



**OFFICE OF THE DIVISIONAL FOREST OFFICER,
SUNDARGARH FOREST DIVISION**



Phone No-06622-272243, E-Mail- dfo.sundargarh@odisha.gov.in

Memo No. 4655 /4F (Misc.) /Dated. 07/09/2023

To

The Regional Chief Conservator of Forests,
Rourkela Circle, Rourkela,

Sub:- Submission of reply to the Essential Details Sought in respect of diversion proposal of 134.69 Ha of forest land for Kulda Expansion OCP of Basundhara Area, MCL.

Ref: - 1.) Memo no. – 11200/9F (MG)-49/2023/Bhubaneswar, Date – 12.06.2023 of CF (Nodal).
2.) Your Memo No.1881 dt.21.06.2023.
3.) This office Letter No. – 3005/4F (Misc.), Dated – 22.06.2023.
4) Letter No.MCL/BA/PO/KOCP/E&F/2023-24/45 dt.01.09.2023 of PO, Kulda OCP.
(Proposal No. – FP/OR/MIN/50293/2020, State Serial No. OR-050/2021, date – 08.07.2021)

In inviting a reference to the letter cited above, the User Agency has submitted the compliance report, relating to diversion of 134.69 Ha of forest land for Kulda Expansion. The details of EDS reply is furnished below:

EDS Observation:

1. During Scrutiny of the land schedule furnished by the Tahasildar as on 25.10.1980, the following non-forest land are found as forest category but not included in the diversion proposal:

(i). Land schedule of Government non-forest Area for the Kulda Expansion OCP:

Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)
1	Kulda	32	20	Patra	0.15
			289(P)	Jungle	5.51
2	Bankibahal	57	599(P)	Jungle	4.40
Grand Total					10.06 Ac. Or 4.071 Ha

(ii). Land Schedule of Tenancy Land for Kulda Expansion OCP

Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)
1	Kulda	5	94(P)	Jungle	0.50
2			93/465(P)		0.22
3		22	377		2.02
4			361		0.07
5			310		0.09
6		32	61	Patra	0.87
7			1	Jungle	0.25
8		22	42	Jungle	1.24
9			19(P)		0.13
Grand Total					5.39 Ac. Or 2.181 Ha

EDS Reply submitted by User Agency:

The User Agency has submitted the clarification as per the EDS raised by the Addl. PCCF (Nodal), Bhubaneswar, wherein the Tahasildar, Hemgir vide letter dated – 31.09.2023 has clarified that;
A.) The status of land pertaining to Plot no. – 94, 93/465, 377, 361, 310, and 19, 1, 42, 61 and 289(P) involved with a total area of Ac. 10.39 are Tenancy land as on 25.10.1980.

B.) The land under the category of Govt. Non-Forest land pertaining to Plot No. – 599, with an area of Ac. 4.40 of village Bankibahal, Plot No. – 20 with an area of Ac. 0.15 and Plot No. – 289 (P) with an area of Ac. 0.51 of village Kulda, making a total area of Ac. 5.06 are ascertained to be Govt. Non-Forest land, as on 25.10.1980 is Govt. Non Forest Land.


Further, the User Agency has submitted that, the Plot No. – 94,93/465,377,361,310,19,1,42,61,289 have already been verified and considered under Tenancy land and respective payment has been disbursed by MCL through the Claims Commission setup by the Hon'ble Supreme Court of India, under the R&R policy.

And, as per the clarification submitted by the Tahasildar, Hemgir, and by the User Agency that, the non-forest land described above, which were already settled/leased out or recorded as non-forest as per the revenue records, and as per the recent Forest Conservation Amendment Act, 2023, may kindly be exempted from obtaining Forest Clearance.

In view of the above facts and requested to kindly forward the proposal for grant of Forest Clearance of **134.69 Ha** for the purpose of Coal Mining in Kulda Expansion OCP of Mahanadi Coalfields Limited.

The Forest Diversion Proposal in quadruplicate along with compliance report is enclosed herewith for onward transmission to PCCF, FD & NO, FC-Act, O/o the PCCF & HoFF, Odisha, Bhubaneswar.


Encl: - As Above.

 P. Prasad
... 07/09/23

Divisional Forest Officer,
Sundargarh Forest Division.

Memo No. 4656 /4F (Misc)/ 2023 Dt. 07/09/2023

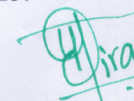
Copy forwarded to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act, O/O the PCCF, Odisha for favour for information and necessary action with reference to his Memo No. 11200/9F (MG)-49/2023/Bhubaneswar, Date – 12.06.2023.

