

Agenda -6

File No. 8-07/2014-FC

1. Government of Odisha vide its letter dated 29th January 2014 submitted a proposal to obtain prior approval of Central Government in accordance with section-2 of the Forest (Conservation) Act, 1980 for diversion of 91.929 hectares of forest land (including 4.957 hectares safety zone) in Radhikapur (West) Coal Block under Chhendipada Tahasil in Angul Forest Division in Angul District Odisha for Coal Mining by M/s. Radhikapur (West) Coal Mining Pvt. Ltd.
2. Details indicated in the proposal submitted by the Government of Odisha are as below:

FACT SHEET

1.	Name of the Proposal	Diversion of 91.929 hectares of forest land (including 4.957 hectares safety zone) in Radhikapur (West) Coal Block under Chhendipada Tahasil in Angul Forest Division in Angul District Odisha for Coal Mining by M/s. Radhikapur (West) Coal Mining Pvt. Ltd.
2	Location:	
	State	Odisha
	District	Angul
3.	Particular of Forests	
(i)	Name of Forest Division	Angul Forest Division
(ii)	Area of Forest land for Diversion	86.972 hectares
(iii)	Legal Status of Forest land	Revenue Forest (Chotta Jungle & Bada Jungle)
(iv)	Density of Vegetation	0.20
(v)	Species-wise and diameter class wise enumeration of trees	The vegetation is dry deciduous forest with mostly pole crop of miscellaneous species and bushes. The area does not have any endangered plant species. Floral species commonly seen in the locality are <i>Tectona grandis</i> , <i>Shorea robusta</i> , <i>Terminalia tomentosa</i> , <i>Anogeissus latifolia</i> , <i>Diopyros melanoxylon</i> , <i>Mangifera indica</i> , <i>Acacia auriculiformes</i> , <i>Alangium salvifolium</i> , <i>Aegle marmelos</i> , <i>Buchanania lanzan</i> , <i>Cassia fistula</i> , <i>Holoptelia integrifolia</i> , <i>Eucalyptus spp</i> , <i>Acacia leucophloea</i> , <i>Citrus aurantium</i> , <i>Pongamia pinnata</i> etc. Common Wild fauna found in the area are Jackal and reptiles like Snake etc.

		<p>The instant proposal involves 86.972ha. of forest land for mining and other allied activities. Since the area proposed for diversion exceeds 10.0 ha. according to para - 2.2 (ii) the guideline to Forest (Conservation) Act, 1980, sample enumeration over 18 sample plots of 1.0 ha. each located in the applied forest land has been carried out. As such in all, 529 no. of trees of girth 30cm and above have been enumerated. By extrapolating the figures over the entire forest land of 86.972ha. , 2556 no. of trees have been enumerated in the forest area besides 18 no. of bamboo clumps. It is further observed that the most of the trees present are of pole size. In view of this, the crown density of the forest land in the applied area is assessed to be 0.</p>
4.	Vulnerability of area to vegetation	This is a Coal Mining Project. The area is not vulnerable to erosion.
5	Approximate distance of proposed site for diversion from boundary of forest	4.5 Km from Durgapur RF
6.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	Does not form part of corridor of elephants, no wildlife sanctuary or national park, not any biosphere reserve and tiger reserve.
7.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No
8.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
9.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare	The requirement of forest land is the barest minimum as the coal project is site specific. The forest land are occurring in scattered manner for which their use is quite

	minimum for the project. If no, recommended area item-wise with details of alternatives examined.	unavoidable.
10.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No violation
11.	Details of Compensatory Afforestation Scheme:	<p>In lieu of 86.972ha. of forest land being proposed for diversion under this proposal for mining and other allied activities out of total forest land including safety zone of 91.929ha., the non-forest land of 88.130ha. has been identified in village Rorasinga under Angul tehsil of Angul district for raising compensatory afforestation. Detailed land schedule of this patch of non-forest land is at page 169/DP. The Divisional Forest Officer, Angul has furnished land suitability certificate pertaining to identified non-forest land for raising compensatory afforestation. The Tehsildar, Angul has furnished the non-encroachment and non-encumbrance certificate pertaining to non-forest land.</p> <p>The Divisional Forest Officer, Angul has prepared a site specific compensatory afforestation scheme in Block plantation model for the patch of non-forest land identified in village Rorasinga under his jurisdiction with a financial outlay of Rs.1,50,00,500/- including the cost of maintenance of Compensatory afforestation of 10 years as per Government of India, MoEF Guidelines F.No. 11-168/2009-FC (Pt) dt.</p>

