

GOVERNMENT OF ODISHA

FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT

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Memo No. 15081 /FE&CC, Date 18.07.23

FE-DIV-FLD-0020-2022/ 10F-(Cons)-66/2017

Copy of Government of India, MoEF&CC, New Delhi vide Letter No.8-18/2002-FC (Vol) dtd.05.07.2023 on the matter of Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 20.383 ha of forest land in favour of the Mahandi Coalfield Ltd. for continuation of mining operation at Bhubaneswari OCP within Mining Lease area over 658.724 ha under Angul Forest Division in Angul District, Odisha forwarded to the Principal Chief Conservator of Forests & HoFF, Odisha for kind information and necessary action.

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

*d, 18/7/2023*  
OSD-cum-Special Secretary to Government

Memo No. 15082 /FE&CC Date 18.07.23

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.

*d, 18/7/2023*  
OSD-cum-Special Secretary to Government

Memo No. 15083 /FE&CC, Date 18.07.23

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

*d, 18/7/2023*  
OSD-cum-Special Secretary to Government

Memo No. 15084 /FE&CC, Date 18.07.23

Copy with copy of enclosure forwarded to Steel & Mines Department/ Revenue & Disaster Management Department/ Director, Environment-cum-Special Secretary to Government, FE&CC Department/ Director of Mines, Odisha/ Member Secretary, SPCB, Odisha/ Collector, Angul for information and necessary action.

*d, 18/7/2023*  
OSD-cum-Special Secretary to Government



Memo No. 15085 / FE&CC, Date 18.07.23

Copy with copy of enclosure forwarded to the General Manager, Mahanadi Coal Fields Ltd, Bhubaneswari Area, Deracolliery, Talcher, Dist-Angul, Odisha, Pin-759103 for information and necessary action.

*18/7/23*

OSD-cum-Special Secretary to Government

/47784/2023

Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)  
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Indira Paryavaran Bhawan  
Aliganj, Jor Bagh Road  
New Delhi-110003

Dated: 4th July, 2023

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

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 for non-forestry use of 20.383 ha of forest land in favour of the Mahandi Coalfield Ltd. for continuation of mining operation at Bhubaneswari OCP within Mining Lease area over 658.724 ha under Angul Forest Division in Angul District, Odisha (Online proposal No FP/OR/MIN/155017/2022).**

Sir,

I am directed to refer to the State Government of Odisha's letter No. FE-DIV-FLD-0020-2022-8408/FE&CC dated 24.04.2023 on the above subject seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980. After examination of the proposal revealed the following:

- i. The IRO Bhubaneswar vide letter dated 17.08.2022 (**Copy enclosed**) has provided the Status of compliance report of conditions of earlier approval for 112.521 ha of forest land vide Ministry letter dated 06.12.2004. After the examination of the said SIR, the Ministry vide its letter dated 19.09.2022 (**Copy enclosed**) requested to the State Government to furnish the status of progress made during the intervening period of 12 years along with the detail of year wise financial expenditure. The same is still awaited and required to be submitted for further action in this proposal.
- ii. As the mining lease of the Bhubaneswari OCP is 658.724 ha, out of which 132.904 ha is forest land. The Ministry has already diverted 112.521 ha forest land. Balance 20.383 ha DLC forest land is required to be diverted for expansion of Bhubaneswari OCP. The area for safety zone 6.795 was not included in the earlier approval. Therefore, the state may include in this proposal so that all forest land may be diverted.
- iii. KML file of the safety zone area 6.795 ha and also the KML file of the 1.5 times CA area for which the UA has deposited the amount in 2008.
- iv. KML file of the safety zone 0.615 may be uploaded on portal.
- v. The KML file of 112.521 ha forest land which has been diverted earlier is required for detailed analysis of the proposal.

US (D.N.)  
18.7.2023  
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18/7/2023

- vi. State Government may provide the present status of compensatory afforestation raised and maintained over 225.042 ha of degraded forest land. Shape/KML files of the compensatory afforestation site also be submitted.
- vii. In this proposal 20.383 ha land is required to be diverted including 0.615 ha safety zone. Area for CA has provided 47.385 ha @500 plant per hectare. As per the provisions minimum 1000 plant per hectare have to be planted. The state may provide the details that how to accommodate the balance seedlings.
- viii. Whether any family is residing on the proposed forest land i.e. on 20.383 ha of forest land. If yes, then new R&R plan as per the RFCTLARR Act, 2013 is required.
- ix. Cost benefit ratio has been estimated to be 1:381.836 which seems to be on higher side. It seems estimation of cost and benefit components has not been done properly. The analysis needs to be re-estimated by accounting CB parameters appropriately.
- x. There is a discrepancy in the land use pattern given by the State and given in approved mining plan. As per the revised mining plan (revision 2 column) the forest land is 126.191 ha and as per the State Gov. forwarding letter it is 125.576. Similarly, Safety zone total area is 6.163 and as per the forwarding letter it is 6.778. There needs clarification.
- xi. In this proposal the UA has deposited the amount of CA levied after the S-II approval. All details of the funds deposited in the erstwhile Ad-hoc CAMPA may provide in the prescribed format for conformation.
- xii. This is the second revision of the Mining Plan, therefore, the State Government is requested to provide the copy of the earlier approved mining plans and details of the changes made in the mining plans.

