrocution/death of wild animals especially in forest areas. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be provided with spike on the leg of the towers.
- ix) The site specific wildlife conservation plan shall be prepared and duly approved by CWLW. Oflsha may be implemented at project cost.
- x) In hilly slope areas, sufficient ground clearance has to be maintained with additional height of towers in consideration of the sag and swing of lines and height of elephants to stop untoward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
- xi) The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.
- xii) All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through (<https://parivesh.nic.in/>)
- xiii) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- xiv) The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
- xv) The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- xvi) The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014 and 19.11.2014.
- xvii) The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable.
- xviii) The layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.
- xix) No labour camp shall be allowed in the forest area.



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- xxi) Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or Forest Development Corporation or any other legal source of alternate fuel.
- xxii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xxiii) The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- xxiv) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- xxv) The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.
- xxvi) The forest land shall not be used for any purpose other than that specified in the project proposal.
- xxvii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without the prior approval of Government of India.
- xxviii) The State Govt. and user agency shall ensure compliance to provisions of the all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
- xxix) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.
- xxix) The compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in>).

3. After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.

4. However, to facilitate speedy execution of projects involving linear diversion, the in-principle approval may be deemed as the working permission for tree felling and commencement of work, if the required funds for CA, NPV and all other compensatory levies specified in the in-principle approval are realized from the user agency, the State Govt. may allow the commencement of work of the linear project in forest land for a period of one year as per Para 11.2 of Chapter-11 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.

Yours faithfully,

(R.K. Samal)

Dy. Inspector General of Forests (C)

Contd. 4

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Copy to:

1. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Keonjhar/Bonai Forest Division, Keonjhar/Bonai, Odisha.
3. M/s Rungta Mines Ltd. (Kamanda Steel Plant), Main Road, Barbil-758035, Odisha
4. Guard File

  
Dy. Inspector General of Forests (C)

## SITE INSPECTION REPORT

1.	Name of the Project.	Construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamando Steel Plant of M/s Rungta Mines Ltd in Sundergarh District, Odisha
2.	Name of District/ Division.	Keonjhar/ Keonjhar Forest Division.
3.	Date of Inspection.	31.10.2019 & 18.11.2019
4.	Name and designation of Inspecting Officer.	Santosh Joshi, I.F.S. Divisional Forest Officer, Keonjhar Division.
5.	Name and designation of the Officers who attended the Inspection including representative of user agency.	1). Madhusudan Patra, Range Officer, Barbil Range. 2). Dasaratha Giri, Forester, I/c, Guali Section. 3). Saroj Naik, Forest Guard, Rugudih Beat  Representative of the User Agency. 1). Hirak Mazumder, Director, M/s Rungta Mines Ltd 2). Ajaya Kumar Mullick, CGM, Eclectical, M/s Rungta Mines Ltd 3). Swapan Kumar Santra, DQM (Survey) M/s Rungta Mines Ltd
6.	Legal Status of the Forest land with area Proposed for diversion	The proposed diversion proposal involves Reserved Forest, Revenue Forest and Sabik Forest. The details of applied forest land is produced below-  Sidhanath RF- 6.144 ha. Revenue Forest- 7.839 ha. Sabik Forest- 17.823 ha  Total forest land proposed for diversion- 31.806 ha.
7.	If area required for diversion has been demarcated on the ground.	The forest land applied for diversion, for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamando Steel Plant of M/s Rungta Mines Ltd in Sundergarh District, Odisha has been demarcated with RCC pillars with DGPS Coordinates has been mentioned in the pillars.

## 8. Item wise break up of forest land proposed for diversion.

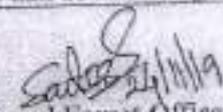
Sl. No.	Purpose	Reserved Forest (ha)	Revenue Forest (ha)	Sabik Forest (ha)	Total Forest Land (ha)	Total Non-forest land (ha)	Grand Total (Forest & Non-forest) (ha)
1	Construction of 132 KV transmission line	6.144	7.839	17.823	31.806	31.605	63.411
Total		6.144	7.839	17.823	31.806	31.605	63.411

