



**OFFICE OF THE DIVISIONAL FOREST OFFICER,
SUNDARGARH FOREST DIVISION**



Phone No-06622-272243, E-Mail- dfo.sundargarh@odisha.gov.in

Memo No. 652 / 4F (MISC) /2023/Dt- 07/02/2023

To

The Regional Chief Conservator of Forests,
Regional Chief Conservator of Forests,
Rourkela Circle, Rourkela.

Sub: Proposal towards seeking clearance from Ministry of Environment, Forest & Climate change, Govt. of **India** for diversion of 134.69 ha of forest land of Kulda Expansion Open cast Coal Mining Project of Basundhara Area of Mahanadi Coalfields Limited.

(State Serial No. OR-050/2021 dated 08.07.2021)

Ref: Forest Proposal No. : FP/OR/MIN/50293/2020 submitted on 30/03/2021

With reference to the proposal cited above, I submit herewith the proposal for diversion of 134.69 ha of forest land of Kulda Expansion Open cast Coal Mining Project of Basundhara Area of Mahanadi Coalfields Limited in five copies for obtaining approval of Central Government of India under the Act for diversion of forest land for the Project.

1. Brief Description:

Kulda Open Cast Coal Mining Project in Sundargarh District is a project of Mahanadi Coal Fields Ltd. (MCL) a Government of India Public Sector Undertaking company dedicated to win coal from different coal mines located in Odisha. Kulda geological block is located in the north-western part of Ib valley coalfield in Sundargarh district in the state of Odisha. It is situated between latitudes 22°01'02" to 22°03'03" North and longitudes 83°43'28" to 83°45'35" East. The block boundary is defined by the following- 1. North – Basundhara river, 2. West – Chattjhor nallah, tributary of Basundhara River, 3. East – Metamorphic exposure, 4. South & South East – Line joining boreholes CMHG-103,129,123,139 & 138 & adjacent Garjanbahal block. The location of the site for coal mining operation fully depends upon nature's deposit of minerals and geological structure of the coal seam.

District headquarter Sundargarh, on the State Highway-10 (Sambalpur to Rourkela), is at a distance about 46 km. from the Coal blocks. The Sundargarh (Odisha)-Raigarh (Chhattisgarh) all weather road passes through the blocks. The blocks are also connected by block top road with two important towns of Odisha namely Rourkela at 145 km and Jharsuguda at 75 km. The blocks come under Hemgir Tahsil and Balinga police station in the district of Sundargarh, Odisha. The blocks are around 6 km. south west of Basundhara West Colliery and are connected by part metallic road. The blocks are connected by road to the State of Bhubaneswar through State Highway-10 and National Highway-42, with a total distance of around 450 km. The blocks are well connected with MCL HQ at Sambalpur situated at a distance of about 100 km.

Nearest rail-tail head is the Sardega railway siding, situated between 22°04'06.83" to 22°04'12.08" North and Longitude 83°42'41.01" to 83°43'08.38" East, the total length of the track line from Jharsuguda to Sardega Railway siding is 53.1 kms and the distance of Barpali yard from Sardega railway siding is 8.72 kms. The nearest port at bay of Bengal is Paradip and situated at a distance

of about 600 km. from the block. The Jharsuguda airport is the nearest airport from the block (Approx. 45 KM).

The project covers 05 (Five) villages viz. Kulda, Bankibahal, Balinga, Tumulia, Siarmal, in Sundargarh Forest Division of Sundargarh District, and stands acquired by the Central Government and the ownership is vested with MCL, it also includes one reserved forest viz. Lalma RF. Out of several coal mines, Kulda Open Cast Coal Mining Project has a rated capacity 21.00 MTY. The user agency has applied for diversion of 134.69 ha of forest land under the Forest (Conservation) Act, 1980. Forest land break-up is as given below.

Break-up of Forest Land				
Mining	Safety Zone	Embankment, OB Dump, Blasting Zone & Others	OB Dump	Total
110.93	9.77	0.06	13.93	134.69 Ha

The details have been attached in D/P at Page No.-38.

