

OFFICE OF THE DIVISIONAL FOREST OFFICER ; ANGUL DIVISION:ANGUL.

Memo No. 7131 /DRP/2023/Dated. 7.11.23

To

The General Manager, Hingula Area,
At/PO- Danra, Talcher, Angul-759148.

Sub: - Proposal for seeking prior approval of the Central government under Section- 2 (ii) of the Forest (Conservation) Act, 1980 in favour of Mahanadi Coal Field Limited, for non-forestry use of 193.845 ha forest land within Mining Lease area over 1265.00 Ha. of Balram Open Cast Expansion (15 MTY) Coal Block of MCL under Angul Forest Division of Angul District, Odisha.

: - Submission of compliance report.

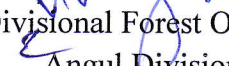
- Ref: -
1. Proposal No. FP/OR/MIN/59166/2020.
 2. State Sl. No. OR-025/2021 dt. 05.04.2021.
 3. Memo No. 15493 dtd. 02.08.2023 of PCCF (FD & NO, FC Act.).
 4. Letter No. 379 dt. 09.08.2023 of G.M, Hingula Area.
 5. Memo No. 22989 dt. 03.11.2023 of OSD-cum-SS to Govt.

With reference to the above cited memo No. on the captioned subject, it is to inform that the proposal for seeking prior approval of the Central government under Section- 2 (ii) of the Forest (Conservation) Act, 1980 in favour of Mahanadi Coal Field Limited, for non-forestry use of 193.845 ha forest land within Mining Lease area over 1265.00 Ha. of Balram Open Cast Expansion (15 MTY) Coal Block of MCL under Angul Forest Division of Angul District, Odisha.

In view of the above, the Dy. Inspector General of Forests, Govt. of India Ministry of Environment, Forest and Climate Change, Department (Forest Conservation Division) on scrutiny of the above diversion proposal and shortcomings are noted vide file No. 8-143/1989-FC(Vol) dt. 31.10.2023 (copy enclosed for your reference).

Hence, you are requested to submit the point wise compliance report with all connecting documents to this office for onward transmission to the higher quarters in due time for taking further action at this end for information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

Memo No. 7132 / Dated. 7.11.23.

Copy forwarded to the Divisional Forest Officer, Dhenkanal, Division for information and necessary action with reference to memo No. 22987 dt. 03.11.2023 of OSD-cum-SS to Govt.


Divisional Forest Officer
Angul Division

Memo No. 7133 / Dated. 7.11.23

Copy forwarded to Regional Chief Conservator of Forests, Angul Circle, Angul for kind information and necessary action with reference to Memo No. 22987 dt. 03.11.2023 of OSD-cum-SS to Govt.


Divisional Forest Officer
Angul Division

Memo No. 7134 / Dated. 7.11.23.

Copy forwarded to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer FC Act O/O the PCCF Odisha, Bhubaneswar for favour of kind information and necessary action with reference to 22986 dt. 03.11.2023 of OSD-cum-SS to Govt.


Divisional Forest Officer
Angul Division

By Post

GOVERNMENT OF ODISHA

FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

Memo No. 22985 /FE&CC, Date 03/11/23

FE-DIV-FLD-0088-2023/10F-(Cons)-64/2023

Copy of Government of India, MoEF&CC (FC Division), New Delhi Letter No.8-143/1989-FC (Vol), dtd.30.10.2023 on the matter of proposal for seeking prior approval of the Central government under Section-2 (ii) of the Forest (Conservation) Act, 1980 in favour of Mahanadi Coal Field Limited, for non-forestry use of 193.845 Ha of forest land within Mining Lease area over 1265.00 Ha of Balaram Open Cast Expansion (15 MTY) Coal Block of MCL under Angul Forest Division of Angul District of Odisha forwarded to the Principal Chief Conservator of Forests & HoFF, Odisha for kind information and necessary action.

He is requested to submit the required information as sought for by Govt. of India, MoEF&CC, New Delhi in the aforesaid letter directly to the Ministry under intimation to this Department.

03/11/2023
OSD-cum-Special Secretary to Government

Memo No. 22986 /FE&CC, Date 03/11/23

Copy forwarded to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha/ Principal Chief Conservator of Forests (FD&NO, FC Act), O/o the PCCF & HoFF, Odisha for information and necessary action.

03/11/2023
OSD-cum-Special Secretary to Government

Memo No. 22987 /FE&CC, Date 03/11/23

Copy forwarded to the Regional Chief Conservator of Forest, Angul Circle/ Divisional Forest Officer, Angul Forest Division/ Divisional Forest Officer, Dhenkanal Forest Division for information and necessary action.