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

Yours faithfully,

Sd/-  
 Signed by  
 (Surabhi Rai)  
 Surabhi Rai  
 Deputy Inspector General of Forests

Date: 05-07-2023 09:35:22

**Copy to:**

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

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

**Reminder**

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.

**Dated: 16th September, 2022**

To

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

**Sub: Proposal for non-forestry use of 112.521 ha (out of 132.994 ha applied originally) of forest land granted in favour of M/s Mahanadi Coalfields Limited for Bhubaneswari Open Cast Coal Mining Project located on Talcher Coalfield in District Angul (Odisha) – reg.**

Sir,

Please refer to this Ministry's letter of even number dated 02.03.2022 (copy enclosed) on above subject, wherein Government of Odisha was requested to furnish comments on the representation of the user agency along with information on the certain points and to say that the reply from the State Government is awaited. In this regard, it is also informed that IRO, Bhubaneswar of the MoEF&CC inspected the area on 3.08.2022 (copy enclosed) for assessing the status of compliance of various conditions stipulated in the Stage-II approval dated 6.12.2004. The monitoring report of the IRO reveals that, pursuant to Stage-II approval dated 6.12.2004, no progress of implementation of measures for Habitat Improvement has been indicated in the report. The State Government may, therefore, inform the status of progress made during the intervening period of 12 years along with the detail of year-wise financial expenditure.

In view of above, the State Government is requested to submit the requisite information to this Ministry, enabling further action in the matter.

Encl: As above.

Digitally Signed by Charan  
Jeet Singh  
Date: 19-09-2022 11:21:12  
Reason: Approved

Yours faithfully,  
sd/-  
**(Charan Jeet Singh)**  
Scientist 'D'

**Copy to:-**

1. Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. Regional Officer (Central), Integrated Regional Office of the MoEF&CC at Bhubaneswar
3. Nodal Officer (FCA), Government of Odisha, Bhubaneswar.
4. Monitoring Cell of FC Divisions, MoEF&CC, New Delhi.
5. Guard file.



No.8(21)14/2002-FCE

17<sup>th</sup> August, 2022

To

The Addl. Director General of Forests (FC),  
Ministry of Environment, Forest & Climate Change,  
Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi - 110 003.

Sub: Proposal for non-forestry use of 112.521 ha (out of 132.994 ha applied originally) of forest land granted in favour of M/s Mahanadi Coalfields Limited for Bhubaneswari Open Cast Coal Mining Project located in Talcher Coalfields in District Angul, Odisha.

Ref: Ministry's letter No.8-18/2002-FC dated 04.03.2022.

Sir,

With subject and reference cited above, I am to inform that the field inspection of the area to assess the status of compliance of conditions stipulated in the approval granted on 06.12.2004 under the Forest (Conservation) Act, 1980 to above mentioned project was carried out by the undersigned on 03.08.2022. The field inspection report is attached herewith for favour of kind information and necessary action.

Encl: As state above.

10-FC  
\$  
18.8.22

Yours faithfully,

*A.T. Mishra*  
17/8/22

Dy. Director General of Forests (C)

Copy to:

1. The CCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
2. The Divisional Forest Officer, Angul Forest Division, Angul, Odisha.
3. The General Manager, Jagannath Area, M/s Mahanadi Coalfields Ltd., PO: Dera, Dist: Angul, Odisha.

Dy. Director General of Forests (C)

**733255/2022-FC/AD/01** Field inspection report to assess the status of compliances of conditions stipulated in the approvals granted in past under Forest (Conservation) Act, 1980 in respect of diversion of 112.521 Ha of forest land in Talcher Coalfields of Angul District in favour of Bhubaneswari OCP of Mahanadi Coalfields Ltd.

