



**STATE FOREST HEADQUARTERS
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, ODISHA,
BHUBANESWAR**

No. **21809** 9F (MG) - 64/2019
Dated, Bhubaneswar the **14th** December, 2020

To

The Assistant Inspector General of Forests,
Government of India, Ministry of Environment, Forests & Climate Change,
(Forest Conservation Division), Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road, New Delhi-110510.

Sub: Proposal for diversion of 15.701 ha of revenue forest land in the villages of Dulanga, Ghumudasan and Manoharpur under Hemgiri Tahasil of Sundargarh district for Coal Mining in Manaharpur Coal Mine Project by M/s Odisha Coal and Power Ltd (OCPL) under DFO, Sundargarh-regarding.

Ref:- GoI, MoEF & CC, New Delhi Letter F.No. 8-63/2011-FC dated 31.01.2020.

Sir,

In inviting a reference to the letter cited above on the captioned subject, the following point-wise compliances on the observations of Government of India, MoEF & CC, New Delhi as received from the DFO, Sundargarh division and RCCF, Rourkela Circle are furnished below:-

- 1. It is reported that the mining plan is revised on 17.04.2018 for 1064 ha, it is not clear if 15.701 ha. which is sought for diversion is also a part of the total lease area under the project. If it is part of total project area/lease than the user agency should have paid NPV for entire forest area within the lease. As reported, same has not been paid yet. This need clarification from the State Government.**

In compliance to the above, the RCCF, Rourkela Circle has reported that out of 15.701 ha applied for diversion, 0.441ha in village Manoharpur is falling within the Mining Lease and the rest 15.260 ha is located outside the Mining lease area. As the Stage-I forest clearance has not been accorded over this land, NPV for the entire 15.701ha has not been paid yet. Till date, the User Agency have paid NPV for 333.733 ha (200.465 ha + 76.19 ha treated as forest as per Dictionary meaning + 57.078 ha transferred from OPGC to OCPL).

- 2. How much is the forest area within 1064.402 ha may be clarified.**

In compliance to the above, the RCCF, Rourkela Circle has reported that in the earlier proposal, MoEF & CC have accorded Stage-II approval(**Annexure-I**) over 276.655 ha (out of which 200.465ha was forest land as per revenue records+ 76.19ha of non-forest

6. Status of the compliance of conditions stipulated in Stage-II approval dated 20.08.2014 shall be submitted.

In compliance to the above, the status of compliance of conditions stipulated in Stage-II approval dated 20.08.2014 as submitted by the RCCF, Rourkela Circle are follows:-

STAGE -II ORDER

(I) Legal status of the diverted forest land shall remain unchanged:

In compliance to the above, RCCF, Rourkela Circle has reported that an undertaking to this effect had been furnished by the User Agency and submitted by the DFO, Sundargarh, which is attached as **Annexure-I**.

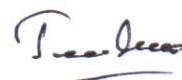
(II) Compensatory afforestation over the non-forest land equal in extent to the 276.655 hectares of forest land (including the said 76.19 hectares area which is to be treated as "Forest" as per dictionary meaning) transferred and mutated in favour of the State Forest Department shall be raised and maintained by the State Forest Department from funds realized from the user agency;

In compliance to the above, the RCCF, Rourkela Circle has reported that Plantation activities have already been initiated over the non-forest land transferred and mutated in favour of the State Forest Department as per the approved compensatory afforestation scheme.

It has been further reported by the DFO, Sundargarh that compensatory afforestation has been raised over nine (9) patches under Hemgir Range and Gopalpur Range and has been maintained well with satisfactory survival percentage. The survival percentage of the compensatory plantation furnished by the Range Officers, Hemgir and Gopalpur Ranges and submitted by the DFO, Sundargarh Division with his authentication are enclosed herewith along with the physical and financial achievement as **Annexure-A, Annexure-B & Annexure-C**.