2. Justification for locating the project in Forest Area

Kulda is a potential block having mineable reserves of about 266.49 million tones. Kulda OCP is a running project and has obtained all statutory clearances. Kulda OCP started its mining operations in 2007-08. Coal extracted till 31.3.2020 is 86.70 Mt and OB removed till 31.3.2020 is 54.90 Mcum.

In earlier approved Mining Plan of Kulda Expn. OCP (Revision-1) (10 Mty to 15 Mty), mining operation was carried out in two phases. In Phase-I, surface boundary was restricted within notified lease area for which forest clearance has been obtained i.e. excluding Lalma Reserve Forest. In Phase-II, remaining part of the block was to be worked after obtaining forest clearance for this area. With the increase in demand, MCL now wants to expand the mine in Lalma forest area so as to enhance the production capacity to 21.00 Mty from this mine.

Stage-I forestry clearance was received for land required for a period of 20 years from MOEF in two stages for 50.72ha on 25.07.2001 and 177.17ha on 22.01.2002 respectively. Stage-II clearance was obtained on 08.08.2007 for 227.89 ha of land for 20 years of mine workings.

Coal demand from Ib-valley coalfield has increased many fold due to its strategic location with Howrah-Mumbai railway line passing through the coalfield. Coal of this coalfield is suitable for thermal power plants.

The location of the site for Coal Mine operation is fully depending upon nature's deposit of mineral & geological structure of the coal seams. Hence question of exploring alternative site for the purpose does not arise and the location of Kulda Expansion OCP is justified for locating in the Forest Area. The details have been provided by the User Agency, which is attached in D/P at Page No.-260

3. Details of Land required for diversion including forest, Government Non-Forest, and Private Land

The proposed Kulda Open Cast Coal Mining Project includes the following categories of land duly authenticated by Tahsildar, Himgir and the details village wise land schedule of forest lands are as follows:

S.No.	Village/R.F.	Proposed Forest Area (in ha)	Govt. Non-Forest Area (in ha)	Tenancy Area (in ha)	Total Area (in ha)
1	Kulda	8.89	26.86	46.90	82.65
2	Bankibahal	5.14	10.80	21.29	37.23
3	Balinga	35.81	8.59	1.15	45.55
4	Tumulia	0	16.42	28.93	45.34
5	Siarmal	1.61	0	0	1.61

6	Lalma R.F.	83.24	Nil	Nil	83.24
Total Area (in ha)		134.69	62.67	98.27	295.62

The land schedule over Forest/ Government/Private Land authenticated by Tahasildar, Hemgir countersigned by the undersigned, has been provided by the User Agency, which is attached in D/P at Page No.-83.

4. The purpose-wise breakup of forest land and non-forest land for requirement of this project.

Sl. No	Purpose of Utilization	Forest Land (in Ha)	Non-Forest Land (in Ha)	Private Land (in Ha.)
1	Mining	110.92	40.61	66.54
2	7.5m Safety Zone	9.78	17.56	31.56
3	Embankment	0.06	0	0.17
4	OB Dump	13.93	4.50	0.00
Total		134.69	62.67	98.27
Forest Land proposed to be diverted		134.69		

The details have been provided by the User Agency, which is attached in D/P at Page No. 42.

6. Trees enumeration

Plot wise enumeration has been carried out in the Reserve Forest and Revenue Forest area applied for diversion. The details enumeration list has been enclosed separately with the proposal. Total trees to be affected by the projects – **30441 Nos.** in both Forest land (Reserve – **20912 Nos.**, Revenue Forest – **2723 Nos.**) and Govt. Non-Forest Land (**363 Nos.**) and Private – **6443 Nos.** The details have been provided by the User Agency, which is attached in D/P at Page No.-458.

