

OFFICE OF THE DIVISIONAL FOREST OFFICER,
JHARSUGUDA FOREST DIVISION, JHARSUGUDA.

Memo No. 4016 /Dated 26-09-2018

To

The Regional Chief Conservator of Forests,
Sambalpur Circle.

Sub: Proposal for diversion of 230.20 ha of forest land against Samaleswari OCP Expansion (Phase-IV) Rated capacity 15.0 MTY, Mahanadi Coalfields Ltd, Ib-Valley Area, Brajarajnagar (Proposal No.FP/OR/MIN/26817/2017, dt.07.10.2017.

Ref: Memo No.17763. dt.21.08.2018 of Addl. Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act and your memo No.1611/3F(M), dt.24.08.2018.

In inviting a kind reference to the memos cited above on the captioned subject. the details of item wise compliance to 13 numbers of points raised by the Addl. Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, FC Act are submitted below for favour of kind information and necessary action for processing the proposal as in the subject above for Stage-I clearance.

1. Non-forest CA land not handed over to Forest Department. No alienation order of non-forest government land in favour of Forest Department have been enclosed.

In compliance to the above, Compensatory Afforestation may be raised over degraded forest/ non-forest land. In this case, 230.20 ha forest land proposed is to be diverted in case of Samaleswari OCP Expansion, Phase-IV. The Compensatory Afforestation to compensate diversion of forest land for non forest purpose, as per the guidelines, double the area proposed for diversion ($230.20 \text{ Ha} \times 2 = 460.40 \text{ Ha}$) is to be selected to compensate the loss of Land against Land. The Compensatory Afforestation has to compensate loss of trees against trees i.e. @ 1000 nos seedlings per ha($=230.20 \times 1000 \text{ nos} = 2,30,200 \text{ nos}$) is required to compensate the loss of trees in 230.20 ha forest land proposed for diversion in favour of MCL, Ib-Valley Area for Samaleswari OCP (Expansion-IV).

For this project, 461.0 ha degraded forest land has been identified in Budhikuten-Bhaibahen PRF (6 nos Patches, 133.0 Ha). Lamdunguri PRF (2 nos Patches, 156.0 Ha) and Revenue forest land (01 no patch, 172.0 Ha):-

1. Barhamusa patch = 27.0 ha,
2. Talmunda patch=21.0 ha,
3. Khajurkhaman 3 nos patches = 61.0 ha,

4. Nandmunda patch = 24.00 ha
Total 133.0 ha in Budhikuten-Bhaibahen PRF
5. Lamdunguri PRF (2 patches) 1st patch = 133.00 ha + 2nd patch = 23.0 ha = total 156.0 ha in two patches) of Kolabira Range
6. Revenue Forest (Patra Jungle) 172.00 ha in Grindola village under Lakhanpur Tahasil of Belpahar Range in Jharsuguda district.

The Compensatory Plantation scheme over 289.0 ha PRFs + 172.0 ha revenue forest = 461.0 ha will be implemented. Out of the total area (461.0 ha), 156.0 ha (Lamdunguri patch-1 (133.0 ha) + Lamdunguri patch-2 (23.0 ha)) can be planted @ 600 plants per/ha (= 93600 seedlings), 27.0 ha (Berhamusa patch) can be planted @ 1600 plants/per ha (= 43200 seedlings) and rest 278.0 ha (172.0 ha at Grindola Rev. forest + Talmunda (21.0 ha) + Khajurkhaman 3 patches (61.0 ha) + Nandamunda patch (24.0 ha)) can be planted @ 400 plants/per ha (= 111200 seedlings). Thus in total (93600 + 43200 + 111200 = 2,48,000) 2,48,000 (Two lakh, Forty Eight Thousand) seedlings can be planted over 461.0 ha degraded forest and revenue forest land in different canopy density to compensate the loss.

The entire degraded forest land selected has been allotted to Rehabilitation Working circle. Accordingly, the CA scheme has been revised and prepared as per the guidelines issued vide No.11-423/2011-FC, dt.08.11.2017 of Government of India, MoEF&CC. The same has been enclosed in the Forest Diversion Proposal.

As per the guidelines, the revenue forest land will be mutated and alienated in favor of forest department after obtaining the stage I approval for the project.

2. *RR Plan not approved/authenticated by competent authority.*

In compliance to the condition, the approved RR plan with due authentication by the Collector, Jharsuguda is enclosed in the Forest Diversion Proposal.

3. *Maps like DGPS/cadastral/topo-sheet are not enclosed in original*

In compliance to the condition, the DGPS survey map/cadastral/topo-sheet are enclosed in original in the Forest Diversion Proposal.

4. *The UA has not enclosed the Gram Sabha resolution (both English/Odia, DLC and SDLC proceedings).*

In compliance to the condition, it is to inform that the decisions taken in the minutes of the meeting held with the officers of Ministry of Environment, Forest & Climate Change (MoEF&CC) on 12.01.2018 under the Chairpersonship of Secretary (TA) (copy enclosed) is appended here i.e.

“(3) (i) With regard to obtaining FRA clearance in respect of projects, it was observed that while MoEF& CC had maintained that it would be required to be

obtained by project proponent at Stage-II of FCA clearance, the views of MoTA were that this would prove to be fait accompli as by that time the project proponents would have made sufficient progress and the Tribals living in the forest area earmarked for use by project would be put to a great disadvantage. It has been seen that many a time the project applies for FRA clearance only in the minute and this results in the project getting delayed for want of FRA clearance. It was suggested that the project proponent should produce proof of having initiated FRA clearance process at the point of going in for Stage-I FCA clearance itself".