9.	Condition of Vegetation and type of forest in the applied area.	The forest land applied for diversion forms part of Sidhanath RF and adjoining Revenue Forest land &
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		<p>Sabik Forest land falls under the group 3C/C2e(iii) Moist Peninsular Valley Sal. The prevailing vegetation consists of Sal and its associates.</p> <p>As per tree enumeration list the floral species found are viz <i>Tectona grandis</i>, <i>Gmelina arborea</i>, <i>Pterocarpus marsupium</i>, <i>Shorea robusta</i>, <i>Mangifera indica</i>, <i>Terminalia tomentosa</i>, <i>Syzygium cumini</i>, <i>Anogeissus latifolia</i>, <i>Bridelia retusa</i>, <i>Diospyros melanoxylon</i>, <i>Ariocarpus integrifolia</i> &amp; Misc Species are exist in the applied forest land.</p> <p>Eco Value Class has been treated as "Eco Value Class - I" based on the forest type 3C/C2e(iii) Moist Peninsular Valley Sal and the canopy density has been considered based on prevailing forest growth with canopy density swinging from 0.2 to 0.5 and the average canopy density has been kept at 0.35.</p>
10	Position of Wildlife	<p>Sidhamath Reserved Forest is the dwelling habitat for Elephant, Leopard, Bear, Barking Deer, Hyena, Porcupine and etc. wild elephants, often, viz Sidhamath Reserved Forest and the adjoining Forest Blocks. The proposed site falls under elephant habitat zone- 2 as per the book titled Remote Sensing Application for characterization of elephant habitat and corridor in Odisha and parts of Bihar published by ORSAC in September, 1999.</p>
11	Whether the applied area involves any Eco-Sensitive Zone / National Park / Sanctuary.	<p>The applied area does not involve any Eco-Sensitive Zone / National Park / Sanctuary. The Elephant corridor namely Karo-Kampada is situated 7.5 KM from the proposed forest area.</p>
12	No. of trees to be felled and its impact on the eco-system.	<p>There are 1026 nos. Sound tree, 763 nos. Un-Sound tree and 1230 nos. of poles below 30 cm girth standing on the forest land over 31.806 ha and 93 nos. Sound tree, 278 nos. Un-Sound tree and 134 nos. of poles below 30 cm girth standing on the non-forest land over 31.605 ha in Keonjhar Forest Division for construction of 132 KV transmission line from 132/11 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamando Steel Plant of M/s Rungta Mines Ltd in Sundergarh District, Odisha. <u>The species wise and diameter class wise abstract of total enumerated trees and trees required to be felled is enclosed as Annexure- 2.</u></p>
13	Details of broken up land and reclamation done if any.	<p>M/s Rungta Mines Ltd has undertaken to take appropriate mitigative measures, to prevent soil erosion, in accordance with the condition to be stipulated and the said undertaking is enclosed as Annexure- 2.</p>
14	Position of displacement of people and adequacy of rehabilitation, if any.	<p>The project does not involve displacement of any human habitation and therefore the Re-settlement and Rehabilitation plan is not warranted.</p>

SP  
29/11/19

15	Position of rare and endangered species available and importance of the applied area from archeological point of view.	No rare or endangered species is available in the applied area for diversion, but Elephant movement is often noticed in the said area. There is no archaeologically important monument situated in the area.
16	Non-forest land selected for Compensatory afforestation has been included in the D.L.C. report or not.	Non-forest land selected for Compensatory Afforestation has not been included in the D.L.C. report.
17	Suitability of the identified non-forest land/ degraded Forestland for Compensatory afforestation.	Non-forest Govt. land required for Compensatory Afforestation, for diversion of 31.806 ha of Forest Land under Sec 2(ii) under FC Act, 1980, will be met from the identified and allotted non-forest Govt. land over 32.261 ha in village Lungajhar under Banspal Tahasil of Keonjhar District in favour of M/s Rungta Mines Ltd vide letter No. 1956/Rev dt.27.11.2018 of Collector, Keonjhar for raising Compensatory Afforestation at the prevailing wage rate @Rs. 298.00 per MD with a maintenance period of ten years under AR model @1000 seedlings/ha has been prepared. The copy of the allotment letter issued by Collector, Keonjhar is enclosed as Annexure-7. Compensatory Afforestation scheme, prepared by the Divisional Forest Officer, Keonjhar Division in respect of the aforementioned Non-forest land is enclosed herewith as Annexure-16.
18	Violation of Forest (Conservation) Act, 1980 if any and action taken thereon.	No violation has been observed in respect of the forest land, involved in the instant diversion proposal, proposed for diversion under FC Act, 1980 for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamando Steel Plant of M/s Rungta Mines Ltd.

  
 Divisional Forest Officer,  
 Keonjhar Division  
 Keonjhar Division

ANNEXURE- IIISITE INSPECTION REPORT

1.	Name of the Project	:-	Proposal for diversion 3.701 ha. of forest land for laying of 132 KV Transmission Line from 132/33 KV to Kamanda Steel Plant at- Village Kamanda, Sundargarh to grid Barbil Keonjhar by M/s Rungta Mines Ltd.  Proposal No.FP/OR/TRANS/30962/2017 (S.L. No.OR-053/2019 dt.18.7.2019.
2.	Name of the District / Division	:-	Sundargarh District / Bonai Division.
3.	Date of Inspection	:-	20.09.2019 14.10.2019
4.	Name and designation of Inspecting Officer	:-	Sri Sudhansu Sekhar Khora, IFS, Divisional Forest Officer, Bonai Division.
5.	Name and Designation of other officers who attended the inspection including representative of User Agency.	:-	1. Sri B.C. Patra, Range Officer, Koira Range. 2. Sri Durga Charan Mishra, Fr., Toda Section. 3. Sri Tapas Kumar Satpathy, Fr., Koira Section. 4. Sri H. Mazumder, Senior V.P. of M/s Rungta Sons (P) Ltd. 5. Sri Netrananda Ratha, AVP Kamanda Steel Plant of M/s Rungta Mines Ltd. 6. Sri S.N. Upadhyay, Addl. G.M., Corporate Affairs of M/s Rungta Mines Ltd.
6.	Legal Status of forest land with area proposed for diversion	:-	Revenue Forest - 3.701 ha.
7.	If area required for diversion has been demarcated on the ground	:-	Yes
8.	<b>Item-wise break-up of forest land proposed for diversion.</b>		
	The item-wise break-up of forest land proposed for diversion is as follows;		
	i) Transmission line	:-	3.701 Ha.
9.	Condition of vegetation and type of forest in applied area	:-	The density of vegetation is 0.3 (Zero point three) (Eco value class-I). The applied area consists of Sal ( <i>Shorea robusta</i> ), Asan ( <i>Terminalia tomentosa</i> ), Bahada ( <i>Terminalia bellerica</i> ), Jamu ( <i>Syzygium cumini</i> ), Kendu ( <i>Diospyros melanoxylon</i> ), Kusum ( <i>Schleichera oleosa</i> ) etc. Sal is the predominant species.
10.	Position of Wildlife in general	:-	Wild animals such as Jungle Cat, Mongoose, Indian Hare, Jackle etc. and different type of birds are noticed in the area. No rare or endangered flora or fauna is found in the area.

