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

एकीकृत क्षेत्रीय कार्यालय, भुवनेश्वर / Integrated Regional Office, Bhubaneswar

ए/३, चंद्रसेखरपुर / A/3, Chandrasekharpur

भुवनेश्वर - ७५१ ०२३ / Bhubaneswar - 751 023

Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

सं.5-ORA555/2023-BHU

दिनांक 05.07.2023

सेवा में,

अपर वन महानिदेशक (एफ.सी.),
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय,
इंदिरा पर्यावरण भवन,
जोरबाग रोड, अली गंज,
नई दिल्ली - 110 003

बिषय : Proposal for seeking prior approval of the Central Govt. under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Mahanadi Coalfield Ltd. for non-forestry use of 125.24 ha of forest land for Subhadra OCP Coal mining under Angul Forest Division of Angul District of Odisha.

संदर्भ: मंत्रालय पत्र सं. 8-06/2023-FC दिनांक 27.02.2023.

महोदय,

उपर्युक्त विषयक प्रसंगाधीन पत्र के आलोक में संबंधित प्रस्ताव का स्थल निरीक्षण श्रीमती पद्मा महंती, उप वन महानिरीक्षक (कें) के द्वारा दिनांक 25.04.2023 को किया गया। स्थल निरीक्षण उपरांत स्थल निरीक्षण प्रतिवेदन एवं अधोहस्ताक्षरी का मंतव्य इस पत्र के साथ संलग्न भेजा जा रहा है।

अनु : यथोक्त।

भवदीय,
ए.टी. मिश्रा

(ए. टी. मिश्रा)

उप वन महानिदेशक (के)

RECOMMENDATION OF DEPUTY DIRECTOR GENERAL OF FORESTS (CENTRAL)

The proposed site was inspected by Smt. Padma Mahanti, DIGF (C) on 25.04.2022 along with the DFO, Angul Forest Division and representative of M/s Mahanadi Coalfield Ltd.

As per the site inspection report of the Dy. Inspector General of Forests (Central):

The instant proposal is for diversion of 125.24 ha forest land within Mining Lease area over 1111.85 ha of Subhadra Open Cast Block of Mahanadi Coalfield Limited.

1. The item wise break up of total land involved in this project is as follows:

Sl. No.	Pattern of utilization	Forest Area (in ha)				Non-Forest Area (in ha)	Grand Total (in ha)
		R.F.	Revenue Forest	DLC Forest	Total Forest		
1.	Mining excavation	0.71	33.82	55.00	89.53	791.75	881.28
2.	Safety Zone	0.04	0.77	0.66	1.47	10.32	11.79
3.	Infrastructure (*)	0	13.00	21.24	34.24	184.54	218.78
Total		0.75	47.59	76.90	125.24	986.61	1111.85

(*) The details of forest land required for infrastructure is furnished below:

Sl. No.	Infrastructure falling under forest area	Area (in ha)
1.	Part of Electric Store	2.21
2.	Part of Mechanical Store	4.09
3.	Project office, approach road to Bux cut Trench cutting area, STP, Part of Railway siding	4.60
4.	Rest shelter, Coal storage Bunker-20,000 tones, Project sub-station, CHP Dump station, CHP substation, Part of railway siding.	23.34
Total		34.24

The Mining plan including Mine Closure plan has been approved by the Board of Directors of MCL.

- The wildlife present in and around the applied area are Elephant, Wild boar, Barking deer, Indian hare, Langur, Jackle, Indian peafowl, Blue joy, Egreta, Kingfisher, Drongo etc.. The Elephant movement has been recorded in and around the proposed site for diversion in the past years. It is also mentioned that man elephant conflict has increased in the area of Angul Division due to increased mining activity. So, the State Govt. shall prepare Site Specific Wildlife Conservation Plan duly approved by CWLW, Odisha and shall be implemented at project. Besides, the user agency shall also contribute towards cost of Regional Wildlife Management Plan.
- The canopy density of the forest is reported to be 0.35 (Eco Value Class-III). Total 48,613 trees (by extrapolating) have been enumerated over forest and non-forest land of the project. Out of which 10,925 trees are over forest land and 37,688 no. of trees over non-forest land. Tree should be felled when it is absolutely required to be removed. Efforts should be made to transplant trees wherever possible.
- During site inspection, it was found that land 110.705 ha of non-forest Govt. land and 40.429 ha of degraded revenue forest land have been identified for CA and suitable for plantation. The DFO has reported that the land identified for C.A. is suitable from plantation and management point of view.