7. Compensatory Afforestation land and Scheme Details.

Compensatory Afforestation scheme is being done over twice the extent of forest land diversion in the degraded forest area as per provision made date para 2.5 (i)(f) of the hand book of forest conservation act, 1980 guidelines as such degraded forest land twice in an extent i.e., 305.59 ha (Effective area = 286.96 ha) (134.69 ha x 2) has been identified in Pandripani R.F., Sidarmunda R.F., Punjipahar R.F., Punjipahad R.F., Panikholia R.F., under Gopalpur Range of Sundargarh Forest Division for raising compensatory afforestation.. The scheme for Compensatory Afforestation is enclosed in D/P at page No.-109. The financial outlay calculated as per the latest cost norms comes to Rs. 21, 91,38,726.00/-. **The U.A has submitted the undertaking to pay the approved cost for raising Compensatory Afforestation, which has been attached in D/P at page No.-203. The undertaking for bearing the cost of Additional Compensatory Afforestation has been provided by the User Agency, which is attached in D/P at Page No.-203. The undertaking for bearing the cost of Soil and Moisture Conservation measures and other site specific activity have been provided by the User Agency, which is attached in D/P at Page No.-123.**

8. Certificate on Forest Right Act, 2006

The Collector, Sundargarh has issued FRA Certificate, vide ref No. – 5418-VIII-08/2021, date – 21.06.2021 and mentioned that the complete process for identification and settlement of rights under Forest Right Act, 2006 has been completed for the entire 134.69 Ha of Forest land proposed for diversion and certified that Out of total 134.69ha of forest land 38 nos of title holder Area- 67.07ha at Village - Siarmal, 32nos. of title holder Area-22.34ha at Village Tumulia are eligible for claiming the rights under Forest Right Act, 2006.

In this regard, the User Agency has provided an undertaking that if any claim arises under Forest Right Act, 2006 by any claimant shall be dealt accordingly and settled, which is attached in the D/P, at page no.-157.

9. Environmental Clearance.

The user agency has provided the copy of ToR issued for a capacity of 21.00 MTPA, vide letter no. – J-11015/10/1995-IA-II (M), date – 13.12.2022, which has been attached in D/P at page No.-158 and the grant of EC is awaited till the submission of the forest clearance stage I, the user agency has provided an undertaking to submit the copy of Environmental Clearance for expanded capacity, which has been attached in D/P at page No.-173.

10. NoC from State Pollution control board.

The user agency has provided the copy of Consent To Operate (CTO) for a production capacity of 21.00 MTPA which is valid till 31.03.2023, issued vide no. – 788/IND-I-CON-5125, date – 20.01.2023, which has been attached in D/P at page No.-174. The grant of CTO for the expanded capacity is awaited till the grant of Environmental Clearance; the user agency has provided an undertaking to submit the copy of CTO for expanded capacity, which has been attached in D/P at page No.-189.

11. Cost Benefit analysis

There are a total of 975 numbers of families which includes 219 numbers of SC families and 560 numbers of ST families and 196 numbers of General and other backward caste, who shall be affected due to the proposed project. Cost benefit Analysis has been provided by the User Agency in which the total cost to the society has been calculated as Rs. 13422.26 Lakh and the benefit to the society is calculated as Rs. 731675.23 Lakh. The cost to benefit ratio comes to 1:55. The details have been provided by the User Agency, which is attached in D/P at Page No.-190.

12. Resettlement and Rehabilitation

As per the authenticated land schedule, the land belonging to village Kulda, Bankibahal, Balinga, Tumulia, Siarmal, & Lalma RF of Hemgir Tahasil, District-Sundargarh, Odisha are involved in Kulda Expansion OCP. The Kulda Open Cast Project includes the Mining Area, Safety zone, embankment, & OB Dump area.

Total 295.63 Ha (730.50 acres) of land is involved in Kulda Expansion Project (Ph. II). Out of which 98.27 Ha is Tenancy land, 62.67 Ha is Govt. Non-Forest land, 51.45 Ha is Revenue forest land and 83.24 Ha is Reserve Forest Land. The mining area is 218.07 Ha only. Safety Zone area is 58.89 Ha. The rest area will be for embankment and external OB dump.

