

## GOVERNMENT OF ODISHA

## FOREST, ENVIRONMENT &amp; CLIMATE CHANGE DEPARTMENT

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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.

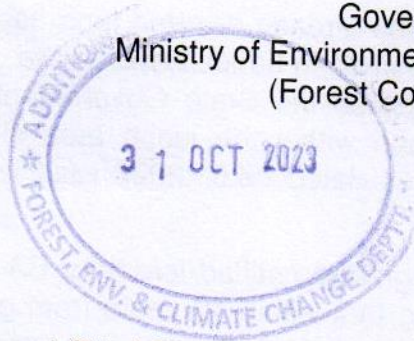
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OSD-cum-Special Secretary to Government

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

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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:

- The User Agency has not provided the details of the past approved proposal in the Form-A Part-I under column B (1) online.
- KML file of ~~the~~ earlier diverted area i.e. 85.201 ha and CA land provided in respect of the previous approval.
- 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.
- 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.
- 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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SOC Div  
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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, GoI 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.

Signed by Surabhi Rai  
Date: 30-10-2023 15:56:45  
Reason: Approved