5. State Govt. has reported that 1853 families will be displaced due to this project. The user agency has submitted a copy of Rehabilitation and Resettlement Plan with the proposal.
6. There is a perennial rivulet in the northern boundary of the proposed area name Singhada jhor which passes through a small portion in the north eastern side. As pr the ToR this Singhada jhor will not be disturbed for 10 years and after that it will be straightened making just out side the lease boundary.

Two tributaries of Ghuridia nala which enters from the western side of the lease will diverted to the western boundary of the lease which will merge with Singhada jhor. Also Sinha jhor nala will be diverted along the diverted Ghurudia nala.

Another nala Masania will also be diverted along the eastern boundary of the lease area will merge with Singhada jhor. The proposal for diversion has been submitted by the user agency to Water Resources Department, Govt. of Odisha for approval.
7. A small portion of High School boundary is coming inside the lease area. The school area should be left un-disturbed. The height of the school boundary should be increased to minimize any disturbances.
8. Subhadra and Hingula are adjoining mines. But there is high tension line going along with the boundary of Hingula. So there is a need for safety zone for both the mining leases.
9. The DIGF (C) in her site inspection has mentioned that no violation has been reported.

Mining is a site specific activity. So the diversion of 125.24 Ha of forest land may be considered under the provision of FC Act, 1980 with all statutory conditions and the observations made during the field inspection.

A.T. Mishra
5/7/23

(A.T. Mishra)

Dy. Director General of Forests (Central)

**SITE INSPECTION REPORT IN RESPECT OF DIVERSION PROPOSAL OF
DIVERSION OF 125.24 HA FOREST LAND FOR SUBHADRA OCP COAL MINING
UNDER ANGUL FOREST DIVISION, ODISHA**

The site inspection of the above project was carried out by the undersigned on 25.04.2023 along with the Divisional Forest Officer, Angul Forest Division and officials of the user agency.

1. Legal status of the forest land proposed for diversion:

The legal status of the forest land proposed for diversion is furnished below:

Sl. No.	Name of the village/RF	Reserve Forest (area in ha)	Revenue (area in ha)	DLC (area in ha)	Total (area in ha)
1.	Kankarei	0	12.92	34.06	46.98
2.	Pirakhaman	0	0.04	4.05	4.09
3.	Balichandrapur	0	0.72	1.49	2.21
4.	Raijharan	0	2.51	11.48	13.99
5.	Kaunsidhipa	0	20.30	0	20.30
6.	Golagadia	0	9.17	0	9.17
7.	Chhotabereni	0	0	7.38	7.38
8.	Kumunda	0	0	12.43	12.43
9.	Bhalugadia	0	1.93	5.36	7.29
10.	Baghuabola	0	0	0.65	0.65
11.	Jaipur RF	0.75	0	0	0.75
	Total	0.75	47.59	76.90	125.24

2. Item-wise break-up details of the forest land proposed for diversion.

Item wise break up of the land required for Subhadra OCP is furnished below:

Pattern of utilization	Reserved forest (in ha)	Revenue forest (in ha)	DLC forest (in ha)	Total forest land (in ha)
Mining excavation	0.71	33.82	55.00	89.53
Safety zone	0.04	0.77	0.66	1.47
Infrastructure*	0	13.00	21.24	34.24
Total	0.75	47.59	76.90	125.24

**As reported by the user agency, the details of forest land required for infrastructure is furnished below:*

<i>Sl no</i>	<i>Forest Area under Villages</i>	<i>Infrastructure Falling under Forest area</i>	<i>Area in ha</i>
1.	Balichadrapur	Part of Electric Store	2.21
2.	Pirakhaman	Part of Mechanical Store	4.09
3.	Raijharan	Project office Approach road to Bux cut Trench cutting STP Part of Railway siding	4.6
4.	Kankarei	Rest Shelter Coal Storage Bunker-20,000 tons Project Sub-station CHP Dump Station CHP substation Part of Railway siding	23.34
Total			34.24

From the above information furnished by the user agency and the subsequent discussion held, the forest land is proposed for rest shelter, coal storage bunker, project sub station, CHP Dump Station, CHP sub station, railway siding, project office, stores, approach road, etc. From the approved mining plan it can be inferred that

1. *The total lease area is 1111.85 ha*
2. *Coal bearing area is 881ha*
3. *Non coal bearing area is 195 ha {230 ha – 24 ha (external dump)-11 ha (safety zone)}*
4. *Out of non coal bearing area consisting of 195 ha (161 ha is non forest land and 34.24 ha is forest land)*