The project site was inspected by the undersigned on 03.08.2022 along with DFO, Angul Forest Division. The diversion of forest land of 112.521 Ha in Talcher Coalfields of Angul District in favour of Bhubaneswari OCP of Mahanadi Coalfields Ltd. for non-forestry use was approved by Ministry vide letter No.8-18/2002-FC dated 06.12.2004. The details status of compliance of stipulated conditions of final approvals granted to the project are as follows:

1. **Legal status of forest land shall remain unchanged.**

Legal Status of forest land is maintained. The user agency has assured to comply.

2. **Compensatory afforestation shall be raised and maintained by the State Forest Department over degraded forest area double in extent, at the project cost.**

During inspection the DFO, Angul has informed that the user agency has deposited Rs.32,53,159/- towards the cost of raising and maintaining the compensatory afforestation. The DFO, Angul said that the compensatory afforestation have been raised in degraded forest land in Durgapur R/F to the extent of 225 Ha in two patches consisting of 100 Ha and 125.042 Ha. The plantation was done in the year 2006. Mostly Teak was raised in the plantation. During visit the growth and survivility of Teak was satisfactory.

Photograph of CA area:



3. **Safety zone shall be regenerated and protected and plantation shall be raised and maintained over degraded forest land elsewhere, over an area one and half times of the extent of the safety zone, by the State Forest Department, at the project cost.**

The DFO, Angul informed that the cost of regeneration, protection and plantation over the safety zone area and maintenance over degraded forest land over an area of one and half times of the extent of safety zone, an amount of Rs.28,28,300/- has been deposited by the user agency. In the in-principle approval for diversion of forest land of 112.521 Ha, there is no mention of the safety zone. However, in the Stage-II approval there is a condition for protection and ensuring regeneration of the safety zone. However, there is mention of safety zone in the proposal in Rakas R.F. comprising of 6.795 Ha of forest land. While field inspection, the DFO, Angul and

The DFO, Angul said that in 1.5 times of the area of safety zone (about 10.00 Ha) plantation has been done in the year 2010-11 in Durgapur RF of Chhendipada Range.

4. **Biological reclamation and afforestation shall be done by the State Forest Department at the project cost.**

The user agency has reported that Rs.170.76 lakh was deposited with DFO, Angul for Biological Reclamation and afforestation work. The DFO said that the work has not yet started. The DFO, Angul said that the amount deposited by the user agency has been deposited with the State Govt. Request has been made to return the amount, so that the amount can be deposited in CAMPA. However, the project authorities have started reclamation in 33.00 of forest land. The growth seedlings were found satisfactory during the visit.

#### Photographs



5. **Habitat improvement plan for the surrounding areas shall be implemented by the State Forest Department at the project cost.**

The DFO, Angul has reported that Habitat improvement plan of the surrounding area of the project has been prepared by the user agency in consultation with the DFO, Angul for the period 2004-05 to 2008-09. It was approved by the CWLW, Odisha on 06.07.2004. The user agency has informed that Rs.50,00,000/- has been deposited with the DFO, Angul for Habitat improvement plan for the surrounding areas.

The DFO, Angul said that the amount deposited by the user agency has been deposited with the State Govt. Request has been made to return the amount, so that the amount can be deposited in CAMPA.

6. **The State Government shall maintain the above mentioned funds in the form of Fixed Deposits in the name of concerned DFO/Nodal Officer of the State, in a nationalized bank, till such time the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) intimates the head of account for transfer/deposition of funds.**



733255/2022/Ot-ADG(PG) said that the amount was deposited as revenue with the State Govt. The DFO, Angul requested the State Govt. to return and deposit in CAMPA account. The updated status could not be ascertained.

7. Demarcation of the area will be done on ground at project cost using four feet high RCC pillars. The pillars shall be indicate serial numbers, forward and back bearing and distance between adjacent pillars.

The user agency said that 273 pillars were posted around the diverted forest land. During inspection some of the pillars were found in damaged condition. These damaged pillars need to be replaced with new one.

8. The user agency shall protect the top soil at the project cost.

Top soil were found to be preserved in the top soil dump yard. Some of the top soil is being used for plantation activities done in reclamation work. The user agency has informed the details of Top soil generation in last four years at Bhubaneswari OCP as follows.

Topo Soil Generation (Cub. m) at Bhubaneswar OCP				
Year	2018-19	2-19-20	2020-21	2021-22
Quantity (in Cub. m)	28314	28800	105700	30750

9. Concurrent Reclamation plan shall be executed by the user agency from the very first year and an annual report shall be sent to the Nodal Officer and the Regional CCF, Bhubaneswar. If it is found from the Annual report that the annual programme mentioned in Concurrent Reclamation Plan is not being adhered to by the user agency, the mining activities shall remain suspended till such time the annual programme is completed for that year.