		14.2.2012 as per latest wage rate of Rs. 150/- per day (page 173-190/DP). Besides plantation, the scheme has provisions for barbed wire fencing and other required measures. The species selected for plantation under the scheme are <i>Khair, Amla, Bahada, Bamboo, Bel, Teak, Simaruba, Pahadi Sisoo, Neem etc.</i> This scheme has got technical approval of Chief Conservator of Forests (Forest Diversion) & Nodal Officer, FC Act. The User Agency has furnished an undertaking to bear the cost of the Compensatory Afforestation Scheme which is enclosed.
12.	Recommendation	
	DFO	The proposed coal project is site specific and the required forest land is the barest minimum, the use of which is quite unavoidable. Hence it is recommended for diversion of 86.972 hectares of forest land for extraction of coal in Radhikapur (west) Coal Block by M/s. Radhikapur (West) Coal Mining Private Ltd.
	CF	The project is site specific. It does not involve any Reserve Forest area. No mining activities are found in the proposed area during site inspection. Agreed with the recommendation of the DFO.
	PCCF	Recommended for diversion of 91.929 hectares of forest land including 4.957 hectares safety zone in Radhikapur (West) Coal Block under Angul Forest Division for Coal Mining by Radhikapur (West) Coal Mining Pvt Ltd.
	State Govt.	Recommended for diversion of 91.929 hectares of forest land (including 4.957 hectares safety zone) in Radhikapur (West) Coal Block under Chhendipada Tahasil in Angul Forest Division of Angul District, Odisha for coal mining by M/s. Radhikapur (West) Coal Mining Pvt Ltd.

3. Government of Odisha in their said letter dated 29th January 2014 submitted following additional information pertaining to the above proposal:
 - (i) Radhikapur(West) Coal Block in Talcher Coal field of Angul District, Odisha has been allotted by Ministry of Coal , Govt. of India in favour of three Project proponents namely (i) M/s Rungta Mines Ltd. (ii) M/s OCL India Ltd. and (iii) M/s Ocean Ispat Pvt. Ltd. vide their letter No. 13016/2005-CA-1, dt. 25.4.2006 as per Option III for extraction of an amount of 119MT,40MT and 48MT respectively for the purpose of their captive use in their Steel, Cement and Captive Power Plants respectively in Odisha. Subsequently as per order of Hon'ble High Court of Odisha dt. 14.9.2009 in WP(C) 12416/2006, the Ministry of Coal, and Government of India vide their letter No. 13016/77/2006-CA-1, dt. 21.12.2009 modified the allocation of this coal block as per Option I. As per condition stipulated in the GoI, Ministry of Coal modification letter dt. 21.12.2009, the three project proponents have constituted a Joint Venture(JV) Company in the name of M/s Radhikapur (West) Coal Mining Pvt. Ltd to develop this Coal Block. This has been registered as a Company under Companies Act, 1956 on 29.3.2010. The copy of certificate of incorporation is enclosed. The Memorandum of Association and Article of Association of M/s Radhikapur(West) Coal Mining Pvt. Ltd are also enclosed.
 - (ii) Radhikapur (West) Coal Block is situated in the western most end of Talcher Coal field in Chhendipada Tehasil of Angul District. It is delineated within latitude of 20° 57' 28" - 20° 59' 42" North and Longitude of 84° 51' 00" - 84° 54' 47" East and forms part of Survey of India Topo Sheet No.73-D/13.
 - (iii) The Radhikapur (West) coal block area is having an area of 10.48 Sq.Km or 1048ha. spread over 8 villages of in Barapada, Kusakila, Naupada, Kusakila Jungle Bar, Jhintipal, Putagadia, Balipata and Kosala in ChhendipadaTehasil of Angul District. The village wise abstract of land required for the project is enclosed. Detailed land schedule of the project area including village wise forest land in Chhendipada tehsil is appended to the DP in a separate volume. IPICOL, Odisha has appraised the requirement of land for this coal mining project and reported accordingly to IDCO. The proposed coal block of 1048ha.ha. is comprised of 730.0302ha. of Private land, 226.0408ha. of Government non-forest land and 91.929ha. of forests kisam land. The forest kisam land of 91.929ha. includes 84.088ha. of Revenue forest, 7.4848ha. of forest land as per sabik record and 0.3562ha. of DLC forest land. The 91.929ha. of forest kisam land include 86.972ha. For mining and other allied activities and 4.957ha. for maintenance of safety zone. The Divisional Forest Officer, Angul in