(III) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserve Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal Officer must report compliance within a period of six (6) months and send a original notification of RF / PF as the case may be to the Central Government for confirmation and record;

In compliance to the above, the RCCF, Rourkela Circle has reported that the non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation has been declared as **"Sukhabandha A Protected Forest"** and **"Durubaga Protected Forest"** vide Notification No. 10F (Con)-55/ 2014/ 4216/F&E, dated 12/03/2015 and Notification No. 10F (Con)-55/ 2014/ 4222/F&E, dated 12/03/2015 respectively U/S-33 of the Orissa Forest Act, 1972. The above Notifications submitted by the DFO, Sundargarh Division are attached as **Annexure-IIA & IIB**.



(IV) Following activities shall be undertaken by the User Agency at the project cost:

- (a) **Implement a plan containing appropriate mitigative measures to minimize soil erosion and choking of streams technically approved by Regional Chief Conservator of Forests, Rourkela Circle shall be implemented;**

In compliance to the above, the RCCF, Rourkela Circle has reported that, this scheme is being implemented as per approved plan. The undertaking in this regard furnished by the User Agency and submitted by the DFO, Sundargarh Division is annexed as **Annexure-III**.

Further, grass seeds have been sown in the top soil of the Top soil dump and also, four 4 (four) numbers of settling ponds have been found at the site. The photographs with GPS location submitted by the DFO, Sundargarh Division is enclosed herewith as **Annexure-IV(a)** for favour of your kind information and necessary.

- (b) **Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest Soil erosion as per the plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle;**

In compliance to the above, the RCCF, Rourkela Circle has reported that this scheme is being implemented as per the approved plan. The undertaking in this regard furnished by the User Agency and submitted by the DFO, Sundargarh Division is annexed as **Annexure-III**.

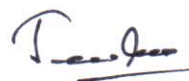
Further, the RCCF, Rourkela Circle has reported that some fruit bearing species like Neem, Jamun, Jackfruit, Mango and Amla have been planted in four to five small patches as against the approved species such as Kusum, Karanj, Kurum, Amla and Begunia etc. and they have been maintained well. The DFO, Sundargarh Division has reported that, the survival percentage is more than 70% as learnt during field verification by the DFO.

In the above context, the DFO, Sundargarh Division has furnished the following information:

Area of Plantation:-

Near CHP site (Coal Handling Plant) : 1. 60m X 40m = 2400sqm.
2. 40m X 20m = 800sqm.

Further, the RCCF, Rourkela Circle has reported that it has also been found by him that some seedlings have been planted on either side of the drain, but the seedlings have not been maintained properly. As reported by him, some grass seeds have been sown over an area of 400m X 20 m = 8000 sqm in the



topsoil, slope of OB Dump site, but the germination is very poor as learnt during field visit. The photographs along with GPS location of the site submitted by the DFO, Sundargarh Division are enclosed herewith as **Annexure-IV(b)** for your kind information and necessary action.

The User Agency has not provided the proof of financial achievement as reported by the RCCF, Rourkela Circle..

(c) Construction of check dams, retention/toe walls to arrest sliding down of the excavated material along the contour; as per plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle;

In compliance to the above, the RCCF, Rourkela Circle has reported that this scheme is being implemented as per the approved plan. The undertaking in this regard furnished by the User Agency and submitted by the DFO, Sundargarh Division is annexed as **Annexure-III**.

The RCCF, Rourkela Circle has reported that has reported that, a check dam of size 7 mtr length x 1mtr height x 0.3mtr width = 2.1 cum. has been constructed over the nallah to check the running water. But no retention wall or toe wall has been constructed yet as reported by him. The photographs along with GPS location of the site submitted by the DFO, Sundargarh Division is enclosed herewith as **Annexure-IV(c)**.

Further, the RCCF, Rourkela Circle has reported that the User agency has not provided the proof of financial achievement.

(d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that the angles of repose at any given place is less than 28° as per the plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle; and

In compliance to the above, the RCCF, Rourkela Circle has reported that this scheme is being implemented as per the approved plan. The undertaking in this regard furnished by the User Agency and submitted by the DFO, Sundargarh Division is annexed as **Annexure-III**.