The user agency has informed that current reclamation plan is being executed as per approved mining plan. As reported by the user agency the progressive reclamation carried out in Bhubabeswai OCP upto 30.07.2022 is as follows:

Area acquired (in Ha.)	Area Excavated (in Ha)	Area de-coaled (in Ha)	Area of Void (in Ha)	Internal Backfilled Area			External OB dump area.	
				Area backfilled /under backfilling (in Ha)	Area backfilled & technically reclaimed upto approved level (in Ha)	Area backfilled, technical -ly & biological -ly reclaimed (in ha)	Area of external OB dump (in Ha)	Area of external OB dump biological -ly reclaimed (in Ha)
1	2	3(4 + 5)	4	5	6	7	8	9
787.91	442.83	215.16	27.61	187.55	128.70	33.00	94.00	88.25

Biological reclamation done in 33 Ha of land were partially inspected during the visit. The growth of the seedlings were satisfactory. The user agency was advised to go for coppicing of the branches of seedlings particularly Teak.

Being complied.

11. **The user agency shall protect the top soil at the project cost.**

As reported at Point No.8

12. **No labour camps shall be established on the forest land.**

At present no labour camp has been established in the forest land.

13. **Sufficient firewood shall be provided by the user agency to the labourers at the project cost after purchase from the State Forest Department/Forest Development Corporation.**

The DFO has reported that the user agency is providing fuel wood brought from Forest Corporation and supplying gas to the labourers working at the site. One register is maintained at the mining site.

14. **Mining shall be done as per the approved mining plan.**

The user agency has intimated that they are doing mining operation as per the approved Mining Plan.

15. **The user agency shall ensure that there is no damage to the available wildlife.**

The user agency has assured to comply the condition.

16. **The forest land shall not be used for any purpose other than that specified in the proposal.**

The user agency has assured to comply the condition.

17. **The lease period shall be co-terminus with the current lease granted under MMDR Act, 1957.**


Assured to comply.

18. **Rehabilitation Plan shall be adhered to by the user agency/State Government.**

The user agency has assured to adhere to the R & R Plan.

19. **Any other condition that the State Government as well as CCF (Central), Regional Office, Bhubaneswar, may impose from time to time for the protection and improvement of flora and fauna in the forest area.**

No additional conditions has been imposed.

  
17/8/22  
(A.T. Mishra)

Dy. Director General of Forests (C)

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

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.

**Dated: 2nd March, 2022**

To

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

**Sub: Proposal for non-forestry use of 112.521 ha (out of 132.994 ha applied originally) of forest land granted in favour of M/s Mahanadi Coalfields Limited for Bhubaneswari Opencast Coal Mining Project located on Talcher Coalfield in District Angul (Odisha) – reg.**

Sir,

I am directed to enclose herewith a copy of representation dated ....received from User Agency M/s MCL on the above subject requesting this Ministry to consider the balance area of 20.383 ha of forest land for mining to enable the agency to attain the production capacity of 28 Million Tonne per annum and to request the State Government to submit their comments to Ministry on the representation of the user agency along with following information:

- i. Status of current land use of 20.383 ha of balance forest land.
- ii. Detail of non-forestry activity or violation, if any, undertaken on the 20.383 ha of forest land. If so, detail of action taken may be intimated by the State
- iii. Detail of status of payment of NPV of the forest land involved in the mining lease may be intimated by the State.
- iv. Updated information/documents of the proposal in light of relevant guidelines issued by the Ministry during the intervening period and submit the same along with KML/SHAPE files of the area proposed for diversion, area identified for raising CA.
- v. Status of compliance of the conditions stipulated in the approval dated 6.12.2004 by the user agency and comments thereon of the State Government may be submitted to Ministry.

In view of the above, I am directed to request the State Government to submit the information, as indicated above, to this Ministry for further necessary action in the matter.

Yours faithfully,  
sd/-  
(Charan Jeet Singh)  
Scientist 'D'

**Copy to:-**

1. Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar.
2. Regional Officer (Central), Integrated Regional Office of the MoEF&CC at

733255/2022/O/o ADG(FC)

(M)

File No.8-18/2002-FC

93

I/7605/2022

- Bhubaneswar
3. Nodal Officer (FCA), Government of Odisha, Bhubaneshwar.
  4. Monitoring Cell of FC Divisions, MoEF&CC, New Delhi.
  5. Guard file.

(07)55-100-050

Signed by Charan Jeet  
Singh  
Date: 04-03-2022 15:15:01  
Reason: Approved