



OFFICE OF THE REGIONAL CHIEF CONSERVATOR OF FORESTS, ROURKELA CIRCLE,
AT/P.O. PANPOSH, ROURKELA-769 004.

Memo No. 2457 /3F (Misc)-771/2021. Date: 02.08.2023

To

The Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act),
O/o the Principal Chief Conservator of Forests,
Odisha, Bhubaneswar.

Sub:

Proposal seeking clearance from Ministry of Environment, Forest & Climate change, Govt. of India for diversion of 342.870Ha forest land for non-forestry purpose towards development of Dip side of Manoharpur Coal Mining Project of Odisha Coal & Power Ltd.- Submission of compliance report to EDS by MoEF & CC reg.

Ref:

1. F.No.8-63/2011-FC(Vol-I) Dated 24.03.2023 of MoEF & CC, GoI.
2. Letter No.7527/FE&CC dt.13.04.2023 of the FE & CC Deptt., Govt. of Odisha.
3. Your Memo No. 7449 dt.19.04.2023
4. Memo No.3824 Dtd.31.07.2023 of DFO, Sundargarh Division.

With reference to the aforementioned Memos on the captioned subject, the DFO, Sundargarh Division, vide his Memo No. 3823 Dtd.31.07.2023 addressed to this office & copy thereof endorsed to you in the next Memo of even date has submitted the point wise compliance deficiencies observed by GoI, MoEF & CC vide their F.No.8-63/2011-FC (Vol-I) Dated 24.03.2023 in respect of the aforementioned proposal which may kindly be perused.

The point wise compliance submitted by the DFO, Sundargarh Division is as follows:-

- i. **Status of compliance of conditions stipulated in the Stage-II approval accorded by MoEF & CC vide letter F.No.8-63/2011-FC dated 20.08.2014 for the diversion of 276.655 ha forest land. The status of compliance report of Stage-I approval for diversion of 15.701 ha forest land for Manoharpur coal block needs to be submitted by the State Government.**

As reported by the DFO, Sundargarh Division, the User agency has submitted the compliance status of the conditions stipulated in the Stage-II approval accorded by MoEF & CC vide letter F.No.8-63/2011-FC dated 20.08.2014 and transferred to OCPL vide letter dt. 30.11.2015 for the diversion of **276.655** ha forest land which is enclosed as **Annexure-1**.

Further, User Agency has intimated that, the preparation of compliance is with the conditions stipulated in the Stage-I approval of **15.701** ha forest land accorded by MoEF & CC vide letter dt. 20.10.2021 is under process. The details of same are as follows:

1. NPV Payment -Rs. 1,26,07,903/- as per demand raised by the undersigned has been deposited through by the User Agency parivesh portal in state specific CAMPA fund vide UTR No. SBINR52022031772999840.

2. CA Payment -Rs 70,93,700/- as per demand raised by the DFO, Sundargarh has been deposited by the User Agency through parivesh portal in state specific CAMPA fund vide UTR no. SBINR52022042079187190.
3. Alienation and Mutation of CA land for PF Notification - Alienation & mutation proposal has been submitted to Tahasildar, Hemgir for transfer & mutation of CA land identified in Village-Ankelbira under Hemgir Tahasil which is under Process at Collectorate level.
4. FRA Certificate - The User Agency has intimated that, the FRA proposal is under Process at DLC level.
5. Stage-I Compliance -The User Agency has submitted the current status of compliance to the conditions stipulated in the Stage-I approval of 15.701 ha forest land proposed for diversion which is enclosed as **Annexure-2**.

ii. **There is discrepancy in the area proposed forest for diversion. As per proposal submitted the area is 342.870 ha whereas the software-calculated area as per DSS analysis is found to be 334.069 ha. Similarly, it has been mentioned that the project boundary area of dip-side is 1848.379 ha (Lease area 1781.591 ha) and its software-calculated area is found to be 1812.49 ha. The same needs verification and submission of correct KML files accordingly.**

