

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

Letter No. 8696 /DRP/2023/Dated. 27.12.2023

To

The General Manager, Bhartpur Area.

Sub: - Proposal for seeking approval of Central Government under section 2 of the forest conservation Act, 1980 for Diversion of 44.64 ha Forest land and 13.09 ha. of Lookalike forest (Total 57.73 ha.) for Coal Mining at Bharatpur Open Cast Expansion Project at Bharatpur Area of Mahanadi Coalfield Limited.

: - Submission of compliance report.

Ref: -
1. Proposal No. FP/OR/Min/153736/2022.
2. Memo No. 4985 dt. 09.11.2023 of RCCF, Angul.
3. Your letter No. 994 dt. 28.11.2023.

With reference to the above letter No. on the captioned subject, on scrutiny of the compliance report submitted vide your letter No. under reference (3), the following observation are made which may be complied immediately.

In the reply, the project proponent has maintained that that process for the forest diversion was initiated before the notification of FC rules, 2022. Project is reflected in Parivesh Portal under the heading "Projects received before 28th June 2022". It has been considered by the nodal officer and EDS had been raised by the Principal Chief Conservator of Forests, FC Act. O/o the Principal Chief Conservator of Forests, Odisha, Bhubaneswar on dt. 28.03.2022. As per the guidelines dated 28th June, 2022 of the MoEF & CC, GoI, New Delhi, proposal accepted by the Nodal officers before 28.06.2022 will be processed as per the FC rules 2016.

Under FC rules, 2016 read with file No. 8-07/2020-FC dt. 12.03.2021 of Government of India Ministry Environment, Forest and Climate Change Forest Conservation Division, the user agency needs to select the CA land on the basis of following conditions : -

- (a) State Government issues a certificate that degraded forest land outside notified forests is not available for CA purpose.
- (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.

The user agency has not justified why certificate from the State Government has not been obtained for identification of CA land in the notified forest land in the Dhenkanal forest Division instead it has proposed to provide non-forest land in the reclaimed part of the mine lease area within 10 years.

Now, It is further proposed by the project proponent that it is interested in providing the compensatory afforestation land in form of Accredited Compensatory afforestation (ACA). In

such a case, CA scheme may be prepared by the User Agency and its approved copy can be added in the proposal while keeping the below observations by the undersigned:

However, the following observations may be included while finalizing the ACA land -

- (1) MCL may not be considered as the Government Agency for the purpose of ACA as MCL is not a part of the Government Machinery.
- (2) As per the Section 33(1) of the Odisha Forest Act, 1972, "...land which is the property of the Government or, over which the Government have propriety rights..." may, by notification, be declared as Protected Forests by the State Government.
- (3) It is further noted that though it is mentioned that plantation has been done prior to year 2010, DSS analysis indicates that canopy density is less than 0.4 as required by the ACA guidelines.

In view of the above, ACA scheme should include the following -

- (1) Supporting document that project proponent is a Government Agency eligible under the guidelines.
- (2) No objection Certificate from the State Government that such land can be declared as Protected Forests or its ownership can be changed to the Forest Department as required by the ACA guidelines mentioned in the EDS reply.
- (3) Schemes to improve the canopy density to the minimum 0.4.

In view of the above observations, position of the CA land and scheme may be clarified and approved plan and scheme including DGPS map of non-forest area may be re-submitted accordingly along with the reply of the EDS raised under reference.

This for favour of your kind information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

Memo No. 8697 / Dated. 27.12.23

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle, Angul for favour of kind information and necessary action with reference to your memo No. under reference (2).


Divisional Forest Officer
Angul Division

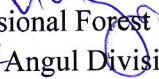
Memo No. 8698 / Dated. 27.12.2023.

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 memo No. 4986 dt. 09.11.2023 of RCCF, Angul.


Divisional Forest Officer
Angul Division

Memo No. 8699 / Dated. 27.12.2023.

Copy forwarded to the Divisional Forest Officer, Dhenkanal, Division for information and necessary action.


Divisional Forest Officer
Angul Division