



OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, ODISHA,
BHUBANESWAR

Letter No.

2324

/9F(ET)- 335/2014

Dated, Bhubaneswar, the

03/02

February, 2021

To

The Deputy Director General of Forests (Central) ,
MoEF & CC, Govt. of India, Integrated Regional Office,
A/3 Chandrasekharpur , Bhubaneswar.

Sub: Diversion of 4.902 ha of Forest Land for setting up of 25 MW Saheed Laxman Nayak SHEP at Tentuligumma village under Malkangiri Forest Division in Koraput District , Odisha by M/s Sileru Power Generation Pvt Ltd (Now M/s Meenakshi Odisha Power Pvt Ltd) { Proposal No FP/OR/HYD/9265/2015}

Sir,

In inviting reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, (FC Division), Eastern Regional Office, Bhubaneswar have accorded Stage-I approval vide their Letter No. 5-ORB-409/2020-BHU dated 06.07.2020 (Copy appended as **Annexure-16**) in respect of diversion of 4.902 ha of Forest Land for setting up of 25 MW Saheed Laxman Nayak SHEP at Tentuligumma village under Malkangiri Forest Division in Koraput District , Odisha by M/s Sileru Power Generation Pvt Ltd (Now M/s Meenakshi Odisha Power Pvt Ltd) subject to fulfillment of Twenty three (23) nos of conditions stipulated therein. Further, Government of Odisha in F&E Department vide their Letter No 10(F)-(Cons)-35/17-11167/F&E dtd 16.07.2020(Copy appended as **Annexure-17**), communicating the letter of approval of GoI, MoEF & CC, ERO, Bhubaneswar dtd 06.07.2020, has asked for compliance to the stipulated conditions there in. In this regard the point-wise compliance as received from the RCCF, Koraput Circle vide his Memo no. 3496 dated 31.12.2020, based on the report of DFO, Malkangiri Forest Division furnished vide his Memo No 4827 dtd 22.12.2020 & No 453. dtd 29.01.2021 is furnished below:-

Condition No.(i):- Legal status of forest land proposed for diversion shall remain unchanged.

Compliance:-RCCF Koraput Circle has reported that the User Agency at serial no 1 of his letter dtd 18.12.2020, has furnished the undertaking that the legal status of the forest land proposed for diversion will remain unchanged , which has been appended as **Annexure-1**.

Condition No.(ii):- Compensatory afforestation shall be taken up by the Forest Department over 5.06 ha non-forest private land identified in Khata No.326/506 & 326/529 of village Benasur under Borigumma Tahasil of Koraput District at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided

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Compliance:- RCCF Koraput Circle has reported that the Compensatory Afforestation Scheme prepared by DFO Jeypore Forest Division for afforestation over non-forest private land to the extent of 5.06 covering 10 plots identified in village Benasur under Borigumma Tahsil of Koraput District under Jeypore Forest Division with provision for admixture of plantation of local species like Sisoo, Gambhar, Mango, Neem have been technically approved by PCCF (FD & No FC Act) with Financial outlay of Rs 44,90,200.00 at wage rate of Rs 298.00, which included provision of Rs 20,000.00 being the cost of one vehicle to be provided by User Agency in kinds for monitoring of Compensatory Afforestation and Rs 24,90,200.00 towards cost of afforestation, SMC Measures, fencing and escalation cost. Copy of the approved Financial outlay has been appended as **Annexure- 2**. Accordingly, DFO, Jeypore Forest Division vide his Memo No 4193 dtd 29.7.2020 (Copy appended as **Annexure-3**) raised demand on the User Agency to deposit Rs 24,90,200.00 in Adhoc-CAMPA Account and provide the vehicle. The User Agency has deposited the amount of Rs 1,22,19,078.00 in State Specific CAMPA Account no 150825692650330 of Corporation Bank Lodhi Complex, New Delhi vide UTR No UCBAR520200881200088717 dtd 10.08.2020, which includes Rs 24,90,200.00. The copy of e-challan bearing the UTR no has been appended in support of this as **Annexure- 4a & 4b**.

Further, the User Agency has furnished an undertaking to bear the amount of differential cost of Compensatory Afforestation Scheme, if any at current wage rate on demand from State Government, which has been appended as **Annexure- 5**.