As reported by the DFO, Sundargarh Division, the user agency has stated that as per current Forest Diversion Proposal (FDP), the proposed forest area to be diverted is 342.870 ha. Further, the submitted KML for the forest diversion proposal is having an area of 342.78 ha instead of 342.87 ha. The KML showing the same is enclosed in form of CD [(Kindly refer **Annexure-3 (a)**]. Further, as reported by the DFO, Sundargarh Division the KML submitted by the user agency for the project boundary area is showing the total area as 1847.17 ha (Lease area 1781.3 ha). The breakup of the 1847.17 ha is furnished below:

Sl. No.	Item	Area (ha)
1	ML area including OB dump etc.	1722.0
2	Bulb Area (MGR)	59.3
3	Mine colony	22.0
4	Road to Laikera siding	21.2
5	Laikera siding	19.6
6	Road to Magazine	2.5
7	Magazine	1.1
	Total	1847.17

User Agency has submitted the KML of 1847.17 ha which is enclosed in form of CD [(Kindly refer Annexure **3(b)**].

Further, the User Agency has clarified that the allotted area is as per the land records and the Map area is as per DGPS surveyed area.

iii. **As per the mining plan, the total project area is 1848.379 ha and total forest land involved is 618.644 ha. The Ministry has accorded Stage-II approval for 276.655 ha and Stage-I approval has been accorded for 15.071 ha forest land. As per above details the non-diverted forest land remaining within the coal block is 326.918. However, the instant proposal has been submitted for 342.87 ha.**

The same needs to be verified and the total forest area within the project may be corrected accordingly.

As reported by the DFO, Sundargarh Division, the User Agency has submitted the clarification as per the approved Mining Plan, which is furnished below:

1. As per the approved Mining Plan (Rev III); the area details are as follows:

Total project area - 1848.379 ha

Total Forest area - 618.644 ha

2. MoEF & CC accorded stage II approval for 276.655 ha wherein 76.19 ha area is considered as "treated forest as per dictionary meaning" and the same is also mentioned in Stage II approval accorded by MoEF & CC. The copy of same is enclosed as **Annexure 4**. Further, the area of 76.19 ha "treated as forest as per dictionary meaning" mentioned in Stage II approval is of non-forest Government land which was considered only for calculation purpose of NPV due to natural growth of forest over the area, while the actual forest area which has been transferred by forest department to OCPL for diversion purpose is only 200.465 ha.
3. User Agency submitted that, later on, they had applied for the diversion of 15.701 ha forest area (i.e. left out patches) required to accommodate the **OB dump** etc. and obtained Stage I approval (copy enclosed as **Annexure 5**) from MoEF & CC vide letter dt. 20.10.2021.
4. Further, MoEF & CC accorded Stage II approval to Odisha Power Generation Corporation Limited (OPGC; parent company of OCPL) for the diversion of 159.616 ha of forest land (copy enclosed as **Annexure 6**) for the purpose of Railway Siding (MGR network from Manoharpur Coal mine to end use power plant); out of which OPGC **57.078 ha** forest area has been transferred to OCPL to develop the infrastructure area vide Letter Dtd.17.10.2017 of MoEF & CC (copy enclosed as **Annexure 7**).
5. Hence, the forest land available for diversion/already diverted is = **200.465 ha + 15.701 ha + 57.078 ha = 273.244 ha**
6. Thus the remaining forest area left for diversion is **345.40 ha (618.644 ha - 273.244 ha)**; but after verification of the land records, it was observed that the total forest area comes out to 342.87 ha only. The authenticated land schedule duly certified by Tahasildar, Hemgir and the DFO, Sundargarh is enclosed herewith as **Annexure 8**.
7. A copy of letter issued by the DFO, Sundargarh along with land details to the CEO, ORSAC for authentication of 342.87 ha of forest land is enclosed as **Annexure-8 & 9**.
Accordingly, the User Agency submitted the instant proposal over **342.87 ha** of forest land required for development of dip side Manoharpur Coal block.