Infrastructure has been proposed in 34.24 ha of forest land and 184.54 .ha of non forest land which are non coal bearing areas. Infrastructure like railway siding, transmission lines (CHP substation) can be considered as site specific and project office is placed in forest land is due to its connectivity with the national highway as mentioned by the user agency. The mining plan reflects 143.50 ha for infrastructure and the purpose wise break up is not available in the mining plan. However, from the information provided by the user agency 112.885 ha of non forest land used for infrastructure and 30.614 ha of forest land used for infrastructure which adds up to 143.50 ha and the rest 3.625 ha of forest land proposed under infrastructure consists of part of OB dump area (0.023 ha), part of nallah diversion (1.632 ha), part of embankment (1.503 ha) and part of green belt (0.06 ha)and part of magazine (0.2 ha) which does not find place under infrastructure in the Mining Plan. The table below depicts the aforesaid information.

The detailed information on the land use plan as submitted by the user agency is furnished below:

Total	Forest	Non forest	
1111.85	125.24	986.61	
<i>Purpose Wise land Break Up</i>			
Item	Forest	Non Forest	Total
Excavation Area for Coal	89.53	791.75	881.28
Sub-total-I	89.53	791.75	881.28
Safety Zone	1.47	10.32	11.79
Sub-total-II	1.47	10.32	11.79
Top Soil	0	8.97	8.97
Coal Stock Yard	0	9.76	9.76
OB Dump area *	0.23	23.94	24.17
Nala Diversion	1.632	6.788	8.42
Embakment	1.503	9.987	11.49
Green belt	0.06	6.83	6.89
Magazine	0.2	5.38	5.58
Road & Infra (Electrical store, Mechanical store, Project office, Internal road, Approach road, STP, Railway siding, Rest shelter, coal storage bunker, Electric sub-station, Coal Handling Plant(CHP), Silo, CHP dump station Township, CHP sub-station, Vocational Training centre, HEMM workshop, HEMM store, Scrap Yard)	30.615	112.885	143.5
Sub-total-III	34.24	184.54	218.78
Total (I+II+III)	125.24	986.61	1111.85
<p>* 1. OB dump is within the lease hold area and will be re-handled to backfill the de-coaled area. The backfilling will start from 3rd year of the mine operation.</p> <p>2. The forest land in the project is sparsely located</p> <p>3. Minimum tree filling will be done in the infra area.</p> <p>4. The forest land 34.24 Ha is bare minimum requirement for the project infrastructure.</p>			

3. **Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof:**

As mentioned in point No.2 of this report.

4. **Total cost of the project at present rates:**

Rs.395565 lakhs.

5. **Wildlife:**

As reported by the Divisional Forest Officer, Angul Forest Division, wildlife present in and around the applied area are elephant, Wild boar, barking deer, Indian hare, langur, jackle, Indian penfowl, Blue joy, Egretta, kingfisher, Drongo, etc. The movement of elephants is noticed in the area too.

Whether forest area proposed for diversion is important from wildlife point of view or not:

The area has elephant movement.

6. **Vegetation:**

As reported, vegetation like Arjuna (Terminalia arjuna), Babul (Acacia nilotica), Bahada (Terminalia belerica), Bara (Ficus bengalensis), Baula (Mimusops elengi), Chara (Buchanania lanzen), Dhaura (Anogessus latifolia), Gambhari (Gmelina arborea), Hardia (Terminalia chebula), Kaju (Anacardium occidentale), Kakhada (Casearia elliptica), Karanja (Pongamia pinnata), etc. are there in the applied area.

The canopy density of the forest growth is 0.35 and Eco Class III.

- (a) **Total number of trees to be felled.**

Total number of trees including forest and non forest land is 48613.

Effect of removal of trees on the general ecosystem in the area:

Removal of trees has impact on the general ecosystem in terms of loss of habitat to fauna, soil and moisture conservation, local climate, etc.

- (b) **Important species:**

As reported, vegetation like Arjuna (Terminalia arjuna), Babul (Acacia nilotica), Bahada (Terminalia belerica), Bara (Ficus bengalensis), Baula (Mimusops elengi), Chara (Buchanania lanzen), Dhaura (Anogessus latifolia), Gambhari (Gmelina arborea), Hardia (Terminalia

chebula), *Kaju* (*Anacardium occidentale*), *Kakhada* (*Casearia elliptica*), *Karanja* (*Pongamia pinnata*), etc. are there in the applied area.