Further, the RCCF, Rourkela Circle has reported that the slope of the OB dumps has been maintained by appropriate grading/benching as per the required slope of 28°. The photographs along with GPS location of the site submitted by the DFO, Sundargarh Division are enclosed herewith as **Annexure-IV(d)**.

(e) Strict adherence to the prescribed topsoil management as per the plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle.

In compliance to the above, the RCCF, Rourkela Circle has reported that this scheme is being implemented as per the approved plan. The undertaking in this regard furnished by the User Agency and submitted by the DFO, Sundargarh Division is annexed as **Annexure-III.**

Further, the RCCF, Rourkela Circle has reported that the topsoil has been stored at the designated topsoil stockyard to be used during reclamation work as learnt during his field verification. The photographs along with GPS location of the site submitted by the DFO, Sundargarh Division are enclosed herewith as **Annexure-IV(e).**

- (V) The State Government shall realize additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the Ad-hoc CAMPA under intimation to this Ministry;**

In compliance to the above, an undertaking in this regard furnished by the User Agency is attached as **Annexure-IV.**

- (VI) The User Agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;**

In compliance to the above, the RCCF, Rourkela Circle has reported that this project has already obtained Environment Clearance as per the Environment (Protection) Act 1986 vide letter No.J-11015/139/2008-IA.II (M), dated 21/02/2014 issued by MoEF, Govt. of India. The clearance has been duly transferred in favour of Odisha Coal & Power Ltd. vide Letter No. J-11015/139/2008-IA-II (M) Pt. file, dated 30/12/2015. The copy of Environment Clearance is attached as **Annexure-V.**

- (VII) Considering the possible longitudinal fragmentation of the existing virgin forest habitat by way of linear allotment of coal blocks, the MOC in consultation with the MOEF will consider;**

- (a) Not to allot the link up block between Dulinga & Manoharpur block which are presumed to be un-allotted; and**

In compliance to the above, the RCCF, Rourkela Circle has reported that in the context of allotment of coal blocks, the user agency has submitted that, this is a subject matter under the jurisdiction of Ministry of Coal, Govt. of India and therefore appropriate decision may be taken by Ministry of Coal, Govt. of India in consultation with MoEF, Govt. of India.

- (b) If possible, cancel a few allotted blocks at 5-6 kilometer gaps for leaving sufficient width of corridor reserved for movement of elephant and other animals.**

In compliance to the above, the RCCF, Rourkela Circle has reported that the Govt. of Odisha has already communicated that there does not exist any Notified migratory corridor in this region and no well-defined migratory corridor for elephant or other

wildlife has so far been identified and with the above communication, the State Govt. has not recommended to cancel any coal block on this account.

The RCCF, Rourkela Circle has reported that, during field verification, no movement of elephants or other animals was noticed in the lease area. As reported by him, the lease area is not shared by any wild animal and hence, a gap of 5 to 6 km. for animal corridor is not required.

(VIII) State Government shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining) from funds already realized from the User Agency;

In compliance to the above, the RCCF, Rourkela Circle has reported that the User agency has informed that barbed wire fencing work has already been awarded & work has been initiated at ground. In support of this, a copy of the LoA furnished by the UA and submitted by the DFO, Sundargarh Division is attached as **Annexure-VI.**

(IX) State Government shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone from funds already realised from the user agency;

In compliance to the above, the RCCF, Rourkela Circle has reported that as per the approved scheme, ANR plantation at a spacing of 2.50mtr x 2.50mtr @ 300 plants /hectare has to be planted in Garjanpahar RF and in this regard the User Agency has already deposited the cost as per the approved scheme. The afforestation work has not been taken up till today as reported by RCCF, Rourkela.

(X) Period of diversion of the said forest land under this approval shall be for a period co- terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (development & regulation) Act, 1957, or Rules framed there under, subject to a maximum period of 30 Years.

In compliance to the above, the RCCF, Rourkela Circle has reported that the User agency has submitted that the Mining Lease has been executed with Govt. of Odisha on 17.05.2017 and is valid for 30 years, reckoned from the date of execution and the period of diversion of the said Forest land shall be co-terminus with the period of the mining lease.