- iv. **KML file of the area already diverted in the past i.e. 276.55 ha and the KML file of 15.701 ha for which Stage-I approval has been issued shall also be submitted.**

The DFO, Sundargarh has submitted the KML file for the diverted area i.e. **276.655 ha** and the area proposed to be diverted i.e. **15.701 ha** which is enclosed in form of CD (Kindly refer **Annexure 10**).

- v. **The three Compensatory Afforestation patches namely Kutra-1045/P, Khaturbahal 2068/P and Khaturbahal 1733/P are isolated and have area less than 5 ha. The same are required to be re-examined as per the guidelines.**

As reported by the DFO, Sundargarh Division, the total land considered for Compensatory Afforestation (CA) in patches having less than 5 Ha area is **9.333Ha**, which are in plot nos: Kutra-1045/P (**4.537 ha**), Khaturbahal 2068/P (**3.393 ha**) and Khaturbahal 1733/P (**1.403 ha**). The land identified in these plots is of DLC land and hence resultant requirement of additional non-forest government land is only **4.66Ha**. A total area of **19.106 ha** of Non-Forest Government Land has been identified in village Telendihi (**5.059ha**), Gambharidihi (**4.047 ha**), Budhabahal (**10 ha**), Tahasil Tangarpali, district Sundargarh, Odisha for compliance of observation no (v) and no (vii). The details of identified land duly certified by Tahasildar is enclosed in **Annexure 11**.

- vi. **A road is passing through the proposed CA sites identified for planting balance seedlings over 163 ha of degraded forest land in Sundargarh Forest Division. The road may affect the compactness of the area proposed to be planted, which may be looked into.**

As reported by the DFO, Sundargarh Division, the proposed CA site area identified for planting balance seedlings is **160 ha** of degraded forest land, which is located in Kondakanberu URL of **Malkangiri Forest Division**.

Further, as reported by **DFO, Malkangiri**, the balance seedlings of 1,60,000 can be accommodated in the identified area of 160ha and presence of road will not affect the compactness of the area to be planted as the same has already been considered in the working plan of the plantation area Malkangiri Forest Division.

- vii. **As per the Recorded Forest Area (RF/PF) boundary available on DSS, the CA sites namely Aludega and Raichun are falling inside the RF boundary.**

As reported by the DFO, Sundargarh Division, the total area in Aludega (**12.343Ha**) and Raichuan (**12.270 Ha**) which is falling within the RF boundary is **24.613Ha**. The land identified in these plots is of DLC land and hence resultant requirement of additional non-forest government land is only **12.307 Ha**.

Accordingly, the User Agency has provided a total area of **19.106 ha** of non-forest government land in Village-Telendihi (**5.059ha**), Gambharidihi (**4.047 ha**), Budhabahal (**10 ha**), Tahasil Tangarpali has been identified for compliance of observation no (v) and no (vii). The details of identified land are enclosed in **Annexure 11** as mentioned above in point no. (v).

- viii. **The total area proposed for Compensatory Afforestation is 448.942 ha whereas the software calculated area of proposed CA sites located in Sundargarh district is 436.329 ha. Further as per information uploaded in Part-1 of the application form the proposed area is less than 448.942 ha. The same shall be rechecked and correct KML files be provided.**

Considering the observations in Point no.(v) and no. (vii), the total area proposed for Compensatory Afforestation has now been changed to **434.102ha** (Sundargarh-Govt-264.424 ha, DLC-69.078 ha, Addl.DLC-100.60 ha and the same has been updated in Part-I. The summary of CA

land along with duly certified land schedule by competent authorities is enclosed as **Annexure 12 (a)**.

The KML file showing **434.102 ha** land identified for CA purpose is enclosed in form of CD (kindly refer **Annexure 12 (b)**).

- ix. **KML file indicating the component wise breakup and land use plan including safety zone (as per approved mining plan) for forest and non-forest area within the entire project area is required to be provided for detailed analysis of the proposal.**

As reported by the DFO, Sundargarh Division, the component wise breakup and land use plan including safety zone (as per approved mining plan) for forest and non-forest area within the entire project area is enclosed as **Annexure 13**. The KML file is provided in CD as **Annexure 13 (a)**.