Number of trees of girth below 60 cm.

The number of trees of girth below 60 cm. is below 27728 { 5947 (Forest land)+ 21781 (Non Forest land).

Number of trees of girth above 60 cm

The number of trees of girth above 60 cm. is about 20885 {4979 (Forest land) + 15906 (Non Forest land)}.

7. Background note on the proposal:

As reported by the Forest, Environment and Climate Change Department, Government of Odisha, Subhadra project is an opencast mine combining Utkal A and Gopalprasad (west) part coal block and located in Talcher and Chhendipada tehsil of Angul District of Odisha. The total requirement of land for the project is 1111.85 ha. As per the Office Memorandum 226763/2020/CBA-II dated 06.05.2020 Under Secretary to Government of India, Ministry of Coal has proclaimed that Utkal A block mentioned in Schedule 1 of CM (SP) Act, 2015 also include Gopalprasad (west) part coal block allocated to Joint venture company in November, 2005 as per the judgement of Hone'ble Supreme Court of India dated 25.08.2014 and dated 24.09.2014. Accordingly, the present allotment of Utkal A coal mine to MCL includes Gopalprasad (west) part also and the nominated authority was requested to prepare the allotment agreement and allotment order in respect of the aforesaid coal mine. The mine is spreading over villages like Kankarei, Chhotabereni, Golagadia, Kaunsidhipa, Rajjharan, Balichandrapur, Pirakhaman, Baghuabola, Bhalugadia and Kumud of Chhendipada and Talcher tehsils of Angul district. Out of 1111.85 ha land, 125.24 ha is forest land and 986.61 ha is non forest land.

8. Compensatory afforestation:

The CA land was inspected. As reported by the Forest, Environment and Climate Change Department, Government of Odisha, non forest Government land over 110.705 ha in village Jamugaria, Kanja, Nukhuripada, Rodasingha and degraded revenue forest land over 40.249 ha in village Baughapat in Angul Tehsil of Angul district has been identified. Separate CA scheme has been prepared for all the 5 numbers of identified villages in Bantala and Jarpada Range of Angul Division.

*Species proposed to be planted are Khair (*Acacia catechu*), Simili (*Bombax ceiba*), Amla (*Emblca officinalis*), Bahada (*Terminalia belerica*), Asan (*Terminalia tomentosa*), Amba (*Magnifera indica*), Bija (*Pterocarpus marsupium*), Jamu (*Syzygium cumini*), Neem (*Azadirchta indica*), Harida (*Terminalia chebula*), Karanja (*pongamia pinnata*), etc. There are 5 patches*

where CA plantations will be undertaken. In addition to the species proposed, sub trees, herbs, shrubs and climbers can also be added to the CA plantations to ensure a multi canopy, multi species and indigenous mixed plantation instead of just planting tree species. Provision of a full time watchers in all the plantation for at least up to 3 years needs to be ensured as a part of the CA scheme. In patch No.2 and 4, un metalled roads cross the proposed CA patches. The proposed CA land needs to be handed over free of all encumbrances.

- (a) Whether land for compensatory afforestation is suitable from plantation and management point of view or not:**

As reported by the Divisional Forest Officer, Angul Forest Division, the land for compensatory afforestation is suitable from plantation and management point of view.

- (b) Whether land for compensatory afforestation is free from encroachment/other encumbrances:**

The proposed CA land needs to be handed over free of all encumbrances.

- (c) Whether land for compensatory afforestation is important from Religious/Archaeological point of view:**

Not applicable.

- (d) Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not:**

5 patches.

- (e) Map with details:**

Submitted.

- (f) Total financial outlay:**

The total financial outlay duly approved by the Nodal Officer of the CA schemes is around Rs.6,71,64,600.

- 9. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:**

As reported by the DFO, Angul Forest Division and RCCF, Angul Circle in their site inspection report that no violation under the Forest (Conservation) Act, 1980 has been committed by the user agency. No violation was observed during the site inspection.

10. **Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:**

It was reported by the Government of Odisha that as per initial assessment, 1853 families will be displaced due to Subhadra OCP.

11. **Reclamation plan:**

Phased Reclamation plan has been submitted along with the proposal.

Details and financial allocation:

-

12. **Details on catchment and command area under the project:**

Not applicable.

Catchment area treatment plan to prevent siltation of reservoir:

Not applicable.

13. **Cost benefit ratio:**

The cost benefit ratio is about 1:25.97.