03/11/2023
OSD-cum-Special Secretary to Government

Memo No. 22988 /FE&CC, Date 03/11/23

Copy forwarded to the Steel & Mines Department/ Director, Environment-cum-Special Secretary to Government, FE&CC Department/ Member Secretary, SPCB, Odisha/ Collector, Angul/ Collector, Dhenkanal for information and necessary action.

03/11/2023
OSD-cum-Special Secretary to Government



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Memo No. 22989 /FE&CC, Date 03/11/23

Copy forwarded to the General Manager, MCL, Hingula Area, At/Po-Danara Talcher, Dist.-Angul, Odisha, Pin-759148 for information and necessary action.

03/11/23
OSD-cum-Special Secretary to Government

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)



Indira Paryavaran Bhawan
Jor Bagh Road Aliganj
New Delhi-110003

Dated: October, 2023

To
Additional Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar.

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of Mahanadi Coal Field Limited, for non-forestry use of 193.845 ha of forest land within Mining Lease area over 1265.00 ha of Balaram Open Cast expansion (15 MTY) Coal Block of MCL under Forest Division and District Angul of Odisha State (Online Proposal No. FP/OR/MIN/ 59166/2020)

Sir,

I am directed to refer to the Government of Odisha's letter no. letter No. FE-DIV-FLD-0088-2023-20708/E&CC dated 30.09.2023 on the above-mentioned subject proposal, seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After the examination of the proposal, following information is required to be submitted for further necessary action in the matter:

- i. The User Agency has not provided the details of the past approved proposal in the Form-A Part-I under column B (1) online.
- ii. KML file of the earlier diverted area i.e. 85.201 ha and CA land provided in respect of the previous approval.
- iii. Status of the CA carried out in respect of the previous approval along with survival%, expenditure incurred and copy of the notification of the said land as protected forest as per the condition no. (ii) of approval letter dated 28.09.1990.
- iv. As per the provisions of the FCA comprehensive guideline Chapter 7 under Para 7.8 (i) (d) "Any proposal for diversion of forest for mining involving any forest land in respect of which diversion has been approved earlier will invariably be submitted along with the present status of compliance of the conditions of all previous FCs duly certified by the concerned Regional Officer of the MoEF&CC". But in instant case dully verified compliance reports from concerned Regional Office, on the condition stipulated in Stage-II approval have not been received. The same may be submitted by the State.
- v. The proposal is for expansion of earlier approved area of 85.201 ha vide Ministry's letter dated 28.09.1990 (pg. 83-84/c). The State has provided the status of the reclaimed land. However, how much land out of 85.201 ha has

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been reclaimed it is not clear. Further, if the already diverted land has been de-coaled and reclaimed then why it has not been handed over to the SFD. If the land is in the possession of the UA then the State Government Shall ensure that NPV of the entire forest land within the lease area shall be deposited as per the Ministry's Guidelines dated 06.01.2022 read with the letter dated 22.03.2022.

- vi. The State has accepted the identified degraded notified forest for CA as the user agency has given a proposal stating that within 10 years from grant of forest clearance, it will hand over non-forest afforested equivalent forest area proposed for diversion in MCL mines area of Odisha. The user agency has furnished an undertaking duly signed by the DFO, Angul wherein it was undertaken to hand over the exact extent of afforested non-forest land against the proposed forest land for diversion after 10 years of getting Stage-II approval of the applied project. However, the state has not given following certificate as per the MoEF&CC, Gol Stage-1 approval for Utkal-E Coal Block of M/s NALCO in Angul District dt. 12.03.2021:

- 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 in the degraded notified forest areas proposed for CA in the last 10 years.

In view of the above justification given by the UA the CA land on notified DFL may not be accepted. The clarification may be asked from the State.

- vii. KML file of proposed forest land has been checked on DSS. As per DSS report the KML file of land use (component wise breakup) including safety zone is not available on PARIVESH. The same may be uploaded.
- viii. The status of the safety zone as per the FCA comprehensive guideline Chapter 7 under Para 7.9 in respect of the proposal approved earlier may be provided.
- ix. The name of the proposal from Kalinga OCP to Balram OCP has been changed in 2006 without approval of the Central Government. The justification may be provided.

2. In view of the above, you are requested to submit the above mentioned information at an earliest for further consideration of this proposal.

Yours faithfully,

(Dr. Surabhi Rai)
Dy. Inspector General of Forests

Copy to:

1. Principle Secretary (Forests), Government of Odisha, Bhubaneswar.

/56375/2023

2. The PCCF (HoFF), Government of Odisha, Bhubaneswar.
3. The Nodal Officer (FCA), O/o PCCF, Government of Odisha, Bhubaneswar.
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.