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11.	Whether the applied area is involved with any eco-sensitive zone / National Park / Sanctuary.	-	The applied area is not involved with any eco-sensitive zone / National Park / Sanctuary.
12.	Number of trees to be felled and its impact on the eco-system	-	The total tree enumeration has been taken up over applied forest area of 3.701 ha. in Bonal Forest Division comes to 147 nos., which are above 30 cm girth. The abstract of tree enumeration has been furnished at (49-52/DP). Hence, 147 nos. of trees above 30 cm girth may be required to be felled / removed in applied forest area during laying of transmission line. The density has been reported to be 0.3. Felling of trees will have some impact on the eco-system.
13.	Details of broken-up area and reclamation done, if any. (Mining cases)	-	Not applicable
14.	Position of displacement of people and adequacy of rehabilitation, if any	-	The project does not involve displacement of people.
15.	Position of rare and endangered species available or importance of area from eco-social point of view.	-	There is no rare and endangered species, and the area has no importance from eco-social point of view.
16.	Non-forest land used in the project, and non-forest land selected for Comp. Affn. is included in the D.L.C. report or not.	-	15.004 ha. of non-forest land is required for the present project in Bonal Division, which has not been included in the DLC. An area of 5.02 ha. of Govt. non-forest land identified in village Badbanga under Lephripara Tehsil in Sundargarh District of Sundargarh Forest Division for Compensatory Afforestation which is not included in the DLC report.
17.	Suitability of the identified non-forest land / degraded forest land for Comp. Affn.	-	The non-forest land is suitable for Comp. Affn. The suitability certificate is enclosed in the C.A. Scheme (Page-56-74/DP).
18.	Violation of F.C. Act., if any,	-	No violation has been reported under the Forest (Conservation) Act 1980.

  
 14/10/19  
 Divisional Forest Officer,  
 Bonal Division.

## ANNEXURE R/7

Annex-1

## OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION

Phone No. 06766-254111, email ID: dfo@keonjhar.nic.in

No. **663** of Memo. dt. 23/01/2021  
Dated, Keonjhar, Odisha

To: M/s Rungta Mines Ltd (Kamanda Steel Plant)  
Main Road, Barbul, Dist- Keonjhar,  
Odisha- 758011

Re: Division of 25,507 ha of forest land (31,806 ha of forest land under Keonjhar Division & 3,701 ha of forest land under Bona Division) for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbul, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd at village Kamanda in Sundargarh District, Odisha.

Ref: Memo No. 605/7WL-FD&WLC-73/2020 dt. 22.01.2021 of PCCF(Wildlife) & CWLW, Odisha, Bhubaneswar.

Sub: The Principal Chief Conservator of Forests, (WL) & Chief Wildlife Warden, Odisha, Bhubaneswar has approved the Site Specific Wildlife Conservation Plan for your above project with a financial out lay of Rs. 341.08 lakh i.e. (Rupees three crore forty-three lakh eight thousand) only out of which an amount of Rs. 277.08 lakh (DFO, Keonjhar Division- 217.08 lakh + DFO, Bona Division- 60.00 lakh) for activities to be implemented in project impact area. You are requested to deposit Rs. 217.08 lakh (Rupees two crore seventeen lakh eight thousand) only out of Rs. 277.08 lakh towards activities to be implemented in project impact area by DFO, Keonjhar Division. The demanded amount has to be deposited through e-portal of MoEF&CC as provided in the <https://parivesh.nic.in/> and the proof/evidence of the deposit of fund be submitted to this office for further necessary action at this end. Further it is intimated that the PCCF(WL) has imposed three other conditions along with the aforesaid approval which has to be abided by as follows.

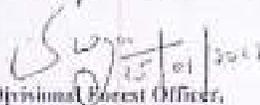
1. This plan may be revisited after 5 years and the User Agency will give undertaking to contribute towards the revised cost of the conservation plan till the project period, if any.
2. Should there be need for Site Specific Wildlife Conservation Plan after expiry of the present plan period, the user agency shall submit another such plan at least one year before the expiry of the present conservation plan and deposit the outlay amount upon its approval. In case of delay, it will be dealt as per law for violations of Forest (Conservation) Act, 1980 and Environmental (Protection) Act, 1986.
3. The user agency shall give an undertaking to bear the differential cost in case of enhancement of wage rate at the time of implementation of this plan.

Yours faithfully,  
  
 23/01/2021  
 Divisional Forest Officer,  
 Keonjhar Division.

PTO

Memo No. 644 Dated 27-01-2021

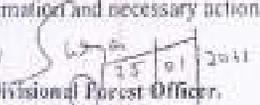
Copy forwarded to the Divisional Forest Officer, Bonai Division, for information and necessary action with reference to memo No. 606 dated 22.01.2021 of the PCCF(WL) and Chief Wildlife Warden, Odisha, Bhubaneswar.

  
15/01/2021  
Divisional Forest Officer,  
Keonjhar Division.

(2)

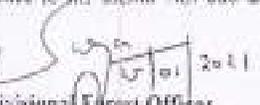
Memo No. 645 Dated 27-01-2021

Copy forwarded to the Regional Chief Conservator of Forests, Raurela Circle; Principal Chief Conservator of Forests, Forest Division and Nodal Officer, FC Act, O/O the PCCF & HoFF, Odisha, Bhubaneswar for kind information and necessary action.