- x. **Elephant Movement is reported in the area proposed for diversion. Therefore, comments of PCCF (Wildlife) and CWLW, Odisha needs to be provided by the State Government.**

As reported by the DFO, Sundargarh Division, the Site Specific Wildlife Conservation Plan (SSWLCP) for the development of Dip-side Manoharpur Coal Block has been approved by the PCCF (Wildlife) & CWLW, Bhubaneswar based on criteria / guidelines of Office of PCCF (Wildlife) and CWLW, Odisha vide letter no. 9805/CWLW-FDWC-FD-0133-2021 dt. 04.10.2021. The copy of approval letter is enclosed herewith as **Annexure 14**.

- xi. **As per DSS analysis, agriculture land, solid structure and road is visible in the forest area proposed for diversion which needs clarification.**

As reported by the DFO, Sundargarh Division, the total forest area proposed for diversion is 342.87 ha; out of which 166.28 ha is of Revenue Forest and the balance 176.59 ha is of Reserved Forest area.

Further, the agricultural land, solid structure & road visible in the forest area is because of the village -Kathfali and Parmanandpur which are falling in the proposed coal block area having the agricultural land, solid structure & road due to connectivity for villagers. Before extraction of coal from the proposed area, the said villages will be displaced. The land acquisition process for the same has already been initiated by the user agency under Coal Bearing Areas (Acquisition and Development) Act, 1957. The copy of Gazette Notification issued by Ministry of Coal (MoC), Govt. of India (GoI) in this regard is enclosed as **Annexure 15**.

- xii. **Since, a combined mining plan has been formulated for Manoharpur and dip side Manoharpur, therefore there is a possibility of change in land use in case of already diverted area and the area for which Stage-I approval has been issued by the Ministry. Therefore, a comparative analysis of the approved land use as per earlier diversion proposals and the proposed land use as per combined mining plan shall be submitted.**

As reported by the DFO, Sundargarh Division, Forest area of **276.655 ha** has been accorded Stage II approval by MoEF & CC for diversion & for the Forest area of **15.701 ha**, Stage I approval order has been accorded by MoEF & CC.

A table showing the comparative analysis of approved land use as per earlier diversion proposals (i.e. **276.655 ha (200.465ha Forest land & 76.19ha treated as forest land as per dictionary meaning) and 15.701 ha** and

the proposed land use as per combined mining plan is enclosed as **Annexure 16**.

- xiii. **This is the fourth mining plan which has been submitted along with the proposal. However, in the earlier mining plans as given in chapter-2 of the Mining plan (refer table 2.01), both mining areas and forest areas have changed. That needs clarity regarding compliance and conformity to the extant rules/ guidelines.**

As reported by the DFO, Sundargarh Division, as per previous Mining Plan; excavation area is only for Manoharpur Coal Block - **550.95 ha**.

As per current Mining Plan; excavation area is for integrated Manoharpur & Dip-side Manoharpur Coal Blocks, which is **1234.44 ha**

The excavation area has been increased from **550.95 ha** to **1234.44 ha** due to contiguous mining towards the dip-side coal block.

As per previous Mining Plan; forest area is only for Manoharpur Coal Block of OCPL.

- xiv. **The area contains road, power line and nalla which require diversion as per the mining plan, however, it is not clear whether these diversions are part of the proposal or whether other agencies such PWD and State Water Resource Department will take the permission under FCA or related laws.**

As reported by the DFO, Sundargarh Division, the public road has already been diverted by OCPL and the same has been handed over to RD (Rural Development) department and copy of same is enclosed as **Annexure 17**.

The power line has also been diverted (i.e. 11 km) by OCPL and handed over to WESCO and copy of same is enclosed as **Annexure 18**.

Further, the approval for diversion of **Garia Nalla and Lapani Nalla** has been obtained by User Agency i.e. OCPL from Department of Water Resources (DoWR), Bhubaneswar and the copy of same is enclosed as **Annexure 19**.

