

GOVERNMENT OF ODISHA
FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

Memo No. 7526 /FE&CC, Date 13.04.23
FE-DIV-FLD-0016-2023/ 10F-(Cons)-11/2023

Copy of Government of India, MoEF&CC, New Delhi vide Letter No.8-63/2011-FC (Vol-I) dtd.24.03.2023 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 M/s Odisha Coal & Power Ltd (OCPL) for non-forestry use of 342.87 ha of forest land for development of Dip Side Manoharpur Coal Mining Project in Sundargarh District of Sundargarh Forest Division, Odisha forwarded to the Principal Chief Conservator of Forests & HoFF, Odisha for kind information and necessary action.

It is requested to kindly furnish the information/ documents as sought for in the aforementioned letter directly to the Ministry under intimation to this Department.

13/4/2023

OSD-cum-Special Secretary to Government

Memo No. 7527 /FE&CC Date 13.04.23

Copy with copy of enclosure forwarded to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha/ Principal Chief Conservator of Forests (FD&NO), FC Act, O/o PCCF & HoFF, Odisha for information and necessary action.

13/4/2023

OSD-cum-Special Secretary to Government

Memo No. 7528 /FE&CC Date 13.04.23

Copy with copy of enclosure forwarded to the Regional Chief Conservator of Forests, Rourkela Circle/ Regional Chief Conservator of Forests, Koraput Circle/ Divisional Forest Officer, Sundargarh Forest Division/ Divisional Forest Officer, Malkangiri Forest Division for information and necessary action.

13/4/2023

OSD-cum-Special Secretary to Government

Memo No. 7529 /FE&CC Date 13.04.23

Copy with copy of enclosure forwarded to Steel & Mines Department/ R&DM Department/ Energy Department/ Director, Environment-cum-Special Secretary to Government, FE&CC Department/ Member Secretary, SPCB, Odisha/ Collector, Sundargarh/ Collector, Malkangiri for information and necessary action.

13/4/2023

OSD-cum-Special Secretary to Government

Memo No. 7530 /FE&CC Date 13.04.23

Copy with copy of enclosure forwarded to the Addl. General Manager (Mines), Odisha Coal & Power Ltd, Hemgiri, Near IOCL Petrol Pump, Sundargarh, Odisha, Pin-770013 for information and necessary action.

13/4/2023

OSD-cum-Special Secretary to Government



Government of India

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.Dated: 24th March, 2023

To

The Addl. Chief Secretary (Forests),
Government of Odisha,
Bhubaneswar

BSD

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Odisha Coal & Power Ltd (OCPL) for non-forestry use of 342.87 ha of forest land for development of Dip Side Manoharpur Coal Mining Project in Sundargarh District of Sundargarh Forest Division, Odisha (Online Proposal no. FP/OR/MIN/37631/2018).

Madam/Sir,

I am directed to refer to the State Government of Odisha's letter No.FE-DIV-FLD-0016-2023-3667 dated 27.02.2023 on above subject, seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 and to say that examination of said proposal revealed the following:

- 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 and 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.
- 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.
- 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.

- 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-1 approval has been issued shall also be submitted.
- 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.
- 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.
- 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.
- 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.
- ix. KML file indicating the component wise breakup and landuse 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.
- 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.
- xi. As per DSS analysis, agriculture land, solid structure and road is visible in the forest area proposed for diversion which needs clarification.
- 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-1 approval has been issued by the Ministry. Therefore, a comparative analysis of the approved landuse as per earlier diversion proposals and the proposed landuse as per combined mining plan shall be submitted.
- 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.
- 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.
- xv. The status of the safety zone in already approved and mined out area needs to be clarified by the State.

- 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.
- 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.
- 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.
- 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.
- xvii. 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.

In view of the above, the State Government is requested to submit the information/documents, as indicated above, to this Ministry for further consideration of the proposal.

Yours faithfully,

Signed by Suneet Bhardwaj

Date: 24-03-2023 15:15:03

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. PCCF (HoFF), Government of Odisha, Bhubaneswar.
2. DDGF (Central), Integrated Regional Office of the MoEF&CC at Bhubaneswar.
3. APCCF cum Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
4. User Agency
5. Monitoring Cell of FC Divisions, MoEF&CC, New Delhi.

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