

Government of India/ भारत सरकार  
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Integrated Regional Office/ एकीकृत क्षेत्रीय कार्यालय  
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30th December, 2020

4th January, 2021

To

The Addl. Chief Secretary,  
Forest & Environment Deptt.,  
Government of Odisha,  
Bhubaneswar – 751 001.

Sub:- Diversion of 38.098 ha of Revenue Forest land for construction of 3 X 800 MW Thermal Power Plant under Kamakhyanagar Tahasil of Dhenkanal by Odisha Thermal Power Corporation Ltd. (OTPCL).

Madam,

I am directed to refer to State Govt. letter No.10F(Cons)30/2019-7364/F&E dated 11.04.2019, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 38.098 ha of Revenue Forest land for construction of 3 X 800 MW Thermal Power Plant under Kamakhyanagar Tahasil of Dhenkanal by Odisha Thermal Power Corporation Ltd. (OTPCL), was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of decision of Regional Empowered Committee meeting held on 06.06.2019, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 07.06.2019, subject to fulfillment of certain conditions. The Nodal Officer (FCA) of the State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.18692/9F (Misc)-303/2019 dated 27.10.2020 and uploading of the Stage-I compliance report in *Parivesh* web portal on 21.12.2020, **Stage-II/final** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 38.098 ha of Revenue Forest land for construction of 3 X 800 MW Thermal Power Plant under Kamakhyanagar Tahasil of Dhenkanal by Odisha Thermal Power Corporation Ltd. (OTPCL), subject to the fulfillment of the following conditions:-

**A: Conditions which need to be complied prior to handing over of forest land.**

- i. The State Govt. shall ensure the complete compliance on FRA, 2006.
- ii. The State Govt. shall ensure that forest land will be handed over only after required

- non-forest land for the project is handed over to the user agency.
- iii. The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- iv. The State Govt. shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.

**B: Conditions which need to be complied after handing over of forest land to the user agency.**

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. The State Govt. shall ensure that the non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act.
- iii. The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 38.458 ha of non-forest land identified in village Kantakhol (12.013 ha), Jogidiha village (9.570 ha) and in Kateni village (16.875 ha) under Kamakhyanagar Tehsil of Dhenkanal district within three years from the issue of approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The tree planted in C.A. area shall be local indigenous species, multi layer, multi canopy so to result in a near natural forest.
- iv. The State Govt. shall ensure that the user agency shall pay towards cost of removal of trees enumerated before commencement of work and tree felling should be taken up in phased manner strictly as per requirement under the supervision of State Forest Department.
- v. The REC observed that the proposed railway line for transportation of coal is coming under Elephant Habitat Zone-2. Hence, while recommending the railway proposal the State Govt. should duly focus on the safe passage of wildlife in the area including Elephants and submit a advance corridor plan before commence of the project.
- vi. The State Govt. shall ensure that the Site Specific Wildlife Conservation Plan shall be implemented by State Forest Department from the funds deposited in CAMPA account by the user agency.
- vii. The State Govt. and the user agency shall ensure that ash produced due to the unit shall not pollute the air and water of the nearby areas for which, green belt shall be maintained around the proposed unit and necessary plantation in the nearby villages/habitation should be carried out in consultation with the local people.
- viii. The State Govt. shall ensure that the user agency shall also utilize the ash generated by supplying for construction of road project within the 100 Km radius and also facilitate supply of ash to brick industries as per latest fly ash notification.
- ix. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- x. The State Govt. and the user agency shall ensure 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.



- xi. The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xii. The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xiii. The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency.
- xiv. The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xv. The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvi. The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvii. The State Govt. shall ensure that the user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xviii. The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of this Ministry by the end of March every year regularly.
- xix. The State Govt. shall ensure 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, which shall be complied by the user agency.
- xx. The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- xxi. It may please note that violation of any of these conditions will be amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per Para 1.21 of Chapter-1 of Handbook of Guidelines issued under F.C. Act, 1980 vide Ministry's letter No.5-2/2017-FC dated 28.03.2019.

Yours faithfully,


*Padma Mahanti*

(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The PCCF & Nodal Officer, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
2. The Chief Executive Officer, M/s Odisha Thermal Power Corporation Ltd., N/3-B/14, IRC Village, Nayapalli, Bhubaneswar, Odisha.

  
Dy. Inspector General of Forests (C)