Condition No.(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, RCCF, Koraput Circle has reported that the identified private non-forest land in Village Benasur under Borigumma Tahsil of Koraput district covering 12.5 Ac has been mutated and transferred in favour of Forest Department. Photocopy of the RoR issued by Addl Tahsildar Borigumma in support of transfer of the land in favour of Forest Department has been appended as **Annexure-06**.

Condition No.(iv):- *The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and 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 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.*

Compliance:- In compliance to this, RCCF, Koraput Circle has reported that an amount of Rs.24, 90,200/- being the cost of Afforestation activities as approved by PCCF (FD & NO FC Act) at wage rate of Rs 298.00 per man day has already been deposited in State Specific Adhoc CAMPA by the User Agency. Copy of the approved Financial outlay of the Compensatory Afforestation scheme, copy of demand letter of DFO Jeypore Forest Division, & copy of e-challan bearing UTR No in support of the deposit has been appended as **Annexure-2, 3, 4a & 4b**. Further, RCCF Koraput & DFO Malkangiri Forest Division has reported that Scorpio vehicle towards infrastructure as per the approved CA Scheme and demand of DFO Jeypore Forest Division vide his letter dtd 29.07.2020 has been provided by the User Agency to DFO Jeypore Forest Division. Documents in support of purchase, registration of the vehicle by the User Agency are appended as **Annexure 07a- 7p(series)**.

The Compensatory Afforestation Scheme approved has inbuilt provision for anticipated cost increase & maintenance of plantation for subsequent 10 years and beyond that the User Agency has also undertaken to bear the differential of cost of Compensatory Afforestation at current wage rate, which has been appended as **Annexure- 05**.

Condition No.(v):- The State Govt. shall charge the NPV for the 4.902 ha forest area to be diverted under this proposal from the user agency as per the orders of Hon'ble Supreme Court of India dt. 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.5-1/1993-FC (Pt.II) dt. 18.09.2003, as well as letter No.5-2/2006-FC dt. 03.10.2006 and No.5- 3/2007-FC dt. 05.02.2009 in this regard.

Compliance:- In compliance to this, RCCF, Koraput Circle has reported that taking reference of letter of approval of GoI, MoEF & CC, ERO dtd 06.07.2020, DFO, Malkangiri Forest Division vide his office Memo No 3029 dtd 04.08.2020, has raised a demand of Rs 46,02,978.00 towards NPV due for diversion of 4.902 ha of Forest land for the said project. (Copy appended as Annexure-8a) and the user agency has deposited the amount of Rs 1,22,19,078.00 in State Specific CAMPA Account no 150825692650330 of Corporation Bank Lodhi Complex, New Delhi vide UTR No UCBAR520200881200088717 dtd 10.08.2020, which includes Rs 46,02,978. The copy of e-challan bearing the UTR no has been appended in support of this as **Annexure- 8b, 8c & 8d**.

Details of NPV Deposited

Extent of Forest land to be diverted in ha & Name of the Division	Eco-Class & Crop Density	Rate of NPV per ha in Rs	Amount due in Rs	Amount demanded by DFO	Amount deposited by User Agency	Deposit Details
4.902, Malkangiri Forest Division	Eco-value Class-I, Crop density- 0.4	936000/-	46,02,978/-	46,02,978/-	1,22,19,078/- which includes 46,02,978/-	In State Specific CAMPA Account no 150825692650330 of Corporation Bank Lodhi Complex, New Delhi vide UTR No UCBAR520200881200088717 dtd 10.08.2020

Condition No.(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 Expert Committee, shall be charged by the State Govt. from the user agency. The user agency shall furnish an undertaking to this effect.

Compliance:- In compliance to this, RCCF Koraput Circle has reported that the User Agency at serial no 6 of his letter dtd 18.12.2020, has furnished the undertaking to pay the 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 Expert Committee, which has been appended as **Annexure-1**.

Condition No.(vii):- Disposal of muck shall be done at the designated sites and under no circumstances the muck to be generated during the construction phase of the project shall be dumped in the forest land.

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Compliance:- In compliance to this, RCCF Koraput Circle has reported that the User Agency at serial no 7 of his letter dtd 18.12.2020, has furnished the undertaking to comply the condition by dumping at the designated sites identified in consultation with the State Forest Department and Pollution Control Board. which has been appended as **Annexure-1**.

Condition No.(viii):- *The cost of felling of trees shall be deposited by the user agency with the State Forest Department.*

Compliance:- In compliance to this, DFO Malkangiri Forest Division vide Memo no 491 dtd 02.02.2021 has reported that the user agency has furnished an undertaking to pay the cost of felling of trees on receipt of demand from State Agency, which have been enclosed as **Annexure-9a & 9b**.