  
15/01/2021  
Divisional Forest Officer,  
Keonjhar Division.

Memo No. 646 Dated 27-01-2021

Copy forwarded to the PCCF(WL) and Chief Wildlife Warden, Odisha, Bhubaneswar for information and necessary action with reference to his memo No. 606 dated 22.01.2021

  
15/01/2021  
Divisional Forest Officer,  
Keonjhar Division.



By E-mail

ବନଖଣ୍ଡ ଅଧୀକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ: ବଣାଇଁ ବନଖଣ୍ଡ ।  
 OFFICE OF THE DIVISIONAL FOREST OFFICER: BONAI DIVISION.

Phone / Fax – 06626-244434: E-mail

At-dfobonai.od@gov.in

No. 525 /BF (Mg.)Dt: 25.1.2021

To

M/s Rungta Mines Ltd.  
 (Kamanda Steel Plant)  
 AI/PO-Barbil, Dist-Keonjhar.

Sub-

Diversion 35.507 ha. of forest land (31.806 ha. of forest land under Keonjhar Division & 3.701 ha. of forest land under Bonai Division) for construction of 132 KV Transmission Line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar District to Kamanda Steel Plant of M/s Rungta Mines Ltd. at village Kamanda in Sundergarh District Odisha. (Proposal No. FP/OR/TRANS/30662/2017 (State Sl. No. OR-053/2019 dated 18.7.2019).

Ref -

Memo No.808 dt 22.1.2021 of the Principal Chief Conservator of Forests (WL) & CWLW, Odisha, Bhubaneswar.

Sir,

With reference to above, this is to inform you that the Site Specific Wildlife Conservation Plan for construction of 132 KV transmission line from 132/33KV OPTCL Grid Station at Barbil, Keonjhar District of Kamanda Steel Plant in Sundergarh District, Odisha of M/s Rungta Mines Ltd. (Kamanda Steel Plant) has been approved by the PCCF (WL) & CWLW, Odisha with financial forecast of ₹ 349.08 Lakhs, out of which an amount of ₹277.08 Lakhs (Bonai Division-60.00 Lakh + Keonjhar Division-217.08 Lakhs) has been approved for the activities to be implemented by Bonai Division and Keonjhar Division in Project impact area. So, you are requested to deposit of ₹60.00 Lakhs only in respect of Bonai Division through e-portal of MoEF & CC as provided in the <http://parivesh.nic.in>, and submit the original proof with seal and signature of the issuing Bank to this office for needful.

Further, you are requested to supply 1 no. of vehicle as per financial forecast (to be implemented by the User Agency) to the office of Principal Chief Conservator of Forests (WL) & CWLW, Odisha in consultation with the Dy. Conservator of Forests (Admin), O/o the PCCF (WL) & CWLW, Odisha and submit a copy of the receipt of the above vehicle to this office for further reference.

Besides, you are required to note the following conditions for future compliance.

1. This Plan may be revisited after 5 years, and the User Agency will give undertaking to contribute towards the revised cost of the conservation plan till the project period if

-2-

2. Should there be need for Site Specific Wildlife Conservation Plan after expiry of the present plan period, the user agency shall submit another such plan at least one year before the expiry of the present Conservation Plan and deposit the outlay amount upon its approval. In case of delay, it will be dealt as per law for violation of Forest (Conservation) Act 1980 and Environment (Protection) Act 1986.
3. The User Agency shall give an undertaking to bear the differential cost in case of enhancement of wage rate during implementation of this Plan.

Yours faithfully,

  
 Divisional Forest Officer,  
 Bonai Division.

Memo No. 526 /BF-Dt: 25.1.2021

Copy forwarded to the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to his Memo No.608 dt.22.1.2021

  
 Divisional Forest Officer,  
 Bonai Division.

Memo No. 527 /BF-Dt: 25.1.2021

Copy forwarded to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, F.C. Act, D/O the P.C.C.F., Odisha, Bhubaneswar for favour of kind information and necessary action.

  
 Divisional Forest Officer,  
 Bonai Division.

Memo No. 528 /BF-Dt: 25.1.2021

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle, Rourkela for favour of kind information and necessary action with reference to Memo No.606 dt.22.1.2021 of the PCCF (WL) CWLW, Odisha.

  
 Divisional Forest Officer,  
 Bonai Division.

AGENCY COPY	
NEFT / RTGS CHALLAN for Ad-HOC CAMPA	
Date : 28-01-2021	
Agency Name.	RUNGTA MINES LTD
Application No.	6430962603
MoEF/SG File No.	5-ORC418/2020-BHU
Location.	ORRISA
Address.	Rungta Office, Main Road, At/PO: Barbil, Odisha/Keonjhar
Amount(in Rs)	27708000/-
Amount in Words: Two Crore Seventy-Seven Lakh Eight Thousand Rupees Only	
NEFT/RTGS to be made as per following details:	
Beneficiary Name:	ORRISA CAMPA
IFSC Code:	CORP0000371
Pay to Account No.	150826430962603 Valid only for this challan amount.
Bank Name & Address:	Corporation Bank Lodhi Complex Branch, Block 11, CGO Complex, Phase I, Lodhi Road, New Delhi -110003
• This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only	