Out of **98.27 Ha** of tenancy land involved in this project, 46.9 Ha (115.89 acres) belongs to village Kulda, 21.29 Ha (52.61 acres) belongs to village Bankibahal, 1.15 Ha (2.84 acres) belongs to village Balinga, 28.93 Ha (71.49 acre) belongs to village Tumulia. The lands of all above villages have been acquired under CBA (A&D) Act, 1957 vide Notification u/s 9(1) of the said Act vide SO No. 3055 dated 29.10.1990. The above land has been vested in MCL u/s 11(1) of the said Act vide SO No. 43015 dated 30.03.1993.

The payment of Compensation and R&R benefits for the village Kulda, Bankibahal, Balinga, and Tumulia including other 10 villages have been under taken by the Claims Commission, set up by the Hon'ble Supreme Court of India in SLP© 6933 of 2007. The compensation for land and structures for village Kulda, Bankibahal, Balinga has been disbursed to the beneficiaries. And for village Tumulia, approval of Hon'ble Supreme Court is awaited to provide the land compensation as well as R&R benefits. The Rehabilitation plan and the Resettlement plan prepared by the User Agency have been attached in D/P at page No.-194. The User Agency has provided an undertaking for submission of R&R plan after the

approval from Ministry of Tribal Affairs, Government of India, which has been attached in D/P at page No.-200.

13. Deposit of NPV

The User Agency has provided an undertaking to pay the NPV of the forest land proposed for diversion, which is attached in D/P at page No.-202.

14. Deposit of Additional NPV

The User Agency has provided an undertaking to pay the Additional NPV of the forest land proposed for diversion, which is attached in D/P at page No.-202.

15. Deposit of cost for Penal Compensatory Afforestation

The User Agency has provided an undertaking to bear the cost of Penal Compensatory Afforestation, if any, which is attached in D/P at page No.-203.

16. Regional Wild Management Plan

The User Agency has provided an undertaking to bear the cost of Regional Wildlife Management Plan, which is attached in D/P at page No.-204.

17. Deposit of Site Specific Wildlife Conservation Plan

The User Agency has provided an undertaking to bear the cost of Site Specific Wildlife Conservation Plan, which is attached in D/P at page No.-205.

18. Lease Deed/Agreement/Letter of Indent (LoI)

Kulda OCP is coming under CIL block and has been dispensed by the Government of India. The complete land coming under the project in the villages of Kulda, Bankibahal, Balinga, Siarmal(P), Tumulia & Lalma R.F. in the district Sundargarh, Orissa, stands acquired by the Central Government and the ownership is vested with MCL. The detail of notification against which the land was acquired under CBA (A&D) is as mentioned below:

#	Particulars	Block details	Date
1	Date of notification under section 4 (i) of CBA (A&D) Act, 1957	Ib block - XI	24.07.1987
2	Date of notification under section 7 (i) of CBA (A&D) Act, 1957	Ib block - XI	25.09.1989
3	Date of notification under section 9 (i) of CBA (A&D) Act, 1957	Ib block - XI	29.10.1990
4	Date of notification under section 11 (i) of CBA (A&D) Act, 1957	Ib block - XI	30.03.1993

Ib Block-XI : Tiklipara (1743.85 Ac), Siarmal (852.34 Ac), Gopalpur (part)(140.67 Ac), Tumulia (2381.32 Ac), Karlikachhar (511.94 Ac), Kulda (542.85 Ac), Bankibahal (836.33 Ac), Balinga (1234.64 Ac), Garjanbahal (798.35 Ac), Kiripsira (1680.11 Ac) & Japti Jungle (Lalma RF) (420.00 Ac). Villages falling in Kulda OCP: Kulda, Bankibahal, Balinga, Tumulia, Siarmal(P), & Lalma R.F. The User Agency has provided the copies of 9(i) & 11 (i), which has been attached in D/P at page No.-13

19. Mining Plan

The User Agency has provided the copy of approval letter along with the booklet of Mining Plan in D/P at Page No.-266 & 267 respectively.

