



Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
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No. 5-ORB295/2016-BHU

24th October, 2018

To

The Addl. Chief Secretary,
Forest & Environment Deptt.,
Govt. of Odisha,
Bhubaneswar.

Sub:-

Diversion of 3.792 ha of forest land in Badapur & Chamakhandi villages of Ganjam district for development of Industrial Park/Special Economic Zone (SEZ) by M/s Tata Steel Special Economic Zone Ltd. at Gopalpur in Ganjam District, Odisha.

Sir,

I am directed to refer to State Govt. letter No. 10F(Cons)68/2016-16958/F&E dated 14.09.2016 and No.21920/F&E dated 26.11.2016, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 3.792 ha of forest land in Badapur & Chamakhandi villages of Ganjam district for development of Industrial Park/Special Economic Zone (SEZ) by M/s Tata Steel Special Economic Zone Ltd. at Gopalpur in Ganjam District, Odisha 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 recommendation of Regional Empowered Committee held on 16.12.2016, the in-principle/ Stage-I approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 19.12.2016, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final/ Stage-II approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. PCCF & Nodal Officer (FCA), Odisha vide their letter No. 20726/9F(Misc)-437/2013 dated 09.10.2018, **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 3.792 ha of forest land in Badapur & Chamakhandi villages of Ganjam district for development of Industrial Park/Special Economic Zone (SEZ) by M/s Tata Steel Special Economic Zone Ltd. at Gopalpur in Ganjam District, Odisha, subject to the fulfillment of the following conditions:-

- (i) Legal status of forest land proposed for diversion shall remain unchanged.
- (ii) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be realised by the State Govt. from the user agency.
- (iii) Compensatory Afforestation shall be raised over 3.792 ha of non-forest land identified in village Mahuriguda of Kukudakhandi tehsil of Berhampur Forest Division by the State Forest Department within a period of 3 years from the

date of issue of Stage-II approval and maintained thereafter in accordance with the approved CA scheme. The CA area is to be demarcated by raising 4 feet high RCC pillars at a distance of 50 meter with GPS reading.

- (iv) State Govt. shall raise penal compensatory afforestation over 0.01357 ha of degraded forest land in Ramaguda RF of Berhampur Range as per the approved PCA scheme within a period of 3 years from the date of issue of Stage-II approval and maintained thereafter.
- (v) The user agency shall abide by the applicable conditions stipulated by State Govt. vide letter No. 10(Cons)68/2016-16958/F&E dated 14.09.2016.
- (vi) 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, DGPS coordinates, forward and back bearing and distance from pillar to pillar.
- (vii) No forest land shall be allowed for construction of building for residential purpose/township etc.
- (viii) Wherever possible and technically feasible, the user agency shall undertake plantation of indigenous trees in the blanks, as well as along the roads within the project area.
- (ix) No labour camp shall be established on the forest land.
- (x) The user agency shall provide LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas.
- (xi) 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.
- (xii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xiii) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
- (xiv) 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.
- (xv) The State Government shall implement the settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the diverted forest land as prescribed by this Ministry in its letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with letter No.11-9/1998-FC (pt.) dated 05.02.2013, in support thereof.



- (xvi) The user agency shall submit the annual self compliance report in respect of the above stated conditions to the State Govt., concerned Regional Office by the end of March every year, regularly.
- (xvii) Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife shall be complied by the user agency.
- (xviii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations & Guidelines, Hon'ble Court order (s) and NGT order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

3. As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Eastern Regional Office of MoEFCC may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours faithfully,



(S. Mohapatra)
Conservator of Forests (Central)

Copy to:-

1. The Director (ROHQ), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
3. The Divisional Forest Officer, Berhampur Forest Division, Berhampur, Odisha.
4. M/s Tata Steel Special Economic Zone Limited, 2B Fortune Tower, Chandrasekharpur, Bhubaneswar-751023
5. Guard file.

Conservator of Forests (Central)