 P. Prasad
... 07/09/23

Divisional Forest Officer,
Sundargarh Forest Division

Memo No. 4657 /4F (Misc)/ 2023 Dt. 07/09/2023

Copy forwarded to the Project Officer, Kulda OCP of MCL for information and necessary action with reference to his letter no. MCL/BA/PO/KOCP/E&F/2023-24/45 dt.01.09.2023.

 P. Prasad
... 07/09/23

Divisional Forest Officer,
Sundargarh Forest Division.

Ref. No.: MCL/BA/PO/KOCP/E&F/2023-24/45

Date: 01.09.2023

To

The Divisional Forest Officer,
Sundargarh Division,
Sundargarh

Subject: Submission of reply to the Essential Details Sought in respect of diversion proposal of 134.69 Ha of forest land for Kulda Expansion OCP of Basundhara Area, MCL.

Ref – 1.) Your Letter No. – 3005/4F (Misc.), Dated – 22.06.2023.

2.) Memo from PCCF vide no. – 11200/9F(MG)-49/2023/Bhubaneswar, Date – 12.06.2023.

3.) Proposal No. – FP/OR/MIN/50293/2020, State Serial No. OR-050/2021, date – 08.07.2021

Respected Sir,

With reference to the letter cited above, the short coming found in the diversion proposal has been complied herewith. The details are furnished as below:

1. During Scrutiny of the land schedule furnished by the Tahasildar as on 25.10.1980, the following non-forest land are found as forest category but not included in the diversion proposal:

(i). Land schedule of Government non-forest Area for the Kulda Expansion OCP:

Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)
1	Kulda	32	20	Patra	0.15
			289(P)	Jungle	5.51
2	Bankibahal	57	599(P)	Jungle	4.40
Grand Total					10.06 Ac. Or 4.071 Ha

(ii). Land Schedule of Tenancy Land for Kulda Expansion OCP

Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)
1	Kulda	5	94(P)	Jungle	0.50
2			93/465(P)		0.22
3		22	377		2.02
4			361	0.07	
5			310	0.09	
6		32	61	Patra	0.87
7			1	Jungle	0.25
8		22	42	Jungle	1.24
9			19(P)		0.13
Grand Total					5.39 Ac. Or 2.181 Ha

In view of the above, the diversion proposal in triplicate are returned herewith for necessary incorporation of the above non-forest land having forest kissam as on 25.10.1980 in the diversion proposal and resubmission of the same to this office at the earliest for taking necessary action at this end.

In reference to the above EDS raised by the Addl. PCCF (Nodal), Bhubaneswar, the User Agency addressed the EDS to the Tahasildar, Hemgir for clarification, vide letter No. – MCL/BA/PO/KOCP/E&F/2023-24/20, Date – 26.06.2023(Copy attached in Annexure-I), in response to which the Tahasildar, Hemgir communicated the clarification letter dated – 31.08.2023 (Copy attached in Annexure-II), that says:

A.) The status of land pertaining to **Plot no. – 94, 93/465, 377, 361, 310, and 19** involved with a total area of **Ac. 3.03 are Raiyati/Private land** of 1.) Kodandadhar Patel and 2.) Ratnakar Patel recorded under Hal Khata No. (Holding) – **5 & 22 of village Kulda**, by the settlement organization during the last settlement operation held/completed on 25.06.1976. **Though the classification of land is recorded as jungle during last settlement operation held/completed in 1976, in respect of the said land, as it is Raiyati/Private land of aforesaid recorded Tenants, and as such, it may not attract the provisions of Forest Conservation Act, 1980. Hence the status of land for Plot no. 94,93/465,377,361,310 & 19 as on 25.10.1980 is Tenancy land.**

B.) Similarly, **Plot No. – 1, 42, 61 and 289 (P)** for the total area of **Ac. 7.36 of village Kulda** have earlier been leased out to three persons namely, Bhanwar Singh, Ghanashyam Seth & Sukadeb Naik vide lease case no. – **1631/1975, 1622/1975, and 1619/1975** prior to the last settlement operation held/completed in the year 1976 but the classification of such leased out land is still recorded as Jungle & Patra Jungle. **Hence the status of land for Plot no. 1,42,61 & 289(P) as on 25.10.1980 is Tenancy land.**