It is to mention here that on being received application from UA, the Collector, Jharsuguda has issued no objection Certificate under FRA Act, 2006 after conducting the Gram Sabha/Ward Sabha in all 3 wards and one village involved with forest land i.e. Belpahar, Chingriguda, Brajrajnagar Town Unit No.1 and one village i.e. Katapali. The Gramsabha resolution (both in English/Odia)/ DLC and SDLC proceeding shall be supplied by the Revenue Authority in due course. Hence, Stage-I FCA clearance may be processed and it is undertaken by the UA that all the proceedings shall be obtained and produced before Stage-II of FCA clearance.

- 5. *The DGPS map showing forest area in village wise/cadastral sheet wise are not furnished in the DP.***

In compliance to the condition, the DGPS/cadastral/topo-sheet are enclosed in the proposal with due authentication by the Chief Executive, ORSAC, Odisha which may be taken into account.

- 6. *The combined DGPS map of diverted forest land enclosed in the DP has not been authenticated by the Tahasildar, concerned.***

In compliance to the condition, the combined DGPS map of proposed diversion of forest land is enclosed in the DP with due authentication by the Tahasildar concerned.

- 7. *The tree enumeration in Government forest land has not done as per instruction issued by the PCCF, Odisha vide Memo No.23746(34)9F(Misc)153-2001.***

In compliance to the condition, it is submitted that the tree enumeration of Govt. forest land has been enumerated as per instruction contained in memo No. 23746(34) 9F(Misc)153-2001 of PCCF, Odisha, Wherein, 43.06 Ha of forest land consisting of 9 nos of Samples of more than 2 Hectares is selected over a spread of 230.20 Ha of Forest Area proposed for diversion such that the sample is maximum representation of the area proposed for diversion. The total estimated trees have been

computed and projected as 17,423 Nos of trees over an area of 230.20 Ha of Forest Land.

The abstract of the same is enclosed in the Diversion Proposal as *Annexure-I*.

8. The UA not furnished the tree enumeration list of Government non-forest land.

In compliance to the condition, the tree enumeration list of Government non-forest land is enclosed in the Forest Diversion Proposal.

In case of Since the area proposed for diversion exceeds 10 ha, in accordance with provision in para 2.2 (ii) of the guidelines to Forest (Conservation) Act, 1980, Tree enumeration has been carried out over 31.299 Ha of Govt. Non Forest Land under Samaleswari OCP Expansion, Phase-IV. And it is found to be a total of 279 nos. of trees above 30 cms girth in the Govt. Non Forest Area under Samaleswari OCP Expansion, Phase-IV.

The abstract of tree enumeration has been furnished as *Annexure – II*.

9. The CA scheme submitted by the DFO, Jharsuguda Division will not accommodate the total seedlings required for plantation for the diverted forest land and is not as per guidelines issued vide No.11-423/2011-FC, dated.08.11.2017 of GOI, MOEF & CC.

In compliance to the condition, it is stated that the total seedlings required for plantation for the proposed diversion of forest land (230.20 ha) has been reflected in the revised CA scheme as per the guidelines issued vide No.11-423/2011-FC. dt.08.11.2017 of GoI, MoEF&CC.Total 2,48,000 (Two lakh, Forty Eight Thousand) seedlings shall be planted over 461.0 ha degraded forest land in different canopy density to compensate the loss of 230.20 ha of forest land for coal mining purpose as stated in the revised CA scheme.

10. The UA has not furnished the consent order of the State Pollution Control Board, Odisha.

In compliance to the condition, consent order of SPCB, Odisha i.e. Consent to establish will be furnished as per practice after obtaining Stage-I forestry clearance and Environment Clearance of the proposed expansion area i.e. Samaleswari OCP Expansion(Phase-IV), rated capacity 15 Mty. However existing consent order issued by SPCB, Odisha for Samaleswari OCP (Expansion) Phase-III is enclosed in the DP.

11. The UA has not furnished the environmental clearance certificate in the DP.

In compliance to the condition, EC of the proposed Expansion area of Samaleswari OCP (Phase-IV), rated capacity 15 Mty will be issued by MOEF & CC, GOI after Stage-I forestry clearance. Application for obtaining EC has been made on

dtd.22.02.2018. However, EC of the existing Project (Phase-III) is enclosed in the DP. The ToR & Form-I of application is enclosed in the DP.

12. The UA has not furnished map showing phased reclamation and afforestation programme.

In compliance to the point, the phased reclamation plan of Samaleswari OCP (Phase-IV), rated capacity 15 Mty as per the approved mining plan is enclosed in the DP.

13. The non-forest land schedule of Brajaraj Nagar Town is not tallied with land schedule supplied by the Tahasildar.

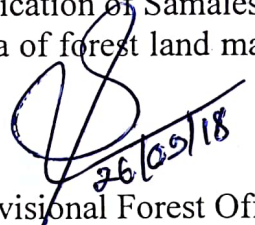
In compliance to the point, the land schedule of Brajaraj Nagar Town Unit-is rectified & now exactly same with the land scheduled authenticated by the Tahasildar, Jharsuguda which is again enclosed.

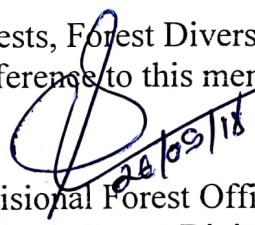
Under the above circumstances narrated above, the stage-I application of Samaleswari OCP (Phase-IV), Rated capacity 15 Mty for diversion of 230.20 ha of forest land may be processed.

Encl: 5 Sets Diversion Proposal.

Memo No. 4017 /Dated. 26 -09-2018

Copy forwarded to the Addl. Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act for information and necessary action with reference to this memo No.17763 dt.21.08.2018.


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