

Ref No: MCL/GM(BA)/FC/2023-24/ 994

Date: 28.11.2023.

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. Letter vide Memo No. 4985/5F.FC-108/2023 dated 09.11.2023.
3. Memo vide no. 7366/DRP/2023 dated 10.11.2023.

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. Identification of suitable land for Compensatory Afforestation:-

a. The proposal for diversion of 44.64 Ha. initially has been submitted in the parivesh portal on 27th March 2022 prior to the notification of Forest (Conservation) Rule, 2022 which came into force from 28th June 2022. MCL, Bharatpur OCP has identified degraded forest land in sunajhari RF of Bhuban Range and Ramei RF of Sadangi Range in Dhenkanal Division as the project could not get non-forest land for the purpose of compensatory afforestation prior to implementation of Forest (Conservation) Rule, 2022. However, identification of additional land in lieu of diversion of lookalike forest of 13.09 Ha. was taken up in January-2023 since the lookalike forest was included in the proposal after observations of DFO, Angul in December-2022.

b. Accredited Compensatory Afforestation: Bharatpur OCP has also identified an area of 65.74 ha. of biologically reclaimed non-forest land for the purpose of compensatory afforestation in line with the guidelines of accredited compensatory afforestation issued by MoEF&CC vide no. FC-11/159/2022-FC dated 24.01.2023. As per the enabling provisions of the guidelines issued by MoEF&CC, the qualification criterion for ACA against the preconditions for ACA is as follows:

i. Land on which the provisions of Forest (Conservation) Act, 1980 are not applicable and which is free from all encumbrances should be considered for ACA; The identified land is Non-forest land and is not covered under provisions of FC Act, 1980 and is also free from all encumbrances.

ii. Non-forest land, including mined out and biologically reclaimed non-forest land, ownership of which vests with the State PSU or central PSU, may also be used for raising ACA:- The identified land of 65.74 Ha. is acquired under CBA (A&D) Act, 1957 and the ownership of which vests with Mahanadi Coalfields Limited. The land is Non-forest land, mined out and subsequently biologically reclaimed prior to 2010 with trees of minimum 10 years old.



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iii. As per the enabling provisions under para 2 of the consolidated guidelines dated 21.08.2023, lands owned by government agencies containing ACA, be notified without transferring and mutating their ownership. Also it was mentioned that any existing plantation, which meets the criteria of ACA, can also be swapped for CA in lieu of diversion of forest land. The provisions of guidelines issued by ministry dated 01.11.2023, also advocates for notification of these lands as RF/PF without insisting for transfer and mutation.

Since the land identified for ACA at Bharatpur OCP meets the preconditions of ACA as per the guidelines of MoEF&CC, the said land parcel of 65.74 Ha. may kindly be considered for CA in lieu of diversion of 44.64 Ha. of Forest land as well as diversion of 13.09 Ha. (Total: 57.73 Ha.) for Bharatpur OCP. The map and KML file showing the biologically reclaimed non-forest land identified under ACA is attached along with the proposal and an undertaking is being submitted to handover the said quantum of land to the Forest department as per the Ministry's guidelines issued from time to time. This would also help compensate the loss on forest cover and increase the notified forest area in the Talcher region.

II. Mismatch of pillar numbers in the field with reference to the DGPS map:-

It is to inform that the discrepancy in marking the pillar numbers has been rectified and the pillar numbers are marked as per the DGPS surveyed map of ORSAC.

III. Posting of pillars at required places:-

The pillar posting has been done during 2020-21 and in the intervening period, some of the pillars got damaged/ lost. In view of this, pillar posting has been carried out again at required places.

In view of the above clarification, it is requested to consider the proposal for diversion of 44.64 ha. of forest land and 13.09 ha of lookalike forest for Bharatpur Open Cast Project of M/s MCL. This is for your kind information and needful action, please.

Yours Faithfully

General Manager
Bharatpur Area

Copy to:

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