BANK COPY	
NEFT / RTGS CHALLAN for Ad-HOC CAMPA	
Date : 28-01-2021	
Agency Name.	RUNGTA MINES LTD
Application No.	6430962603
MoEF/SG File No.	5-ORC418/2020-BHU
Location.	ORRISA
Address:	Rungta Office, Main Road, At/PO: Barbil, Odisha Keonjhar
Amount(in Rs)	27708000/-
Amount in Words: Two Crore Seventy-Seven Lakh Eight Thousand Rupees Only	
NEFT/RTGS to be made as per following details:	
Beneficiary Name:	ORRISA CAMPA
IFSC Code:	CORP0000371
Pay to Account No.	150826430962603 Valid only for this challan amount.
Bank Name & Address:	Corporation Bank Lodhi Complex Branch, Block 11, CGO Complex, Phase I, Lodhi Road, New Delhi -110003
• This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only	

After making successful payment, User Agencies may send a line of confirmation through Email: [helpdeskcampa@corpbank.co.in](mailto:helpdeskcampa@corpbank.co.in)



*[Handwritten signature]* *[Handwritten initials]*

CNRBR52021012856517414

## ANNEXURE R/8 (Colly)

8

Annex-III



# Rungta Mines Limited

(KAMANDA STEEL PLANT)

MAIN ROAD, BARBIL - 758005, DIST. KENDUJHAR, ODISHA, INDIA.  
Phone: (06747) 276081, 275891, Telefax: +91-6757-276851  
E-mail: sid.bb1@rungtamines.com

Ref: RML/KSP/446/ 35 /21-22

Date: 13.04.2021

To  
The Divisional Manager,  
Odisha Forest Development Corpn. Ltd.,  
Keonjhar (C-KL) Division,  
Dist: Keonjhar.

Sub: Felling and removal of 1359 nos. of trees and 1230 nos. poles below 30 cm girth, for construction of 132 KV transmission line from 132/33 KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s. Rungta Mines Ltd. in Village Kamanda in Sundergarh district, Odisha -  
**Deposit of Working cost thereof.**

Ref: Your office letter No.794 dated 12.04.2021.

Sir,

With reference to your letter on the subject cited above, we would like to inform you that we have deposited an amount of Rs.40,91,662/- (Rupees Forty Lac Ninety one thousand Six hundred Sixty two only) in favour of Managing Director, O.F.D.C Ltd, in A/C No. 4076002100001519, Punjab National Bank, Keonjhar on dated 13.04.2021 vide UTR No. CNRBR52021041360436422 of Canara Bank, Chaibasa after deducting 1.5% TDS on Rs.35,12,156/-, i.e. Rs.52,682/- against the total demand of Rs.41,44,344/- raised by your good office (Rs.35,12,156/- + GST Rs.6,32,188/-). The original deposit slip/ counterfoil of Canara Bank, Chaibasa is enclosed herewith.

This is for your kind information and necessary action in the matter.

Thanking you,

Yours faithfully,  
**For Rungta Mines Ltd.  
(Kamanda Steel Plant)**

*[Signature]*  
Authorised Signatory

Encl: As above.

Memo No. RML/KSP/446/ 36 /21-22 dated 13.04.2021.

Copy forwarded to The Divisional Forest Officer, Keonjhar for kind information and necessary action.

**For Rungta Mines Ltd.  
(Kamanda Steel Plant)**

*[Signature]*  
Authorised Signatory

Print no - 8



# Rungta Mines Limited

(KAMANDA STEEL PLANT)

MAIN ROAD, BARBIL - 758 035, DIST. - KENDUJHAR, ODISHA, INDIA.

Phone : (06767) 270081, 275891, Telefax : +91-6767-275891

E-mail : [srd.bb4@rungalmines.com](mailto:srd.bb4@rungalmines.com)

RML/Kamanda/2020-21/ 544

Date: 26.03.2021

To,  
The Divisional Manager,  
Odisha Forest Development Corporation Ltd.,  
Rourkela (C-KL) Division,  
Rourkela - 769001.  
Dist: Sundargarh.

Sub: Submission of estimated operation cost for removal of 147 nos of trees enumerated over 3.701 ha. of diverted forest land for construction of 132 KV transmission from 132/33 KV OPTCL GRID Station at Barbil to Kamanda Steel Plant of M/s Rungta Mines Ltd.

Ref: Your office letter no. 1301 dated 26.03.2021

Sir,

With reference to your letter on the subject cited above, we have transferred an amount of Rs. 4,37,289/- in favour of Divisional Manager, O.F.D.C. Ltd, Rourkela (C-KL) Division in A/c No. 0395201010704 Canara Bank, Rourkela, on dated 26.03.2021 vide Cheque No. 710981 in Canara Bank Chaibasa, after deducting 1.5% TDS on Rs. 3,75,355/-, i.e. Rs. 5630/- against the total demand raised by your good office on Rs. 4,42,919/- (Rs 3,75,355/- + GST amount Rs 67,564/- ). Original deposit slip/ counterfoil of Canara Bank, Chaibasa is enclosed herewith.

This for your kind information and necessary action in the matter.

Thanking you,

Yours faithfully,  
For Rungta Mines Limited.

Authorized Signatory

Encl: As above.

Memo No: 544 Dated : 26.03.2021

Copy forwarded to the Divisional Forest Officer, Bonai for kind information and necessary action.

For Rungta Mines Limited.

Authorized Signatory

ANNEXURE R/9

Annex - VI

केनरा बैंक के CANARA BANK जमा पर्ची / DEPOSIT / PAY IN SLIP

शाखा / Branch CRML

दिनांक / Date 26/03/2021

SB/CA/OD/CC/RT/TL/DL A/c. No. / Credit Card No.