20. Phased Reclamation Plan

The User Agency has provided the phased reclamation plan including details of backfilling, afforestation and execution of such work, which is attached in D/P at Page No.-231. The User Agency has submitted the Phase Reclamation and Afforestation Plan Map, which is attached in D/P at page No.-250.

21. Details of Safety Zone Area over Forest, Government Non-Forest, Private Land.

The details of safety zone involved in the Kulda expansion mining project have been provided below:

S.No.	Village	Type of Land	Area (Ha)	Total
1	Kulda	Forest	Nil	11.92
		Govt. Non-Forest	6.15	
		Tenancy	5.77	
2	Bankibahal	Forest	Nil	3.32
		Govt. Non-Forest	Nil	
		Tenancy	3.32	
3	Tumulia	Forest	0.36	27.45
		Govt. Non-Forest	4.63	
		Tenancy	22.46	
4	Siarmal	Forest	Nil	Nil
		Govt. Non-Forest	Nil	
		Tenancy	Nil	
5	Balinga	Forest	Nil	Nil
		Govt. Non-Forest	Nil	
		Tenancy	Nil	
6	Lalma R.F.	Forest	9.41	9.41
Total area for safety zone (in Ha)				52.1

The total area required for safety zone is 52.10 Ha in which 9.77 Ha is falling in the Forest Land. The user agency has submitted an undertaking to bear the cost of maintenance of safety zone as greenbelt and bear the cost of afforestation over 1.5 times of the safety zone area on degraded forest land identified elsewhere, which are attached in D/P, at page no.-258 & 259 respectively.

22. Minimum distance of the proposed site from Wildlife Sanctuary/ National Park/Eco Sensitive Zone.

The distance between the nearest Wild Life Sanctuary i.e., Debrigarh and Ushakothi Wildlife Sanctuary is 130 Km from the project site of Kulda Expansion OCP, of M/s MCL.

23. Map

The User Agency have enclosed the following maps

#	Particulars	Scale	Plate No./Page No.	KML/Shape file provided or not
1	Topo-sheet showing location of Kulda Expansion OCP	1:50000	Page - 107	Provided
2	Safety Zone area Plan	1:3960	Page - 257	Provided

3	Land Use Plan	1:3960	Page - 108	Provided
4	DGPS Survey plan of whole forest patches of Kulda Expansion OCP	1:10000	Page – 106	Provided
5	DGPS of forest patches with Co-ordinates (6 Nos)	1:3960	Plate No. – 1 to 6	Provided
6	Milan Sheet of Kulda Village (1 No.)	1:3960	Plate No. – 7	Provided
7	Milan Sheet of Bankibahal Village (2 No.)	1:3960	Plate No. – 8 & 9	Provided
8	Milan Sheet of Balinga Village (1 No.)	1:3960	Plate No. – 10	Provided
9	Milan Sheet of Siarmal Village (2 No.)	1:3960	Plate No. – 11 & 12	Provided
10	Milan Sheet of Tumulia Village (1 No.)	1:3960	Plate No. – 13 & 14	Provided
11	Stage wise mining plan and phase wise reclamation plan (5 Nos.)	Reduced	Page – 250 to 255	Provided
12	DGPS Survey map by ORSAC showing compensatory afforestation areas in Panikholia R.F., Pandripani R.F., Sidharmunda R.F., Punjipahar R.F. in Gopalpur Range in lieu of forest area proposed for diversion in Kulda Expansion OCP, Basundhara Area of M/s MCL, Sundargarh district.	1:5000	Page – 133	Provided
13	DGPS of compensatory afforestation areas in Panikholia R.F., Pandripani R.F., Sidharmunda R.F., Punjipahar R.F. with Co-ordinates (4 Nos)	1:5000	Plate No. – 15 to 18	Provided
14	Topo-sheet showing location of Compensatory Afforestation Land for Kulda Expansion OCP	1:50000	Page - 134	Provided