- xv. **The status of the safety zone in already approved and mined out area needs to be clarified by the State.**

The User Agency has intimated that, the Manoharpur mine is in fifth year of mining operation and the mine is extended towards the block boundary only in the north direction. Accordingly, all the measures including fencing and plantation has been carried out in the safety zone area falling within the existing mine operation.

- xvi. **It has been mentioned in the Mining plan that forestland requirement was modified and finalized in the latest approved Mining Plan as 273.288 Ha against 200.465 Ha as per earlier mining plan and out of this additional forest land, approval of diversion of 57.08 Ha of forest land has already been obtained separately by OPGC for MGR & same has been transferred in favour of OCPL. The details of the said proposal for 57.08 ha area shall be submitted.**

As reported by the DFO, Sundargarh Division, Stage-II approval for the **159.616 Ha** for MGR by OPGC has been accorded by MoEF & CC vide letter dt. 19.01.2015(**kindly refer Annexure- 6**). Out of **159.616 Ha** area; **57.078 Ha** has been transferred to OCPL vide letter dt. 17.10.2017 by MoEF & CC (IRO, Bhubaneswar)(**kindly refer Annexure-7**).

The KML file showing the **57.078 ha** is enclosed herewith in form of CD (**kindly refer Annexure 20**).

- xvii. **As per Part-1 of application form another proposal for diversion of 5.777 ha area is shown to be under process at the State Govt. level. The details of the said proposal along with the reasons/justification for submission of proposals in piecemeal shall also be submitted.**

As reported by the DFO, Sundargarh Division, the forest clearance for 276.655 ha for the Manoharpur Coal Mine has been obtained vide letter F.No.8-63/2011-FC dated 20.08.2014 of MoEF & CC and it has been transferred to OCPL vide letter dt. 30.11.2015 of MoEF & CC.

To cater to the power requirement of mine, CHP and other associated infrastructure and also to have the consistent power supply, it has been planned to source the power from NTPC Darlipali power station apart from the supply from Remja Grid of OPTCL.

Accordingly, the User Agency has intimated that, proposal for diversion of **5.777 Ha** has been submitted by OCPL on 11.01.2019, which is required for the construction of 33 KV power transmission overhead line from NTPC Darlipali to OCPL sub-station for catering to the power requirement of Manoharpur mine. Stage-I for diversion of **5.777 ha of** forest area has been obtained vide letter dt. 31.07.2020 of MoEF & CC is enclosed as **Annexure-21**. The compliance with Stage-I conditions submitted for Stage-II approval has been forwarded to higher quarter and the same is under process.

- xviii. **The detailed component wise breakup including the breakup for 64.14 ha allied infrastructure is required to be given in the Part-1 of the application form.**

As reported by the DFO, Sundargarh Division, the component wise breakup for **64.14 Ha** has been submitted at Page No. 27 of the FDP. Further, the copy of same is also enclosed as **Annexure 22**.

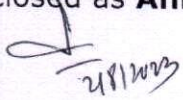
- xix. **As per the proposal 64.14 ha area has been proposed for Allied Infrastructure out of which 51.64 ha is for OB dump. The justification for proposing these non-site specific activities on forest land shall be submitted.**

As reported by the DFO, Sundargarh Division, justification for use of forest land for Allied Infrastructure including OB dump has been certified by CMPDI and the copy of same is enclosed as **Annexure 23**.

- xx. **As per the Cost benefit analysis uploaded in Part-1, the CB ratio has been estimated to be 1:56 which seems to be on higher side. The same may be rechecked and the CB ration as per the CB parameters/format specified in the guidelines be submitted.**

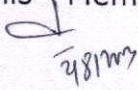
As reported by the DFO, Sundargarh Division, the revised cost benefit analysis now comes to 1 : 221 based on CB parameters/format specified in the guidelines and duly certified by him which is enclosed as **Annexure 24**.

Encl: As above.


Regional Chief Conservator of Forests,
Rourkela Circle

Memo No. 24581 Date: 02.08.2023

Copy forwarded to the Divisional Forest Officer, Sundargarh Division for information and necessary action with reference to his Memo No. 3823 Dtd.31.07.2023.


Regional Chief Conservator of Forests,
Rourkela Circle