बचत / चान खाता / बीडी/सीसी/आरटी/टीएल/डीएल खाता सं./क्रेडिट कार्ड सं.

0395201010704

नाम / Name DIVISIONAL MANAGER OF DC

टेलिफोन/मोबाइल नं LT. ROURKELA CC-KU DIVISION

Tel No./Mobile No. ₹ 437,289/- पं/प.

राशि / Amount

राशि शब्दों में Rupees in words

चेक नं./दिनांक तथा बैंक व शाखा का नाम Cheque No./Date/Name of Bank & Branch	₹	पं/प.
<u>CB-CRML 26/3/21</u>	<u>437,289/-</u>	
<u>LT. 710 581</u>		
<u>- ROURKELA</u>		
कुल / Total	<u>437,289/-</u>	



केनरा बैंक टोल फ्री 24 घंटे कॉल सेंटर  
Canara Bank Toll Free No.  
1800 425 0018

## Office Copy

## Odisha Forest Development Corporation Ltd



OFFICE OF THE DIVISIONAL MANAGER, KEONJHAR (CKL) DIVISION Keonjhar, Odisha,  
PIN-756001, Tele/Fax-06766-255321 [Website: www.odishafdc.com E-mail  
ID:dmkeonjhar@gmail.com]

## MONEY RECEIPT CUM RECEIPT VOUCHER

No: 14212200029

Date: 25-04-2021

Received with thanks from M/s. M/s. Rungta Mines Ltd. (Mobile Number: 9437002061, GSTIN : 21AABCR6463N1Z6) of Kendujhar, Odisha the sum of rupees 40,91,662.00 towards Felling and disposal of trees for construction of 132 KV transmission line in Village Kamanda of M/s. Rungta Mines Ltd. ( For The Value Of Rs 4144344 Less By TDS On IT Rs 52662 ) , paid at Keonjhar

**Narration:**Felling and disposal of trees for construction of 132 KV transmission line in Village Kamanda of M/s. Rungta Mines Ltd. .

Details Of Receipt					
Mode	Instrument No. :	Instrument Date	Bank Name	Details of Branch	Amount
RTGS	-	13-04-2021	Canara Bank	Barbil	40,91,662.00
<b>Total Amount Received :</b>					<b>Rs.40,91,662.00</b>
Received Towards		Reference No.	Amount(In Rs.)		
Working Cost		142122000029A	28,09,725.00		
Establishment Cost		142122000029B	7,02,431.00		
Tax(SGST)		142122000029C	3,16,094.00		
Tax (CGST)		142122000029D	3,16,094.00		
Less TDS For IT			-52,662.00		
<b>Total Amount Received :</b>					<b>Rs.40,91,662.00</b>

(Forty Lakhs Ninety One Thousands Six Hundred and Sixty Two Rupees )

RECEIVED  
(SEAL)

249776

Received By  
Keonjhar CKL  
(Divisional Manager )  
(Keonjhar Division)

Annex - IV



OFFICE OF THE  
FOREST RANGE OFFICER, BARBIL (T) RANGE | BARBIL

PH. NO. - 9438492300 | E-MAIL : [forestrangerbbl@gmail.com](mailto:forestrangerbbl@gmail.com)

MEMO. NO. - 403 | DATE - 29/10/2022

To

The Divisional Forest Officer,  
Keonjhar Forest Division,  
Keonjhar.

Sub :-

Surrender of felling of 1208nos. of trees & 151nos. of unfelled trees above 30cm girth & 1230 nos. of trees under 30cm girth for construction of 132KV Transmission Line from 132/33KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd.

Sir,

With reference to the subject cited above, I would like to inform you that, after completion of felling work of above 1208nos. of trees and 151nos. of balance unfelled trees at the floor area (total 1359nos. of marked trees) and 1230nos. of trees under 30cm girth have already been felled and total obtaining materials came to 1348logs, 207.5099cum of Round Timber, 90 stacks of Gorinda firewood in size of 12'x3'x3' each and 227nos. of poles. The converted materials have already been transported to OFDC Ltd., Depot, Barbil properly and surrender by his Letter No. 340 Dt. 26-10-2022 for Construction of 132KV Transmission Line from 132/33KV OPTCL Grid Station at Barbil, Keonjhar district to Kamanda Steel Plant of M/s Rungta Mines Ltd. There is no materials in the field other than 151nos. of standing trees which are not be felled for the propose.

This is for favour of your kind information and necessary action.

Yours Faithfully,

Forest Range Officer (I/C)  
Barbil (T) Range, Barbil.

10

Print No. 10

Annex-VII

**OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION**Phone No- 06766-254315, email ID- [dfokir.od@gov.in](mailto:dfokir.od@gov.in)Memo No. 9205 /SF(Misc)Dated, Keonjhar the 22<sup>nd</sup> December, 2021.

To

The Director,  
M/S Rungta Mines Ltd.Sub- Regarding tree felling for 132/33 KV OPTCL Grid Sub Station,  
Barbil to Kamanda Steel Plant of M/S Rungta Mines Ltd.

Ref- Your letter No. RML/KSP-466/440/2021-11 dt. 06.12.2021.

Sir,

In inviting a reference to your memo cited above on the captioned subject, the status report is enclosed herewith in a separate sheet for information.

Encl: As above.

Yours faithfully,

  
Divisional Forest Officer,  
Keonjhar Forest Division

Status report in connection with tree felling for 132KV transmission line from 132/33 KV OPTCL Grid Station, Barbil, Keonjhar District to Kamando Steel Plant of M/s Rungta Mines Ltd.

