



Ref No: MCL/GM(BA)/FC/2024-25/1134

Date: 4.04.2024.

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 (Total 57.73 ha.) 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 Memo no. 1505/DRP/2023 dated 21.02.2024.

Dear Sir,

Inviting reference to the above mentioned letter, it is to inform that the diversion proposal of Bharatpur OCP has been returned with a request for identification of CA land over equivalent non-forest land as per Forest (Conservation) Rules, 2022. The project has earlier submitted CA scheme for land identified over degraded forest land at Dhenkanal Division.

In compliance with the observations of RCCF, Angul and as per guidelines issued by the Ministry time to time, an area of 60.33 ha. of mined out, biologically reclaimed, non-forest land has been identified at Bharatpur OCP for compensatory afforestation purpose confirming to guidelines of Accredited Compensatory Afforestation.

As per the guidelines vide no. FC-11/159/2022-FC dated 24th January 2023, mined out, 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. The said identified ACA land at Bharatpur OCP is mined out, biologically reclaimed non-forest land and hence conforms to the guidelines.

Subsequently as per the guidelines dated 21st August 2023, the non-forest lands afforested as per the provisions of Accredited Compensatory Afforestation scheme i.e patch of non-forest land involving minimum area of 10 ha with 0.4 vegetation density and minimum five years old afforestation can be used as CA in lieu of diversion of forest land. In case of lands owned by the Government agencies, such lands containing ACA be notified without transferring and mutating their ownership. Existing plantation which meets the criteria of ACA can also be swapped for CA in lieu of diversion of forest land.

The said identified ACA area at Bharatpur OCP is 60.33 ha with more than 10 year old plantation with good density and the ownership vests with MCL. Also subsequent guidelines dated 1st November 2023 specifies the provisions for notification of these ACA patches as RF/PF without insisting for transfer and mutation and to accept the proposals in offline mode till online module is operationalized.



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In compliance with the above guidelines, equivalent mined out, biologically reclaimed, non-forest land containing minimum 10 year old plantation has been identified at Bharatpur OCP for submission to state forest department against diversion of 44.64 ha of forest land for the expansion mine and the details are given below:-

S.No	Site	Mouza	Area in Ha.
1	Patch-I	Anantaberani	12.808
2	Patch-II	Jambubahali & Pabitrapur	17.551
3	Patch-III	Anantaberani & Baideswar	13.328
4	Patch-IV	Anantaberani	6.495
5	Patch-V	Nachhmanpur	10.157
Total			60.339


In addition to the above, it is to inform that Bharatpur OCP has initially applied for diversion of 44.64 ha of forest land (entirely revenue forest) but as per the EDS vide letter no: 9468/DRP/2022 dated 27.12.2022, The DFO, Angul has requested to revise the proposal including few plots of Government Non-Forest land owing to its dense sal vegetation. Accordingly, 13.09 ha of deemed to be forest was identified and after carrying out DGPS survey, the proposal has been revised to 57.73 ha (44.64 ha of revenue forest & 13.09 of deemed to be forest).

However, the provisions of the recent law, Forest Conservation Amendment Act, 2023, introduced exemptions for obtaining Forest Clearance pertaining to deemed to be forest as in the instant case, 13.09 ha of government non-forest land with sal vegetation. In light of this, it is requested to consider our initial diversion proposal of 44.64 ha of forest land involved in Bharatpur OCP expansion project.

Considering the above clarification, it is kindly requested to accept Accredited Compensatory Afforestation land identified at Bharatpur OCP in lieu of diversion of 44.64 ha of forest land for Bharatpur OCP expansion project. This is for your kind consideration and acceptance, please.

Thanking you.

Yours Faithfully


04/04/24
General Manager
Bharatpur Area

Copy to:

1. The Regional Chief Conservator of Forests, Angul for kind information.
2. The General Manager (E&F), MCL HQ.
3. The Project Officer, Bharatpur OCP.
4. The Staff Officer (Min/P&P/Survey/Env.), Bharatpur Area.
5. Office copy.



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