

STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

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No.

/9F (IND) – 357/2019

Dated, Bhubaneswar the

November' 2023

From

Sri Susanta Nanda, IFS
Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

The Deputy Director General of Forests (Central)
Government of India, Ministry of Environment, Forest & Climate Change
Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

Sub: Diversion of 8.361 ha of forest land for expansion of Integrated Steel Plant for M/s Shyam Metalics & Energy Ltd. in village Nishanbhangra of Rengali Tahasil of Sambalpur District by IDCO – Stage-I compliance regarding.

Ref: Letter No. 5-ORC-302/2019-BHU dated 23.12.2019 of the Technical Officer (Forestry), GoI, MoEF & CC, IRO, Bhubaneswar.

Sir,

In inviting reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, IRO, Bhubaneswar has accorded Stage-I/In-principle approval vide Letter No. 5-ORC-302/2019-BHU dated 23.12.2019 of the Technical Officer (Forestry), GoI, MoEF & CC, IRO, Bhubaneswar for diversion of 8.361 ha of forest land for expansion of Integrated Steel Plant for M/s Shyam Metalics & Energy Ltd. in village Nishanbhangra of Rengali Tahasil of Sambalpur District by IDCO subject to fulfillment of 23 nos. of Conditions. The point wise compliance basing on the reports of the DFO, Sambalpur Forest Division and RCCF, Sambalpur Circle are as follows:-

Condition-(i): Legal status of forest land proposed for diversion shall remain unchanged.

Compliance: In compliance to the above condition, the RCCF, Sambalpur Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sambalpur Forest Division that the legal status of forest land proposed for diversion shall remain unchanged which is enclosed as **Annexure-I.**

Condition-(ii): *Compensatory afforestation shall be taken up by the Forest Department over 11.00ha non-forest land identified in Plot No.344,348 & 349, Khata No.40 and Plot No.343,345,350 & 353, Khata No.42 of village Baunsen under Rengali Tahasil of Sambalpur District at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planned and monoculture of any species may be avoided.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the Compensatory Afforestation land which have been identified in the Bausen village of Rengali Tahasil of Sambalpur District bears in Plot No. 344, 348 & 349 bearing Khata No.40 and Plot No.343, 345, 350 & 353, Khata No.42. The Compensatory Afforestation scheme is approved in the wage rate of Rs.298/manday amounting to Rs.29,87,000/-. The demand of Rs.29,87,000/- was raised by the DFO, Sambalpur Forest Division vide this office Memo No.2663 dt.18.05.2020 which is enclosed as **Annexure-IV**. However, the User Agency has deposited an amount of Rs.82,21,880/- (including the cost of NPV) vide UTR No.SBIN52020062600096722 dt.11.06.2020. Copy enclosed as **Annexure-II**. Further, on EDS raised vide this office Memo No.19605 dated 03.10.2023 (**Annexure-II-A**) to the RCCF, Sambalpur Circle in referring to the condition imposed by the Govt. of India, MoEF&CC, Regional Office, Bhubaneswar that a mixture of local indigenous species shall be planted. The RCCF, Sambalpur Circle has complied to this condition vide his Memo No.2496 Dt.17.10.2023 (**Annexure-IIB**)

Condition-(iii): *The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the state Forest Department before issue of Stage II approval.*

Compliance: In compliance to this condition, the DFO, Sambalpur Forest Division had submitted vide his Memo No.5868 Dt.06.10.2023 for declaring PF under Section of 33 of Odisha Forest Act, 1972 which is enclosed as **Annexure-III**. The non-forest land identified for raising CA has been transferred and mutated in favour of Forest Department. RoR copy is enclosed at **Annexure-III-A**.

Condition-(iv): *The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the Compensatory Afforestation scheme over 11 ha. of non-forest land was approved by the Principal Chief Conservator of Forests (Forest Diversion & Nodal Officer, F.C Act) O/o the Principal Chief Conservator of Forests, Odisha at the wage rate @298/manday for the amount of Rs.29,87,900/-. Subsequently demand was raised accordingly and user Agency has deposited Rs.82,21,880/- (including the cost of CA-29,87,000/- + NPV Cost:- 52,33,986/-) vide UTR No.SBIN52020062600096722 dt.11.06.2020 in Adhoc CAMPA, Odisha A/c in Corporation Bank, New Delhi vide Ch. No.661163 dt.26.06.2020. Copy enclosed as **Annexure-IV**.

Condition-(v): *The State Govt. shall charge the Net Present Value (NPV) for the 8.361ha forest area to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No.566 in Writ*

Petition (Civil) No.202/1995 and as per the guidelines issued by Ministry vide letter No.5-1/1998-FC(Pt.II) dated 18.09.2003, as well as letter No.5-2/2006-FC dated 03.10.2006 and No.5-3/2007-FC dated 05.02.2009 in this regard.

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has deposited an amount of Rs.82,21,880/- (including the cost of CA-29,87,000/- + NPV Cost:- 52,33,986/-) vide UTR No.SBIN52020062600096722 dt.11.06.2020. Copy enclosed as **Annexure-V**.

Condition-(vi): *Additional amount of the NPV of the forest land to be diverted, if any becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Export Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an understanding to this effect.*

Compliance: In compliance to this condition, the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that additional amount of the NPV of the forest land to be diverted, if any becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Export Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an understanding to this effect which is enclosed as **Annexure-VI**.