For Construction of 132 KV transmission line from 132/33 KV OPTCL grid station, Barbil, Keonjhar District to Kamando Steel Plant, M/s Rungta Mines Ltd had applied for diversion of Forest Land. In Principal Approval (Stage-I) has been accorded vide S-GRC418/2020-BHU dt. 25.06.2020 of MoEF&CC, Gov. of India, ERO, Bhubaneswar. After Compliance of the conditions stipulated in Stage-I approval & basing upon letter No. 10F(Cons) 97/2020/10179/F&E, Bhubaneswar dt. 30.06.2020 of F&E Department, Govt. of Odisha, the User Agency was allowed for felling of 3350 nos trees, 1230 no of Poles (Under 30CM) for pruning in forest land over 31.806 ha (BF-6.144 ha, Revenue Forest- 7.839 ha, Sabli Forest-17.823 ha) through OFDC Ltd vide this office Order No- 170 dt 16.08.2021.

M/s Rungta Mines Ltd has deposited an amount of Rs. 40,91,662/- to OFDC Ltd towards cost of tree felling and removal of trees in the above project. Accordingly, OFDC Ltd started felling of marked trees through contractor i.e. Sri Bijay Kumar Pandey S/O Late Sudhakar Pandey of Sriram Nagar, Barbil, Dist- Keonjhar. However, while felling trees in Plot No-465 Khata No-130 of Mouza - Sundara, 5 Nos of unmarked trees were felled, while retaining equal number of marked trees unknowingly by the labourer namely Sri Abhimanya Das of Sundara Basti, Barbil, Dist- Keonjhar.

Ignorance of law is not an excuse. Hence an FIR was lodged against these 2 persons vide FIR No- 112458/2668 dt. 28.06.2021 and Case was registered vide CR Case No-1081 of 2021-22 of Barbil Range. In this matter, as per inquiry, the User Agency has no any involvement in felling of unmarked trees, as because, OFDC Ltd has been entrusted with felling of trees in the above project and violation is being dealt as per Law.

  
Divisional Forest Officer  
Keonjhar Division

## ANNEXURE R/12



# Rungta Mines Limited

(KAMANDA STEEL PLANT)

MAIN ROAD, BARBIL - 758035, DIST- KENDUJHAR, ODISHA, INDIA

Phone : (06767) 276081, 275891, Telex: +91-6767-276891

E-mail : [sid.bis@rungalmines.com](mailto:sid.bis@rungalmines.com)

Ref : RML/KSP/2021-22/517

Date : 09.03.2022.

The Dy. General Manager (Elect.),  
Odisha Power Transmission Corporation Limited,  
EHT (Const.) Division, Keonjhar.



Sub : Regarding completion of 132KV S/C transmission line from 132/33KV OPTCL Grid Sub-station, Barbil to Kamanda Steel Plant, Rungta Mines Limited, Kamanda Koira, Sundergarh.

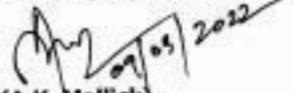
Dear Sir,

In inviting reference to the above captioned subject, we would like to bring to your kind notice that the construction work of 132KV S/C transmission line from 132/33KV OPTCL Grid Sub-station, Barbil to Kamanda Steel Plant, Kamanda, Kolda, Sundergarh is completed in respects on dated 09.03.2022.

Hence, we request your good office to kindly take further course of onward action for inspection of the subjected Transmission line.