(XI) User Agency shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100m. from outer perimeter of the mining lease as per the plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle.

In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has informed that the proposed patch is falling in dip-side Manoharpur Coal Block property for which diversion proposal is being filed by them within a short span.

However, an undertaking in this regard furnished by the UA and submitted by the DFO, Sundargarh Division is attached as **Annexure-VII**.

In the above context, the RCCF, Rourkela Circle has reported that the approved area is falling under dip side of Manoharpur Coal Block and is a coal bearing zone. The DFO, Sundargarh Division has further reported that, this area has already been applied for diversion by the User Agency vide Proposal No.FP/OR/MIN/ 37631/2018 dated 14th Dec 2018 and that's why the scheme has not yet been implemented by DFO, Sundargarh division during field verification.

(XII) User Agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks / water bodies, whenever required as per the plan technically approved by Regional Chief Conservator of Forests, Rourkela Circle.

In compliance to the above, the RCCF, Rourkela Circle has reported that as per the approved plan some villages viz. Beldhi, Kripsira, Garjanbahal, Bendrichuha, & Tehaitanagar situated within 5km radius of the coal block had been identified for desilting by the UA and accordingly, OCPL had approached the concerned BDO to take up the work in consultation with the local representatives. But the BDO, Hemgir reported that, the desilting work of the above tanks had already been taken up from Government Scheme for which the work has been held up. Further, as reported by DFO, Sundargarh after consultation with BDO, Hemgir, the work shall be taken up by the UA soon. In this regard, an undertaking furnished by the UA is enclosed herewith as **Annexure-VIII**.

(XIII) The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Odisha and Addl. Principal Chief Conservator of Forest (Central), Ministry of Environment & Forests, Regional Office (Eastern Zone), Bhubaneswar. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

In compliance to the above, the RCCF, Rourkela Circle has reported that vide Letter F.No.34011-4-2017-CPAM dt.17.04.2018 of Govt. of India, the User Agency has been accorded the approved Mining Plan & reclamation activities are being done following approved Mine closure plan. Approval from Ministry of Coal is attached as **Annexure-IX**.

Further, the RCCF, Rourkela has reported that, the reclamation will be carried out by the user agency as per the approved mine closure plan and the actual reclamation work of the excavated pit will be started by the end of 2nd operational year i.e. FY 2020-2021. Since the suitable time has not been arrived, the UA has furnished an undertaking in this regard to take up the work in due time. The said undertaking is enclosed as **Annexure-IXA**.

(XIV) No labour camp shall be established on the forest land;

In compliance to the above, the User agency has submitted that no labour camp has been established on the forest land. An undertaking to this effect furnished by the User Agency is attached as **Annexure-X**.

(XV) User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

In compliance to the above, the User agency has submitted an undertaking to provide alternate fuel to labourers and staff working at the site to avoid damage to and pressure on adjacent forest, which is attached as **Annexure-XI**.

(XVI) Boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;

In compliance to the above, the RCCF, Rourkela Circle has reported that this provision has been complied.

(XVII) Forest land shall not be used for any purpose other than that specified in the proposal;

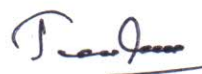
In compliance to the above, an undertaking to this effect furnished by the User Agency and submitted by the DFO, Sundargarh Division is attached as **Annexure-XII**.

(XVIII) Forest land to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;

In compliance to the above, an undertaking to this effect furnished by the User Agency and submitted by the DFO, Sundargarh Division is attached as **Annexure-XIII**.

(XIX) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;

In compliance to the above, the RCCF, Rourkela Circle has reported that tree felling for this project is being taken up in phases depending on the actual land requirement and the same is being done under the strict supervision of representatives from State



Forest Department. An undertaking to this effect furnished by the User Agency is attached as **Annexure-XIV**.

Further, the status of tree felling in the project area is being done phase wise and till now, 15948 nos. of trees have been felled out of 31780 nos. of trees marked in the project area. The status of tree felling obtained from the AGM, OCPL, Hemgiri Dtd.08.10.2020 and submitted by the DFO, Sundargarh Division is enclosed herewith as **Annexure-D**.