Condition No.(ix):- *Approved Catchment Area Treatment (CAT) Plan, amount shall be realized from the user agency*

Compliance:- In compliance to this, RCCF Koraput Circle has reported that CATP has been technically approved with Financial Outlay of Rs 51,25,900/- by the PCCF (Forest Diversion & Nodal Officer, FC Act) at wage rate of Rs 286.30 per Manday with provision of 20% extra funds to cover escalation of cost(Copy enclosed as **Annexure-10a**). Accordingly, DFO, Malkangiri Forest Division vide his Memo No 2998 dtd 31.07.2020 (Copy appended as **Annexure-10b**) has raised demand on User Agency to deposit the cost of CATP and the User Agency has deposited an amount of Rs 1,22,19,078.00 in State Specific CAMPA Account no 150825692650330 of Corporation Bank Lodhi Complex , New Delhi vide UTR No UCBAR520200881200088717 dtd 10.08.2020 ,which includes Rs 51,25,900/- being the cost of CATP. The copy of e-challan and parivesh portal generated document in support of deposit of the cost of CATP as above have been appended as **Annexure-10c & 10d**. Further, the User Agency has furnished an undertaking to bear the additional cost of CATP , worked out at current wage rate, if any that would be demanded, copy of which has been enclosed as **Annexure- 10e**.

Condition No.(x):- *The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.*

Compliance:- In compliance to this, RCCF Koraput Circle has reported that the requisite certificate under FRA, 2006 has been issued by Collector Koraput vide No 3959/17 dtd 30.11.2017 in prescribed Form No -III ,which has been appended as **Annexure-11**. The support documents of FRA Form-III like proceedings of meeting of Gramasabha, SDLC, DLC were submitted earlier along with the diversion proposal.

Condition No.(xii):- *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, RCCF Koraput Circle has reported that the User Agency has deposited the compensatory levies demanded by the concerned DFOS , amounting to Rs 1,22,19,078/- (i.e. Rs 24,90,200 for C.A. + Rs 46,02,978 for NPV + Rs 51,25,900 for CATP) in to the State Specific CAMPA Account No 150825692650330 of Corporation Bank Lodhi Complex , New Delhi vide UTR No UCBAR520200881200088717 dtd 10.08.2020 through (<https://parivesh.nic.in/>) and the copy of e-challan and portal generated document in support of

so have been enclosed as **Annexure-10c & 10d**. Copy of prescribed 12 point CAMPA format showing deposit details of all compensatory levies demanded by the DFO concerned and deposited by the User Agency in to State Specific CAMPA Account and portal generated document showing deposit of the compensatory levies by the User Agency have been enclosed for ready reference.

Condition No.(xii):- *The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.*

Compliance:- In compliance to this, RCCF Koraput Circle has reported that the User Agency has furnished an undertaking dt.18.12.2020 **at point No.12 of Annexure-I.**

Further, the user agency has furnished a copy of ToR bearing F.No.J-12011/03/2007-IA-1 dt 17.04.2020 of GoI, MoEF & CC, Letter No. 10776 dt 02.11.2020 and 12703 dt 16.12.2020 of State Pollution Control Board, Odisha addressed to the District Magistrate & Collector, Koraput as document in support of progress for obtaining Environmental clearance. The copy of the said letters are enclosed as **Annexure-12, Annexure-13 and Annexure -14.**

Condition No.(xiii):- *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, RCCF Koraput Circle has reported that , the User Agency has furnished an undertaking dt.18.12.2020, which is **at point No.13 in Annexure-I.**

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

Compliance:- In compliance to this, RCCF Koraput Circle has reported that , the User Agency has furnished an undertaking dt.18.12.2020 , which is at **point No.14 in Annexure-I.**

Condition No.(xv):- *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, RCCF Koraput Circle has reported that , the User Agency has furnished an undertaking dt.18.12.2020 , which is at **point No.15 in Annexure-I.**

Condition No.(xvi):- *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, RCCF Koraput Circle has reported that , the User Agency has furnished an undertaking dt.18.12.2020, which is at **point No.16 in Annexure-I.**

Condition No.(xvii):- *The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the direction of the concerned Divisional Forest Officer.*

Compliance:- In compliance to this, RCCF Koraput Circle has reported that DFO Malkangiri Forest Division vide Memo No.4827 dt 22.12.2020, has informed that the land to be diverted has been suitably demarcated on ground suitably using DGPS Survey by posting Pillars by the user agency as per his direction, has been inspected by him. Further the User Agency has furnished an undertaking to this effect at **point no 17 in Annexure-I**, which has been countersigned by DFO , Malkangiri Forest Division.