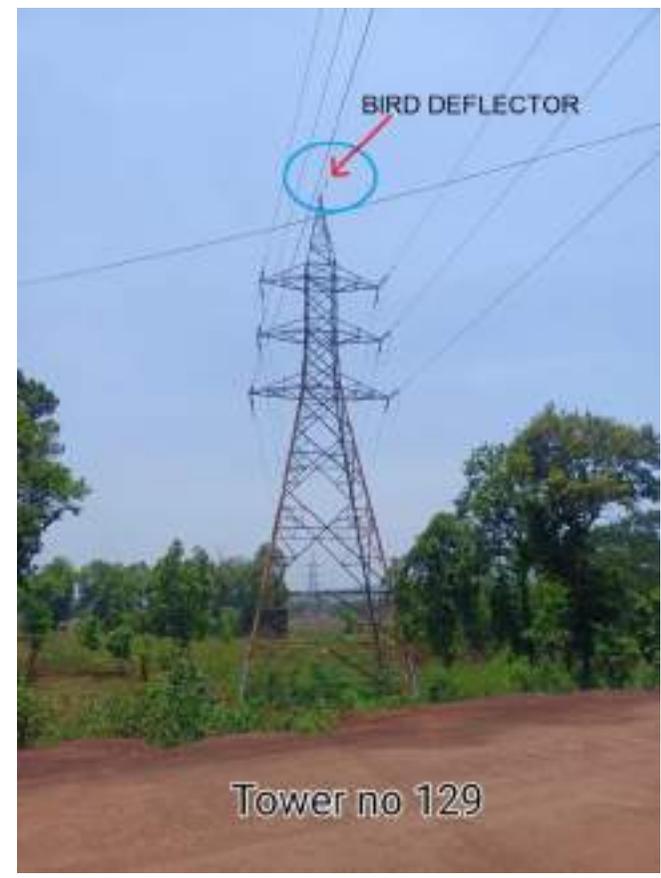
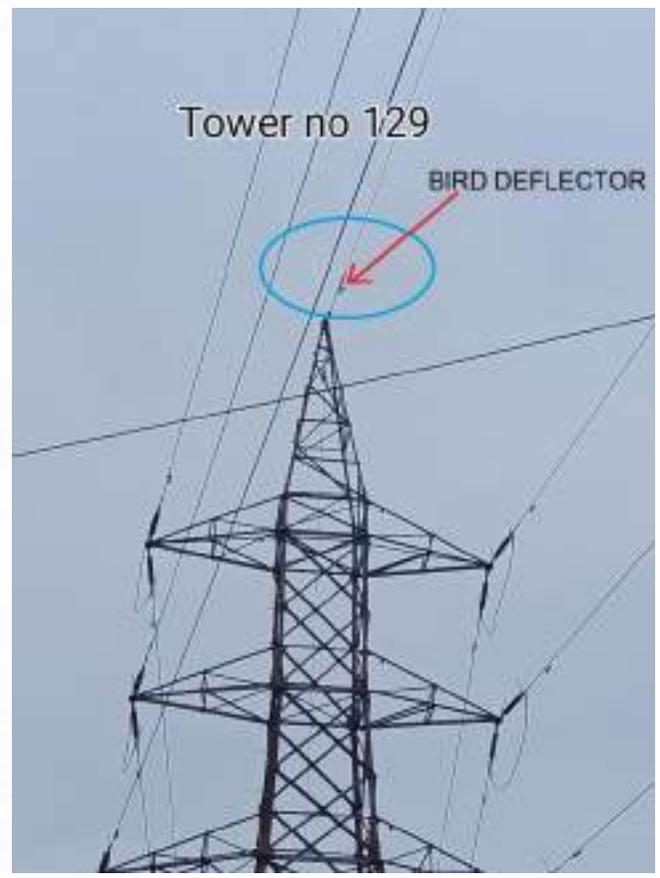
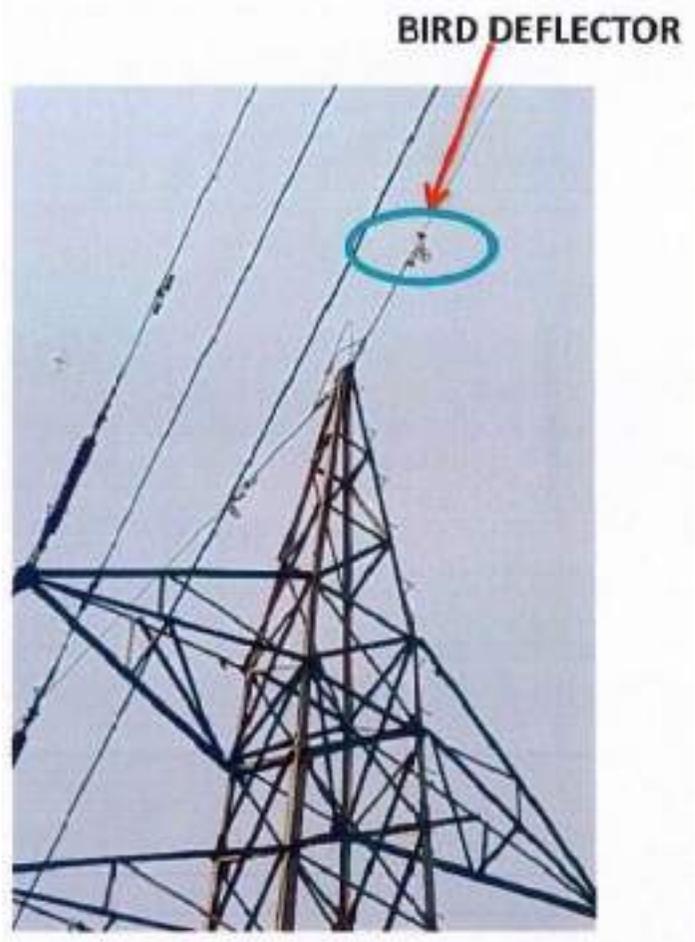
Submitted for your kind information and necessary action please.

Thanking you,  
With Sincere Regards,  
For Rungta Mines Limited,

  
(A.K. Mallick)  
(A.V.P.-Electrical)

  
10.3.2022  
Tej

ANNEXURE R/13





Dhananjaya Mishra &lt;mishra.dhananjaya@gmail.com&gt;

---

**O.A. No. 53/2023/EZ before Hon'ble NGT, Kolkata Bench | Service of Reply on behalf of R-8**

---

Dhananjaya Mishra <mishra.dhananjaya@gmail.com>  
To: Pramod Behera <behera.pramodadv1111@gmail.com>

Sat, Jul 15, 2023 at 6:26 PM

**M/s Soumya Mishra**

Advocates &amp; Associates

552/t/13, Friends Colony, BK Road

P.O. - Buxi Bazar, P.S. - Mangalabag

Dist- Cuttack, Odisha - 753001

Email: [behera.pramodadv1111@gmail.com](mailto:behera.pramodadv1111@gmail.com)

Dear Sir,

I am the counsel for the Respondent No. 8 in the captioned matter.

Kindly find attached the Reply being filed on behalf of the Respondent No. 8 before the Hon'ble NGT. This email may be treated as proof of service of the same.

Kind regards,

---

**Dhananjaya Mishra****Advocate-on-Record*****B.A. LL.B. (Hons.) (NALSAR); LL.M. (Cantab)*****Address: D-428, 1st Floor, Defence Colony, New Delhi - 110 024  
(M) +91 88 2600 9686**

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 **2023.07.15 - FINAL REPLY R-8.pdf**