14. **Recommendations of the Principal Chief Conservator of Forests/State Government:**

Recommended.

15. **Recommendations of Additional Principal Chief Conservator of Forests (Central) along with detailed reasons:**

Enclosed in the report.

16. **Conservator of Forests (Central) shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:**

As reported by the Divisional Forest Officer, Angul Forest Division, mineral based projects are site specific and proposed project by Subhadra opencast project is located on the forest land.

17. **Utility of the project:**

It was reported by the Government of Odisha that permanent/regular employment likely to be generated is 2108 person days and temporary employment likely to be generated as 5000 person days.

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

People belonging to the Scheduled Caste/Scheduled Tribes may be benefited by the project.

18.

(a) Whether land being diverted has any socio-cultural/ religious value:

Not applicable.

(b) Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion:

Not applicable.

(c) Whether the land under diversion forms part of any unique eco-system:

Not reported.

19. Situation with respect to any Protected Area:

Satkosia tiger reserve is about 25 km from the project.

20. Any other information relating to the project:

- i. *Elephant movement has been recorded in and around the proposed area for diversion in the past years as per the report of the Divisional Forest Officer, Angul. It is also mentioned in the report that man elephant conflict has increased in the area of Angul Division due to increased mining activities. The comments and recommendations of the Chief Wildlife Warden in this regard need to be sought.*
- ii. *Singada Jhor stream has large catchment area along with two other streams. As per the condition of ToR, No.IA-J-11015/72/2021-IA-II (M) dated 28th February, 2022, in Condition No.(iv) which states that "PP shall not divert the Singhada Jhor stream and will not disturb the forest area or green patch located towards North Eastern boundary for next 20 years of the mine life. Adequate protection measures shall be proposed in EIA Report. Accordingly a distance of about 60 mts along Singhada stream shall be left to avoid any pollution, thus the mine plan shall be revisited/relocked". In the final recommendation of the EAC dated 28th February, 2022, it is mentioned that "PP shall protect the green patch and Singhada Jhor for initial 10 years and accordingly fencing will be laid down all along the boundary". This has to be strictly adhered to. Gurudia nalla comes from the west south part of the proposed area and flows through the area which is proposed for diversion. Hence, it is said to be diverted along the western boundary to merge with Singada Jhar in the north western corner. Masina seasonal stream entered the proposed lease area in the eastern side. During discussion, it was learnt that the stream is proposed for diversion along the eastern boundary to merge with Singada Jhar on the north east corner of the proposed diversion area.*

In the ToR issued to Subhadra Open mine vide Ministry's letter No.J-11015/72/2021-IA_II (M) dated 22nd November, 2021, in the Specific Condition No.v, wherein it is stipulated that "A detailed hydrological survey of the Ghurdia nallah/stream, regarding its catchment area, flow volume and length of the stretch to be diverted to be provided with proper

diversion plan in EIA/EMP report". Accordingly, the user agency should conduct hydrological study and implement a proper scientific diversion plan of the natural water courses after obtaining necessary approval from the competent authority. The user agency informed that they are in process of getting approval from the competent authority. The protection of green patch of Singhada jhor should also be ensured. Mining has been approved for 36 years, but the user agency has submitted proposal for a period of 30 years, the matter may be clarified.

- iii. Trees should be felled only when it is absolutely necessary and in a phased manner and under the supervision of the DFO. The feasibility of translocation of trees should also be explored.
- iv. Duly approved Rehabilitation and Resettlement plan shall be furnished and shall be implemented by the user agency.
- v. The user agency shall contribute towards cost of Regional Wildlife Management Plan
- vi. The user agency shall submit the FRA certificate under FRA, 2006.
- vii. The user agency shall undertake demarcation of the lease with boundary pillars with serial number, forward and backward bearing and distance from pillar to pillar.
- viii. The user agency should take steps for upgradation of skill of the local youth so as to make them employable.
- ix. Kankarai Government high school's boundary comes under the proposed mining lease area. Whether mining activities will be carried out in this area should also be explained.
- x. The Hingula mine leased out to MCL on the border of the proposed area for diversion was devoid of safety zone. The provision of cluster safety zone needs to be adopted along with intensive planting techniques of indigenous species all along the safety zone which needs to be multi species, multi canopy with planting of tall saplings to ensure their survival and growth since the area is highly disturbed and degraded due to ongoing mining all along the boundary of the proposed lease area. Hence, a good plantation all along the safety zone needs to be ensured.

Padma Mahanti

(Padma Mahanti)
DIGF (Central)