C.) The land under the category of Govt. Non-Forest land pertaining to **Plot No. – 599, with an area of Ac. 4.40 of village Bankibahal, Plot No. – 20 with an area of Ac. 0.15 and Plot No. – 289 (P) with an area of Ac. 0.51 of village Kulda, making a total area of Ac. 5.06 are ascertained to be Govt. Non-Forest land**, although it has been recorded as Jungle and Patra Jungle. **Hence the status of land for Plot no. 599 of Village Bankibahal & Plot No. 20 of village Kulda as on 25.10.1980 is Govt Non Forest Land.**

Further, it is being submitted that these Plot No. – 94,93/465,377,361,310,19,1,42,61,289 have already been verified and considered under Tenancy land and respective payment has been disbursed by MCL through the Claims Commission setup by the Hon'ble Supreme Court of India, under the R&R policy.

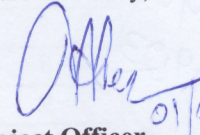
Further, as per the clarification submitted by the Tahasildar, Hemgir, it is hereby submitted by the User Agency that, the non-forest land described above, which were already settled/leased out or recorded as non-forest as per the revenue records, and as per the recent Forest Conservation Amendment Act, 2023, may kindly be exempted from obtaining Forest Clearance.

In light of the above facts, we kindly request your consideration for granting an exemption to Kulda OCP from the requirement of applying for forest clearance for the non-forest land area of Ac.15.45 as pointed out by Adl. PCCF (Nodal), Bhubaneshwar and the proposal in complete may kindly be forwarded for grant of Forest Clearance of 134.69 Ha for the purpose of Coal Mining in Kulda Expansion OCP of Mahanadi Coalfields Limited.

Encl. As Above.

Thanking you.

Yours faithfully,


01/09/20
Project Officer,
Kulda OCP
Kulda Expansion Project
MCL, Basundhara Area
କୂଳ୍ଦା ପ୍ରସାରଣ ପ୍ରକଳ୍ପ

Copy to:

1. General Manager (E&F), MCL HQ – For kind information.
2. GM, Basundhara Area – For kind information.
3. Staff Officer (E&F), Basundhara Area.
4. Office Copy

ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ୍
Mahanadi Coalfields Limited
(A subsidiary of Coal India Limited)

Office Of The Project Officer,
Kulda OCP, Basundhara Area
At/PO:-Balinga-770076
Dist:-Sundargarh (Orissa)
FAX: 06621-286144



MCL

Ref. No.: MCL/BA/PO/KOCP/E&F/2023-24/20

Date: 26.06.2023

To,
The Tehasildar,
Hemgir,
Sundargarh, Odisha.

Subject: Re-verification of land schedule submitted along with the Forest Diversion Application of Kulda OCP for an Area of 134.69 Ha.

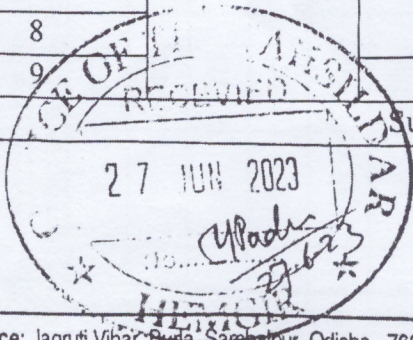
- Ref: 1. Proposal No. – FP/OR/MIN/50293/2020, SSR No. – 050/2021, date – 08.07.2021.
2. Letter from PCCF office – Memo No. 11200/9F(MG) – 49/2023, date – 12.06.2023.
3. Letter from DFO, Sundargarh Div. – Memo No. – 3005/4F(Misc.), date – 22.06.2023.

Respected Madam,

In reference to the above letter received (attached in Annexure-I) against the Forest Diversion Proposal submitted by Kulda OCP, for an area of 134.69 Ha, following discrepancy has been observed in the authenticated land schedule (Annexure-II) by PCCF office & DFO Sundargarh Div:

Land Schedule of Govt. Non-Forest Area of Kulda Expansion OCP					
Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)
1	Kulda	32	20	Patra Jungle	0.15
			289 (P)		5.51
2	Bankibahal	57	599 (P)	Jungle	4.40
Sub - Total					10.06 Ac.

Land Schedule of Tenancy Land for Kulda Expansion OCP							
Sl. No.	Village	Khata No.	Plot No.	Kisam	Area (in Ac.)		
1	Kulda	5	94 (P)	Jungle	0.50		
2			93/465(P)		0.22		
3		22	377		2.02		
4			361		0.07		
5			310		0.09		
6		32	61		Patra Jungle	0.87	
7						1	0.25
8						42	1.24
9		22	19(P)		Jungle	0.13	
Sub - Total					5.39 Ac.		



