



No.5-ORB478/2021-BHU

18<sup>th</sup> April, 2023

To

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

Sub:- Diversion of 0.827 ha of Revenue forest land for modification of 132 KV Budhipadar-Jorbaga line from LOC No.71 to 73 in Belpahar in favour of OPTCL, Jharsuguda due to MGR Railway line (OPGC-MGR) in Jharsuguda Forest Division in Jharsuguda District.

Sir,

I am directed to refer to State Govt. letter No. No.10F(Cons)72/2021-19195/FE&CC dated 01.11.2021, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion 0.827 ha of Revenue forest land for modification of 132 KV Budhipadar-Jorbaga line from LOC No.71 to 73 in Belpahar in favour of OPTCL, Jharsuguda due to MGR Railway line (OPGC-MGR) in Jharsuguda Forest Division in Jharsuguda District, 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, the in-principle approval for diversion 1.508 ha of forest land (including change in land use pattern of 0.570 ha of already diverted forest land in favour of OPTCL and re-diversion of 0.111 ha of already diverted forest land in favour of OPGC Ltd.) was accorded by Ministry vide this office letter of even number dated 30.12.2021, 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.5213/9F (Trans)-366/2021 dated 16.03.2023 and uploading of the compliance report in *Parivesh* web portal on 11.04.2023, **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 1.508 ha of forest land (including change in land use pattern of 0.570 ha of already diverted forest land in favour of OPTCL and re-diversion of 0.111 ha of already diverted forest land in favour of OPGC Ltd.) for modification of 132 KV Budhipadar-Jorbaga line from LOC No.71 to 73 in Belpahar in favour of OPTCL, Jharsuguda due to MGR Railway line (OPGC-MGR) in Jharsuguda Forest Division in Jharsuguda District, subject to the fulfillment of the following conditions:-

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

- The State Govt. shall ensure the compliance on FRA, 2006 as per Forest (Conservation) Rules and guidelines issued from time to time.
- 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.
- The State Govt. shall ensure that NPV of the above proposal has been realized from user agency as per Ministry's direction from time to time.



- iv) The State Govt. shall ensure that the KML files of the area to be diverted shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency.
- v) 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 shall carry out plantation of 270 trees towards compensatory afforestation within three years from the date of Stage-II Clearance as per approved plan/scheme and maintained thereafter by the State Forest Department, at the cost of user agency. The species to be planted under the CA scheme shall be of native species of the area. At least 18 month old seedlings should be planted. 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.
- iii) The State Govt. shall ensure that the State Forest Department shall carry out plantation of dwarf species (preferably medicinal plants) in the right of way under the transmission line, 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.
- iv) 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.
- v) The State Govt. shall ensure that the base of towers in forest area shall be fenced with barbed wire so as to avoid elephant electrocution/death of wild animals especially in forest areas.
- vi) The State Govt. shall ensure that sufficient ground clearance shall be maintained in consideration of the sag and swing of lines and height of elephants to stop untoward incidence of electrocution as per existing guidelines of MoEF&CC dated 05.05.2014 and 19.11.2014.
- vii) The State Govt. shall ensure that the user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- viii) The State Govt. shall ensure that the user agency shall take all measures for strengthening/maintaining tower and transmission line to be erected/laid on forest/non-forest land as per CEA norms for elephant corridor and shall comply with such other conditions as may be specified by CWLW, Odisha so as to ensure that no death of wild animals occur due to electrocution.
- ix) The State Govt. shall ensure that the user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014 and 19.11.2014.
- x) 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.
- xi) 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.
- xii) 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.



- 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 the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xv) 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.
- xvi) The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused.
- xvii) The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area.
- xviii) The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation 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.
- xix) 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.
- xx) 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.
- xxi) 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.
- xxii) Violation of any of these conditions will 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 Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110003.
2. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharapur, Bhubaneswar.
3. The Dy. General Manager (Elect), EHT(O&M) Division, M/s OPTCL, Jharsuguda-768202, Odisha.

Dy. Inspector General of Forests (C)