



भारत सरकार / Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
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No.5-ORB409/2020-BHU

12th February, 2021
16/1

To

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

Sub:- Diversion of 4.902 ha of forest land for setting up of 25 MW Shaheed Lakhman 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 Private Limited).

Madam,

I am directed to refer to State Govt. letter No.10F(Cons)35/17-3256/F&E dated 13.02.2020, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 4.902 ha of forest land for setting up of 25 MW Shaheed Lakhman 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 Private Limited), 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 13.04.2020, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 06.07.2020, 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.2324/9F(ET)-335/2014 dated 03.02.2021 and uploading of the Stage-I compliance report in *Parivesh* web portal on 04.02.2021, **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 4.902 ha of forest land for setting up of 25 MW Shaheed Lakhman 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 Private Limited),

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 the user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- iii. 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 State Forest Department will raise the Compensatory afforestation over 5.060 ha non-forest private land indentified in Khata No.326/506 & 326/529 of village Benasur under Borigumma Tahasil of Koraput 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 species to be planted shall be indigenous to the area and naturally growing species shall be planted using intensive planting technique to ensure survival of the plantation. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. These reports shall be communicated to IRO periodically (six monthly).
- iii. The State Govt. shall ensure that the non-forest private 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. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be to this Ministry for information and record.
- iv. The State Govt. shall ensure that the approved Catchment Area Treatment (CAT) Plan shall be implemented by State Forest Department from the funds deposited in CAMPA account by the user agency.
- v. 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.
- vi. The State Govt. and the user agency shall ensure that 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.
- vii. 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.
- viii. 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.

- ix. 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.
- x. 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.
- xi. 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.
- xii. The State Govt. shall ensure that the user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xiii. 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.
- xiv. 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.
- xv. 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.
- xvi. 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.
- xvii. 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.
- xviii. 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. M/s Meenakshi Odisha Power Private Limited, 119, Road No.10, Jubilee Hill, Hyderabad-500033, Telengana.
3. Guard File.

Dy. Inspector General of Forests (C)