24. Flora and Fauna

The User Agency provided the details of flora and fauna which are commonly noticed in the proposed area as follows:

Flora: *Acacia nilotica* (L.) Delile, *Aegle marmelos* (L.) Corrêa, *Ailanthus excelsa* Roxb., *Albizia lebbbeck* (L.) Benth, *Alstonia scholaris* (L.) R. Br, *Anogeissus latifolia* (Roxb. ex DC.) Wall. ex Guillem. & Perr., *Artocarpus heterophyllus* Lam., *Bauhinia purpurea* L., *Boswellia serrata* Roxb. ex Colebr., *Butea monosperma*(Lam.) Taub., *Euphorbia nivulea* Buch-Ham, *Ficus benghalensis* L., *Ficus hispida* L.f, *Ficus racemosa* L., *Ficus religiosa* L., *Adina cordifolia*Willd ex Roxb.)Benth &Hook fex Brandis, *Careya arborea* Roxb., *Holoptelia integrifoila*(Roxb.) Planch, *Lagerstroemia parviflora* Roxb., *Limonia acidissima* Groff, *Madhuca indica* J F Gmel, *Mangifera indica* L., *Moringa oleifera* Lam., *Neolamarckia cadamba* (Roxb.) Bosser, *Peltophorum pterocarpum* (DC.) K.Heyne, *Phoenix sylvestris*(L.) Roxb., *Phyllanthus emblica* L., *Polyalthia longifolia* (Sonn.) Thwaites, *Salmalia malabarica*(DC) Schott &Endl. , *Sapindus mukorossi* Gaertn., *Schleichera oleosa* (Lour.) Merr., **Fauna:** *Mus booduga*, *Herpestes edwardsi*, *Funambulus palmarum*, *Macaca mullata*, *Canis lupus*, *Sus scrofa*, *Lycaon pictus*, *Funambulus palmarum*, *Hystrix indica*, *Ateles fusciceps*, *Cebus capucinus*, *Felis chaus*,

Canis aureus, hyena striata, Bubulcus ibiss, Galloperdix bicalcarata, Anas discors, Nettapus coromandelianus, Eudynamys scolopacea, Streptopelia, Calotes versicolor, Naja tripudians, Natrix piscator, Zamenis mucosus, XEnochrophis piscator, Euphlyctis hexadactyla, Rana hexadactyla, Rana tigrina, Rhopalocera, Anisoptera, Cirrhinay mrigala, Catla catla, Ophiocephalus marulius, Ophiocephalus steiatus, wallagoattu, Labeo rohita, Hilsa ilisha

The User Agency reported that during survey, endangered, endemic and migratory species are not present in the study area. Also, migratory corridors, flight paths and spawning grounds are not present in the study area. The details of Flora & Fauna is attached in D/P at page No.-43.

25. Violation

No violation noticed.

26. Additional Information and Other details

- i) Site inspection report of Sundargarh Forest Division is enclosed with the proposal.
- ii) Part-II is enclosed with the proposal.
- iii) Basic Information report.
- iv) DSS Certificate.
- v) CA Scheme

27. Recommendation

In view of the above, 134.69 ha. of forest land is recommended for diversion in favour Kulda Expansion Open cast Coal Mining Project of Basundhara Area of Mahanadi Coalfields Limited.

Encl: 5 sets of proposal

Memo No. 653 /Dated 07-02-2023

Copy forwarded to the Addl. Pr. Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act, O/O the PCCF, Odisha for favour of kind information and necessary action.


... 07.02.23
Divisional Forest Officer
Sundargarh Forest Division

Memo No. 654 /Dated 07-02-2023

Copy forwarded to the Project Officer, Kulda OCP, Basundhara Area of M/s Mahanadi Coalfields Limited, for information and necessary action.


... 07.02.23
Divisional Forest Officer
Sundargarh Forest Division.


... 07.02.23
Divisional Forest Officer,
Sundargarh Forest Division.