Part-II of the application form has indicated that forest area proposed for diversion for the project is barest minimum and unavoidable.

- (iv) The Joint Venture Company has applied for mining lease in the allocated Radhikapur(West) coal block for a period of 30 years in Form 'D' to Government of Odisha through Deputy Collector, Mining, Angul on 08.10.2010 for total lease area of 1048 ha including the forest land of 91.929 ha. scattered over the lease hold area. The maximum extent of the block along strike direction (East-West) is 4.8 km that along dip direction is 3.5 km.
- (v) The Central Ground Water Authority, Ministry of Water Resources, Government of India, have issued no objection for drawing of ground water for this coal project vide their letter No. 3143 dt. 1.3.2012. The Ministry of Coal, Government of India vide their letter No. 13016/77/2006.CA-I (Part) dt. 23.6.2011 have approved the Mining Plan for this coal mining project under Section 5(2)(b) of MMDR Act, 1957 (page 29/DP). There is an estimated 312.036 Million tonnes of gross geological reserve of coal in this coal block that includes 288.440 in proved category and 23.596MT in indicated category. Life of the Mines in Underground working is 41 years and Open cast workings for 25 years and overall life of mines is 49 years. The underground operations will operate underneath the opencast operations and no new area will be broken/ affected.
- (vi) The proposed lease area does not fall within any National park/Wildlife sanctuary/Biosphere Reserve/Elephant Corridor/Tiger Reserve. No archaeological monument or protected defence establishment is located inside the applied area. No rare, endangered and unique species of flora and fauna are found in the area. The applied area is about 4.5KM from Durgapur Reserved Forests. The total cost of the project is Rs.600.00 Crores. This project will generate direct employment opportunity for 1702 persons directly and nearly twice no. of persons of locality will be benefited indirectly in course of execution of the project.
- (vii) The project involves 1682 no. of Project displaced families and 384 no. of families of project affected families. R&R Plan prepared concerning this project is enclosed.
- (viii) The proposed coal block of 1048ha.ha. is comprised of 730.0302ha. of Private land, 226.0408ha. of Government non-forest land and 91.929ha. of forests kism land. The forest kism land of 91.929ha. includes 84.088ha. of Revenue forest, 7.4848ha. of forest land as per sabik record and 0.3562ha. of DLC forest land. The 91.929ha.

of forest kisam land include 86.972ha.. for mining and other allied activities and 4.957ha.. for maintenance of safety zone. The purpose wise break up of total land i.e. forest land, non-forest land required for the project is as follows:

SL No.	Purpose	Forest Land (in Ha.)				Total Forest (in Ha.)	Non-forest land (in Ha.)	Grand total (in Ha.)
		Revenue	R.F.	Sabik	DLC			
1	Mining / Quarrying	34.431		1.237	0.356	36.025	714.339	750.364
2	Overburden Dumping	18.879				18.879	81.121	100.000
3	Top Soil Dump						5.000	5.000
4	Road	2.529		0.628		3.157	8.843	12.000
5	Raw Coal Stack						8.000	8.000
6	Reject Stack	2.048				2.048	---	2.048
7	Washed Coal Stack	1.174				1.174	4.826	6.000
8	Washery Site	2.165				2.165	7.835	10.000
9	Settling Pond	1.500				1.500	4.000	5.500
10	Unloading Platform	0.097				0.097	1.072	1.169
11	Underground Entry						2.784	2.784
12	Pit Head Office						0.295	0.295
13	G.M. Office						0.485	0.485
14	Dispensary			0.595		0.595	---	0.595
15	V. T. Centre						1.007	1.007
16	Canteen						0.097	0.097
17	Parking						0.421	0.421
18	Dumper Repair Space	0.959				0.959	3.594	4.553
19	Sub-Station	0.048				0.048	---	0.048
20	Explosive Magazine						0.200	0.200
21	Green belt	15.855		4.470		20.325	76.201	96.526
	Sub-Total	79.685		6.930	0.3562	86.972	920.120	1007.092
23	Safety Zone	4.403		.554		4.957	35.951	40.908
	GRAND TOTAL	84.088		7.484	0.3562	91.929	956.071	1048.000

