

Ref No: MCL/GM(BA)/FC/2023-24/ 912

Date: 24.09.2023.

To  
The Divisional Forest Officer  
Angul Division,  
Angul.

**Sub:** Submission of reply to Essential Details Sought in respect of proposal for seeking approval of Central Government under section 2 of the Forest Conservation Act, 1980 for diversion of 44.64 ha of Forest land and 13.09 ha. of Lookalike forest/ Deemed to be forest over Govt. Non-Forest land for coal mining at Bharatpur Open Cast Expansion Project of Bharatpur Area of MCL.

**Ref No:** 1. Proposal No. FP/OR/Min/153736/2022.  
2. Your letter vide no. 9468 DRP/2022 dated 27.12.2022.  
3. Our letter vide no. 765 dated 09.06.2023.

Dear Sir,

With reference to the above mentioned letter, the shortcomings found in the diversion proposal are compiled herewith. The point wise information is give below:

1. *Proper Check list should be properly filled in mentioning the page number and all necessary undertakings required as per check list should be enclosed.*

The complete proposal with all the necessary undertakings and plans properly filled is submitted herewith.

2. *The DLC forest within the applied area should be shown in green colour in all maps.*

The forest land involved in the expansion area of Bharatpur OCP is 44.64 ha. of Revenue Forest, out of which 43.39 ha. is DLC forest. The entire DLC forest is shown in green colour in all maps. In addition to the revenue forest land, an area of 13.09 ha. of Lookalike Forest/ Deemed to be forest over Govt. Non-Forest land is also included in the proposal which is shown in separate colour.

3. *As per para 3.1(i) of the guidelines issued under the forest ( Conservation) Act, 1980 (FC Act) Compensatory Afforestation is one of the most important conditions stipulated by the Central Government while approving proposals for de-reservation or diversion of forest land for non-forest uses. It was essentials that foe all such proposals, a comprehensive scheme of Compensatory Afforestation (CA) was formulated and submitted to MoEF for necessary approval. In the instant case, without identification of Compensatory Afforestation land in Lieu of the forest land to be diverted for the above project, you have submitted the above forest diversion proposal.*

COMPENSATORY AFFORESTATION:

*As per file No. 8-07/2020-FC dt:12.03.2021 of Government of India Ministry of Environment, Forest and Climate change, Forest Conservation Division ( Copy Enclosed). The proposal for CA on notified degraded forest under the management control of the Forest department was accepted. Nodal Officer shall give a certificate that no afforestation / plantation has been taken up under any plan/ programme/ scheme on the proposed CA land in the last ten Years. However*

*given the fact that Talcher Coal Mining area involves very large forest area the same would need to be properly compensated, further forest- diversion proposals in the area will be accepted with CA on degraded notified forest area on the following conditions:*

- a. State Government issues a certificate that degraded forest land outside notified forests is not available for CA purpose, and*
- b. Nodal Officer Certifies that no afforestation / Plantation has been taken up under any plan/programme/ scheme in the degraded notified forest area proposed for CA in the last ten years.*

For diversion of forest land of 44.64ha, degraded forest land has been identified at Sunajhari R.F and Balibo R.F of Dhenkanal Division vide letter no. 190 3F/Misc/654/2020 dated 06.01.2021. However with addition of Looklike forest/ deemed to be forest of 13.09 ha over Govt. Non-Forest Land, an additional land has been identified at Ramei R.F under Sadangi Range of Dhenkanal Division. Subsequently, CA scheme has been prepared based on onetime cost norm for an area of 115.981ha. identified at Ramei R.F of Sadangi Range and Sunajhari R.F of Bhuban Range of Dhenkanal Division.

Also as per letter of MoEF&CC vide no. FC-11/159/2022-FC dated 24<sup>th</sup> January 2023, biologically reclaimed non-forest land, ownership of which vests with the State PSU or Central PSU, may also be used for raising accredited compensatory afforestation. In compliance to this, an area of 65.74ha. of biologically reclaimed area which is Non-Forest land prior to mining acquired under CBA (A&D) Act, 1957 has been identified at Bharatpur OCP for compensatory afforestation purpose confirming to guidelines of Accredited Compensatory Afforestation. This would also help compensate the loss on forest cover and increase the notified forest area in the Talcher region.

However, in the instant case, degraded forest area of 115.981 ha has been identified Dhenkanal Division and CA scheme has been prepared with an outlay of Rs. 5,50,53,200/- which may kindly be considered for approval.

*4. As per item No.19 of check list species-wise and girth class wise enumeration list and abstract of trees of Non- Forest Land included in the Diversion Proposal is mandatory.*

The species-wise and girth class wise enumeration list and abstract of trees of forest land as well non-forest land involved in the expansion project of Bharatpur OCP is submitted along with the proposal.

*5. Undertaking NPV, Addl NPV, CA, Addl CA, Site Specific Wildlife Conservation Plan, Regional Wildlife Management Plan, FRA Certificate, Certificate minimum use of land and SMC.*

All the undertakings namely NPV, Addl NPV, CA, Addl CA, Site Specific Wildlife Conservation Plan, Regional Wildlife Management Plan, FRA Certificate, Certificate minimum use of land and SMC, duly signed by competent authority are attached in the proposal.

*6. The plot No. 900 to 905 of village Telipasi and Plot No. 211 of village Solada have visible forest growth. It is therefore required that proposal may be revised to include these or other similar patches, if any, in diversion proposal.*

After assessment, an area of 13.09 ha. of Look like Forest / deemed to be forest over Govt. Non-Forest land has been added in the diversion proposal. The DGPS survey has also been carried out by ORSAC and the composite plan of entire expansion area marking the forest patches, look like/



deemed to be forest, safety zone is submitted along with the proposal. However, after the recent developments in the Forest Amendment Bill-2023, the lookalike forest may be excluded in the later stages as and when proper guidelines are issued from the Ministry. At the instant case, the proposal along with lookalike forest of 13.09 ha. along with additional CA land is being submitted herewith for consideration.

*7. A number of natural stream passes through the mining lease area. Undertaking regarding their maintenance and SMC measures to be provided.*

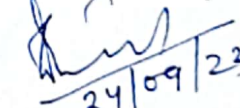
One seasonal stream namely Bangaru Jhor passes through the proposed expansion area of Bharatpur OCP. The stream is proposed to be shifted in a phased manner from 5<sup>th</sup> year of working. Also as detailed in the 31<sup>st</sup> EAC meeting (held for obtaining ToR regarding EC of Bharatpur OCP Expansion 20 Mty), a detailed diversion plan for Bangaru Jhor has been prepared by CMPDI and the plan will be executed after consultation with State Government. Copy of the Draft Diversion plan of Bangaru Jhor is attached herewith. Additionally SMC plan for equivalent mine expansion area of 629.52 ha will be implemented by The Forest department and the cost towards preparation and implementation of the SMC plan will be borne by MCL. An undertaking in this regard is attached.

*8. Stage-II compliance of earlier approvals related to payment to be submitted.*

The Stage-II compliance report of the conditions stipulated for diversion of previous approval along with status report of the previous payments is submitted along with the proposal.

This is for your kind information and consideration of the proposal. Thanking you.

Yours Faithfully

  
24/09/23  
General Manager  
Bharatpur Area

Copy to:

1. The General Manager (E&F), MCL HQ.
2. The Project Officer, Bharatpur OCP.
3. The Staff Officer (Survey/Env't.), Bharatpur Area.
4. Office Copy.