ମହାନଦୀ କୋଲଫିଲ୍ଡସ୍ ଲିମିଟେଡ୍
महानदी कोलफील्डस लिमिटेड
Mahanadi Coalfields Limited
(A subsidiary of Coal India Limited)

Office Of The Project Officer,
Kulda OCP, Basundhara Area
At/PO:-Balinga-770076
Dist:-Sundargarh (Orissa)
FAX: 06621-286144




It was observed the above land was mentioned in the Govt. Non-Forest land and Tenance land details. But kisam was mentioned to be Forest type. The same was verified by MCL as per the RoR records available at MCL Office and it was found that the nature of the land is either tenancy or Govt. Non-Forest and not Forest Type (The verified data has been enclosed in Annexure-III).

It is humbly requested to re-verify the above plots as per the records available at Tehsil office and certify that the land belongs to Tenancy and Govt. Non-Forest as on 25.10.1980, for further onward submission of the certificate to DFO, Sundargarh Div., & PCCF Office for further scrutiny of the FC application with respect to Kulda Expansion OCP. This is for your kind perusal and necessary action.

Thanking you.

Yours sincerely,


27/06/2022

Project Officer,
Kulda OCP,
MCL, Basundhara Area

Enclosure:

- Letter from PCCF office & DFO Sundargar Div. (Annexure-I)
- Authenticated Land Schedule (Annexure-II)
- Verified copy of the plots mentioned above by MCL (Annexure-III)

Copy to:

- GM (E&F), MCL HQ SBP – For kind information.
- GM, Basundhara Area – For kind information.
- SO (Envt.), Basundhara Area
- O/c

Status of Land Schedule for Kulda OCP Expansion, Ph - II

Village Kulda							Recorded Tenant	Remarks	Status of land as on 25.10.1980.
S/ No.	Khata No.	Plot No.	Previous Kisam	Area (Ac.)	Kisam recorded in Tenancy Khata, treated as tenancy land.				
1	5	94(P)	Jungle	0.50	Kodandadhar Patel S/o Haldhar Patel, Caste: Agharia, Resident: Tumulia.		Plots and Area recorded as Riyati status for which these plots with area have been taken as Tenancy Land.	Tenancy land	
2	5	93/465(P)	Jungle	0.22	Kodandadhar Patel S/o Haldhar Patel, Caste: Agharia, Resident: Tumulia.			Tenancy land	
3	22	377	Jungle	2.02	Ratnakar Patel S/o Gadadhar Patel, Caste: Agharia, Resident Tumulia.			Tenancy land	
4	22	361	Jungle	0.07				Tenancy land	
5	22	310	Jungle	0.09				Tenancy land	
6	22	19(P)	Jungle	0.13				Tenancy land	
7	32	1	Patra Jungle	0.25	Settled in the year 1975 to Bhanwar Singh S/o Surajal Singh, vide lease case no. - 1631/1975		Plots and Area leased out as Goda-II and Panimal in the year 1975 for which these plots with area have been taken under the category of Tenancy Land.	Tenancy land	
8	32	42	Jungle	1.24				Tenancy land	
9	32	61	Patra Jungle	0.87	Settled in the year 1975 to Ghanashyam Seth S/o Chaitan Seth, vide lease case no. - 1622/1975		Plot and Area leased out in the year 1975 for which this plot with area has been taken under the category of Tenancy Land.	Tenancy land	
10	32	289(P)	Patra Jungle	5.00	Settled in the year 1975 to Sukadeb Naik S/o Patko Naik, vide lease case no. - 1619/1975		Plot with Area leased out as Goda - I in the year 1975 for which the plot with area have been taken under the category of Tenancy Land.	Tenancy land	
Kisam recorded in GNF Khata, treated as GNF Land.									
Village Bankibahal									
1	57	599(P)	Jungle	4.40	Abada jogya Anabadi			Govt. Non-forest land	
Village Kulda									
1	32	289(P)	Patra Jungle	0.51	Abada jogya Anabadi			Govt. Non-forest land	
2	32	20	Patra Jungle	0.15	Abada Joyga Anabadi			Govt. Non-forest land	

"Certified that the status of total land involved in the project (both Forest and Non-Forest) as given in the table above is as per Govt. Records as on 25.10.1980"

21/8/23
Tahasildar, Hemgir

TAHASILDAR
HEMGIR