(XX) No damage shall be caused to the wildlife due to the project;

In compliance to the above, the RCCF, Rourkela Circle has reported that the Site-Specific Wildlife Conservation Plan for this project has been approved by the PCCF (WL) & CWLW, Odisha (**Annexure-XVA**). The previous UA i.e. OPGC had already deposited the approved amount for implementation of the plan in the project impact area. An undertaking to implement the obligations under the approved plan within the project area furnished by the User Agency is attached as **Annexure-XV**.

(XXI) Any other condition that the Eastern Region Office of this Ministry, Bhubaneswar and State Government of Odisha may stipulate, from time to time, in the interest of conservation, protection, and development of forests & wildlife:

In compliance to the above, the User agency has submitted that they are committed to abide by the stipulations, conditions, and guidelines as directed by Eastern regional office of MoEF &CC, Govt. of India, Bhubaneswar or State Govt. from time to time. An undertaking to this effect furnished by the UA is attached as **Annexure-XVI**.

(XXII) User agency shall submit an annual report on compliance to conditions stipulated in this approval to State Government and concerned Regional Office of the Ministry;

In compliance to the above, the RCCF, Rourkela Circle has reported that the new User Agency i.e. OCPL has been regularly submitting the annual report on compliance to the conditions stipulated in Stage-II approval.

(XXIII) User agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

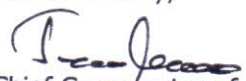
In compliance to the above, an undertaking to this effect furnished by the User Agency is attached as **Annexure-XVII**.

In view of the above, the compliance to the conditions imposed by MoEF & CC, New Delhi vide Letter F.No. 8-63/2011-FC dated 31.01.2020 is sent herewith for kind consideration and according Stage-I approval for diversion of 15.701 ha of revenue forest land in the villages of Dulanga, Ghumudasan and Manoharpur under Hemgiri Tahasil of

Sundargarh district for Coal Mining in Manaharpur Coal Mine Project by M/s Odisha Coal and Power Ltd (OCPL)

Encl: Compliance in one set

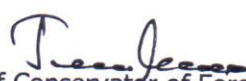
Yours faithfully,


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 21810 / Dt. 14.12.2020

Copy along with the enclosures forwarded to the Deputy Director General of Forests (Central), GoI, MoEF & CC, Integrated Regional Office, Chandrasekharpur, Bhubaneswar-751023 for information and necessary with reference to GoI, MoEF & CC, New Delhi Letter F.No. 8-63/2011FC dated 31.01.2020

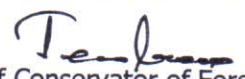
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Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 21811 / Dt. 14.12.2020

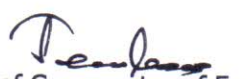
Copy along with the enclosures forwarded to the Additional Chief Secretary to Government, Forest & Environment Department, Odisha, Bhubaneswar for information and necessary action with reference to F&E Department letter No. 3432/F&E dated 15.02.2020.

Encl: Compliance in one set


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

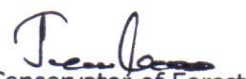
Memo No. 21812 / Dt. 14.12.2020

Copy forwarded to the RCCF, Rourkela Circle for information and necessary action with reference to his memo no. 1162 dated 21.05.2020 and 4035 dated 05.11.2020.


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 21813 / Dt. 14.12.2020


Copy forwarded to the Divisional Forest Officer, Sundargarh Forest Division for information and necessary action with reference to memo no. 1163 dated 21.05.2020 and 4036 dated 05.11.2020 of RCCF, Rourkela Circle to his address.


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 21814

Dt. 14.12.2020

Copy forwarded to the Deputy General Manager (Mines), Odisha Coal and Power Ltd., Zone-A, Ground Floor, Fortune Towers, Chandrasekharpur, BBSR-751023 for information and necessary action with reference to F&E Department memo no. 3436/F&E dated 15.02.2020 to his address.


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act