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Condition No.(xviii):- *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, RCCF Koraput Circle has reported , the User Agency has furnished an undertaking dt.18.12.2020 **at point No.18 in Annexure-I**, declaring not to change the layout plan of the proposed forest land without the prior approval of Ministry of Environment, Forest & Climate Change.

Condition No.(xix):- *The forest land shall not be used for any purpose other than that specified in the proposal*

Compliance:- :- In compliance to this, RCCF Koraput Circle has reported that , the User Agency has furnished an undertaking dt.18.12.2020 **at point No.19 in Annexure-I** that the forest land shall not be used for any purpose other than that specified in the proposal.

Condition No.(xx):- *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, RCCF Koraput Circle has reported that, the User Agency has furnished an undertaking dt.18.12.2020 **at point No.20 in Annexure-I** 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.

Condition No.(xxi):- *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, RCCF Koraput Circle has reported that, the User Agency has furnished an undertaking dt.18.12.2020 **at point No.21 in Annexure-I**, 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.

Condition No.(xxii):- *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.*

Compliance:- In compliance to this, RCCF Koraput Circle has reported that, the User Agency has furnished an undertaking dt.18.12.2020 **at point No.22 in Annexure-I** that, they 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.

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Condition No.(xxiii):- The compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in>)

Compliance:- In compliance to this, RCCF Koraput Circle has reported that, the User Agency has furnished an undertaking at point 23 of Annexure-1 that the compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in>), which infact they have with and the portal generated document in support of uploading Stage-I compliance in Parivesh portal is enclosed herewith as **Annexure-15**.

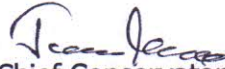
In view of the above, the compliance to the conditions imposed by the ERO, GoI, MoEF & CC, Bhubaneswar vide Letter No . 5-ORB-409/2020- BHU dated 06.07.2020 as well as the State Government is sent herewith for according final approval for diversion of 4.902 ha of Forest land for setting up of 25 MW Saheed Laxman Nayak SHEP at Tentuligumma village under Malkangiri Forest Division in Koraput District , Odisha by M/s Sileru Power Generation Pvt Ltd (Now M/s Meenakshi Odisha Power Pvt Ltd), under Section 2 of Forest (Conservation) Act, 1980.

Yours faithfully,

Encl: Stage-I Compliance in one set

Memo No. 2325

/ Dt. 03.02.2021 03/2/21


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

Copy along with one set of Stage-I compliance forwarded to Addl Chief Secretary, Forest & Environment Department, Govt of Odisha , Bhubaneswar for information and necessary action with reference to Letter No 10(F)-(Cons)-35/17-11167/F&E dtd 16.07.2020 of F&E Department , Govt of Odisha and Letter No . 5-ORB-409/2020- BHU dated 06.07.2020 of the ERO, GoI, MoEF & CC, Bhubaneswar .

Encl: Stage-I Compliance in one set

Memo No. 2326

/ Dt. 03.02.2021 03/2/21


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

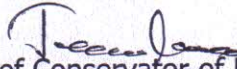
Copy forwarded to the RCCF, Koraput Circle for information and necessary action with reference to his Memo no 3496 dated 31.12.2020 .

Memo No. 2327

/Dt. 03.02.2021


Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
03/2/21

Copy forwarded to DFO, Malkangiri Forest Division with reference to Memo No 3497 dtd 31.12.2020 of RCCF, Koraput to his address to his address & his Memo No 453 dtd 29.1.2021, No 491 dtd 02.02.2021.

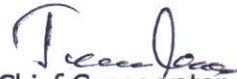

Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act
03/2/21

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Memo No.

2328

/Dt. 03-02-2021

Copy forwarded to DFO, Jeypore Forest Division with reference to Memo No 3498 dtd 31.12.2020 of RCCF, Koraput to his address to his address .


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

Memo No.

2329

/Dt. 03-02-2021

Copy forwarded to M/s Meenakshi Odisha Power Pvt Ltd, 119 Road No 10 , Jubilee Hills, Hyderabad 500033, Andhra Pradesh(info@meenakshigroup.com) for information and necessary action.


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