- (ix) Though the area does not form part of any National Park/Wildlife Sanctuary/Elephant Corridor, due care is to be taken for conservation of Wildlife available in the area. For this purpose, the User Agency is required to pay @ Rs.43,000/- per hectare of leasehold area as per revised norm towards their contribution for implementing Wildlife Management Plan in the applied area if the said area is rich in wildlife. Besides this, the site specific conservation plan for this

project is to be implemented in the leasehold as well as surrounding area at project cost. The user agency has also furnished an undertaking to bear the cost for implementing the Wildlife Management Plan.

- (x) The instant proposal involves 86.972ha. of forest land for mining and other allied activities. Since the area proposed for diversion exceeds 10.0 ha. according to para -2.2 (ii) the guideline to Forest (Conservation) Act, 1980, sample enumeration over 18 sample plots of 1.0 ha. each located in the applied forest land has been carried out. As such in all, 529 no. of trees of girth 30cm and above have been enumerated. By extrapolating the figures over the entire forest land of 86.972ha. , 2556 no. of trees have been enumerated in the forest area besides 18 no. of bamboo clumps. It is further observed that the most of the trees present are of pole size. In view of this, the crown density of the forest land in the applied area is assessed to be 0.2.
- (xi) The total benefit of this proposal comes to Rs.111.037 crores. The loss on forests including environmental loss, N.P.V cost and other mandatory payments comes to Rs.15.77 crores. Hence, the cost benefit ratio comes to 1:7.04.
- (xii) An area of 40.908 ha. comprising of 4.957 ha. forest land and 35.951 ha. Non-forest land has been earmarked to be maintained as Safety Zone within the leasehold area. The Safety Zone area will be maintained as Green Belt. The User Agency has furnished an undertaking to bear the cost of maintenance of Safety Zone and cost of forestation over 1.5 times Safety Zone area in degraded forest land elsewhere.
- (xiii) Government of India, MoEF vide their letter No. J-11015/30/2011-IA.II (M) dt. 30.5.2011 have prescribed Terms and References for according environmental clearance for this mining project. Public hearing for this project was conducted on 30.11.2011. A copy of its minutes is enclosed with the proposal. The State Pollution Control Board, Odisha has issued their consent to establish in favour of this project vide their O.M. No.388 dt. 9.1.2013 for a period of five years. The project will be implemented subject to obtaining of environmental clearance from MoEF, Government and Consent to Operate from State Pollution Control Board, Odisha.
- (xiv) The phased reclamation plan and afforestation scheme has been furnished along with the proposal. As indicated in the Plan, the surface is to be stabilized by afforestation in a phased manner. In the first two years, total waste generated will be dumped on external OB dump site located on the non-mining area. From 3rd year onward, backfilling will commence and part of OB will be backfilled and

remaining shall be dumped in external dump. After 10th year, total OB generated will be backfilled. The user agency has furnished an undertaking for taking up phased reclamation activities.