Condition-(vii): *All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through (<https://parivesh.nic.in/>).*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that all the funds received from the user Agency under the project shall be transferred/deposited to State CAMPA fund only through (<https://parivesh.nic.in/>). The user Agency will submit an undertaking in this regard. Copy of the undertaking enclosed as **Annexure-VII**. **The statement of funds deposited by the user agency duly signed by the DFO, Sambalpur Forest division and countersigned by PCCF(Nodal) is enclosed as Annexure-O.**

Condition-(viii): *As recommended by the state Govt. the Site Specific Wildlife Conservation Plan pertaining to the project duly approved by CWLW, Odisha shall be implemented at the project cost.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the Site Specific Wildlife Conservation Plan of Diversion of 8.361 ha. of forest land for expansion of Integrated Steel Plant for M/s Shyam Metalics & Energy Ltd. in village Nishanbhanga of Rengali Tahasil of Sambalpur District by IDCO is approved by the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife & Chief Wildlife Warden, Odisha vide letter No.7752/7WL-FD & WLC-14/2020 dt.29.09.2020 (**Annexure-VIII A**).

Total approved cost of Site Specific Wildlife Conservation Plan was Rs.70.586 lakh. The user Agency has deposited an amount of Rs.65,58,600/- in Adhoc CAMPA vide RTGS/NEFT Challan No.SBIN520338186448 dt.27.11.2020. Balance amount of Rs.5.00 lakh to be implemented by the User Agency. (**Copy enclosed as Annexure-VIII**)

Condition-(ix): *The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. The FRA certificate in Form-II along with Gram Sabha resolution shall be submitted before Stage-II approval.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the FRA Certificate from Collector & District Magistrate, Sambalpur for the entire forest land coming under Sambalpur Forest Division has submitted by the user Agency. (Copy enclosed as Annexure-IX).

Condition-(x): *The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the User Agency has already obtained environment clearance vide No.IA-J-11011/495/2006-IA-II(I) dt.16.08.2022. (Copy enclosed as Annexure-X)

Condition-(xi): *No additional or new path will be constructed inside the forest area for any activity related to the project work.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that no additional or new path will be constructed inside the forest area for any activity related to the project work which is enclosed as Annexure-XI.

Condition-(xii): *No labour camp shall be allowed in the forest area.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that no labour camp shall be allowed in the forest area which is enclosed as Annexure-XII.

Condition-(xiii): *The user agency shall provide LPG, to labourers working at the site to avoid damage /tree felling and ensure no fuel wood use.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the user agency shall provide LPG, to labourers working at the site to avoid damage /tree felling and ensure no fuel wood use which is enclosed as Annexure-XIII.

Condition-(xiv): *The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner which is enclosed as Annexure-XIV.

Condition-(xv): *The boundary of the forest land to be diverted shall be suitably demarcated on the ground at the project cost, as per the directions of the concerned Divisional Forest Officer.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that

the boundary of the forest land to be diverted shall be suitably demarcated on the ground at the project cost, as per the directions of the concerned Divisional Forest Officer which is enclosed as **Annexure-XV**.

Condition-(xvi): *The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less which is enclosed as **Annexure-XVI**.

Condition-(xvii): *The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change which is enclosed as **Annexure-XVII**.

Condition-(xviii): *The forest land shall not be used for any purpose other than that specified in the proposal.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the forest land shall not be used for any purpose other than that specified in the proposal which is enclosed as **Annexure-XVIII**.

Condition-(xix): *The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change which is enclosed as **Annexure-XIX**.

Condition-(xx): *Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.*

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency which is enclosed as **Annexure-XX**.

Condition-(xxi): The State Govt. and user agency shall ensure compliance to provisions of the all the court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the user Agency has furnished an undertaking duly countersigned by the DFO, Samabalpur Forest Division that the State Govt. and user agency shall ensure compliance to provisions of the all the court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project which is enclosed as **Annexure-XXI**.

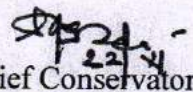
Condition-(xxii): The compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in>)

Compliance: In compliance to this condition, the RCCF, Sambalpur Circle has reported that the compliance report of the Stage-I approval will be uploaded on e-portal. (<http://parivesh.nic.in>). The user Agency has submitted an undertaking in this regard. **Copy of the undertaking enclosed as Annexure XXI.**

In view of the above, the compliance to the conditions imposed by the GoI, MoEF & CC, IRO, Bhubaneswar is sent herewith for according final approval for diversion of 8.361 ha of forest land for expansion of Integrated Steel Plant for M/s Shyam Metalics & Energy Ltd. in village Nishanbhanga of Rengali Tahasil of Sambalpur District by IDCO.

Encl: Stage-I Compliance in one set

Yours faithfully

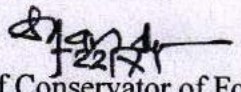

Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 23025

/Dt. 23-11-2023

Copy along with one set of Stage-I compliance forwarded to the Additional Chief Secretary to Government, Forest, Environment & Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to Letter No. 5-ORC-302/2019-BHU dated 23.12.2019 of the Technical Officer (Forestry), GoI, MoEF & CC, IRO, Bhubaneswar and Memo No. 769/F&E-10F(Cons) 82/2019 dated 09.01.2020 of Special Secretary to Government, F&E Department.

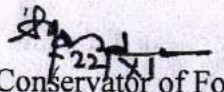
Encl: Stage-I Compliance in one set


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

Memo No.

/Dt.

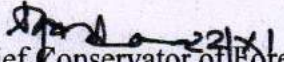
Copy forwarded to the RCCF, Sambalpur Circle for information and necessary action with reference to his Memo No. 2253 dated 16.09.2023.


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

Memo No.

/Dt.


Copy forwarded to the Divisional Forest Officer, Sambalpur Forest Division for information and necessary action with reference to Memo No. 2254 dated 16.09.2023 of RCCF, Sambalpur Circle.


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

Memo No.

/Dt.

Copy forwarded to the Chief General Manager (Land), IDCO, Bhubaneswar for information and necessary action with reference to Memo No. 2255 dated 16.09.2023 of RCCF, Sambalpur Circle.


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