- (xv) The project involves 1682 no. of Project displaced families and 384 no. of families of project affected families. R&R Plan prepared concerning this project is enclosed. The R&R Plan is required to be implemented with due approval of the RPDAC/State Government before commencement of project activities on final forest clearance.
- (xvi) The Ministry of Coal, Government of India vide their letter No. 13016/77/2006.CA-I (Part) dt. 23.6.2011 have approved the Mining Plan for this coal mining project under Section 5(2) (b) of MMDR Act, 1957. There is an estimated 312.036 Million tons of gross geological reserve of coal in this coal block that includes 288.440 in proved category and 23.596MT in indicated category. Life of the Mines in Underground working is 41 years and Open cast workings for 25 years and overall life of mines is 49 years. The underground operations will operate underneath the opencast operations and no new area will be broken/ affected.
- (xvii) As indicated in Part-II of the application form by the Divisional Forest Officer, Angul, his site inspection report, Site inspection report of RCCF, Angul, no violation of Forests Conservation Act, 1980 has been committed so far in this project.
- (xviii) The user agency is required to deposit the cost of NPV for entire forest land of 91.929ha. in this project. The User Agency has also furnished an undertaking to pay the NPV at revised rate.
- (xix) As per Govt. of India, MoEF circular vide F.No. 11-9/1998-FC(Pt.) dt. 3.8.2009/5.2.2013/5.7.2013 in the matter of ensuring compliance to the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 while processing a forest diversion proposal, the Collector, Angul has furnished the required compliance in the matter as indicated below.
- (xx) In the instant forest diversion proposal that involves 91.929ha. of forest land, the Collector, Angul has furnished the following certificates/documents pertaining to the forest land proposed for diversion for coal mining in Radhikapur(West) Coal block in Angul district:
 - (a) Certificates duly signed by the Collector, Angul for 91.4075ha. and 0.5217ha

- (b) Resolution passed by the Palli sabhas of Barpada village in the meeting held on 30.9.2011, Jhintipal village held on 26.8.2011, Putagadia village held on 14.8.2011, Naupada village held on 16.12.2011, Kusakila village held on 11.12.2011, Balipata held on 30.4.2013 duly signed by the Members present in regional language
 - (c) English version of the resolution of Palli sabha submitted by the Collector, Angul.
- (xxi) Ministry of Environment and Forests, Government of India in their letter F. No. 11-9/98 dated 8.7.2011 have issued guidelines that all applications seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for diversion of forest land for non-forest purpose must be accompanied with Geo-referenced boundary in shape file pertaining to forest land proposed for diversion. These documents/Maps are required to ensure accurate delineation of the forest area to be diverted. The user agency in compliance to this order, has submitted the required digital map duly authenticated by ORSAC and Divisional Forest officer, Angul Forest Division which is enclosed along with the shape file. The soft copy in CD-Form is also appended for reference
- 4. The State Government has finally recommended that in view of the above position, Government of India, Ministry of Environment, may kindly examine this proposal for diversion of 91.929 ha forest land (including 4.957 ha. Safety Zone) in Radhikapur (West) Coal Block under Chhendipada Tahasil in Angul Forest Division of Angul District, Odisha for coal mining by M/s Radhikapur(West) Coal Mining Pvt. Ltd. and convey their approval under Section-2 of Forest (Conservation) Act, 1980 in favour of the User Agency to this department subject to the following stipulation:
 - (i) The User Agency shall pay the proportionate cost of implementation of Regional Wildlife Management Plan at revised cost when fixed in case the area is considered rich in wildlife.
 - (ii) The forest land earmarked in the safety zone is to be maintained strictly and in no circumstances, it shall be used for mining and other allied activities.
 - (iii) The user agency shall pay towards the cost of site specific conservation plan approved by the CWLW, Odisha for its implementation in leasehold as well as surrounding area.
 - (iv) The user agency shall undertake demarcation of the lease area on the ground posting four feet high cement concrete pillars embedded two feet inside the soil with serial number, forward and backward bearings, and distance from pillar to pillar. The user agency shall also submit the map of lease area showing different kinds of forest land

using DGPS survey datas and latitude and longitude of each pillar to the Divisional Forest Officer, Angul for his reference before commencement of work on final forest clearance.

- (v) Felling of trees in the applied area shall be taken up in phased manner strictly as per requirement prescribed in the approved Mining with prior permission of the Divisional Forest Officer, Angul.
 - (vi) User agency shall pay the royalty of numbers of enumerated trees before commencement of work on final forest clearance.
 - (vii) The user agency shall obtain environmental clearance of MoEF and Consent to Operate from the SPCB, Odisha for the project.
 - (viii) Duly approved R&R Plan shall be executed at project cost before the Mines is operated on having final forest clearance.
 - (ix) The user agency shall provide the DGPS/ETS map of Coal Block area as per provisions of the Steel & Mines Department Officer order No. 4132/SM dt. 8.5.2013.
8. The proposal is placed before the Forest Advisory Committee (FAC) for their examination and appropriate recommendations.
