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

No. **17031** /9F(ET)- 350/2014  
Dated, Bhubaneswar, the **25th** July, 2017

From:

Dr. Anup Kumar Nayak, IFS,  
Additional Principal Chief Conservator of Forests,  
Forest Diversion & Nodal Officer, FC Act.

To

The Addl. Principal CCF, (Central),  
Government of India, Ministry of Forest & Climate Change,  
Eastern Regional Office, Chandrasekharpur,  
Bhubaneswar.

Sub: Diversion of 11.377 ha of forest land for construction of 220 KV (S/C) Transmission line on D/C tower from existing 220/33 KV Sub-station of OPTCL at Laxmipur to premises of NALCO at Damanjodi in Koraput district of Odisha by M/s NALCO Ltd.

Sir,

In inviting reference to the above cited subject, this is to inform you that the Government of India, MoEF, Eastern Regional Office have accorded Stage-I approval vide letter No. F.No.5-ORC 274/2016- BHU dated 05.08.2016 for diversion of 11.377 ha of forest land for construction of 220 KV (S/C) Transmission line on D/C tower from existing 220/33 KV Sub-station of OPTCL at Laxmipur to premises of NALCO at Damanjodi in Koraput district of Odisha by M/s NALCO Ltd, subject to fulfillment of twenty one (21) conditions stipulated therein. The RCCF, Koraput Circle has furnished required point wise compliance vide his office memo No.2619 dt.07.07.2017, details of which are given below:

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

**Compliance:** In compliance to the above, the user agency has furnished an undertaking that the legal status of proposed forest land for diversion shall remain unchanged. The undertaking received from the user agency is enclosed as **Annexure-I.**

**Condition No-ii:** *The State Govt shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency as per the Orders of Hon'ble supreme court of India Dt. 28.03.2008, 24.04.2008 & 09.05.2008 in writ petition (Civil) No.202/ 1995 & guidelines issued by this ministry Vide its letter No 5-3/2007-FC dated 05.02.2009 In this regard. While conveying the Compliance of this condition mention be made of the Eco-class and density of forest for which NPV has been charged.*

**Compliance:** In compliance to the above, the user agency has deposited Rs. 71,22,000/- through e-portal on 10.11.2016 in designated A/c of Ad-hoc CAMPA maintained in Corporation Bank towards NPV amount of 11.377 ha of forest land proposed to be diverted under this proposal. As reported by the DFO, Koraput Division, canopy density of this forest area is 0.1 and belongs to Eco-value-class-III. The documents in support of payment are enclosed vide Annexure-II (A) & II (B).

**Condition No-iii:** *At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.*

**Compliance:** In compliance to the above, the user agency has furnished an undertaking to pay the additional amount of NPV, if so determined as per the final decision of the Hon'ble Supreme Court of India, which is enclosed as **Annexure-III.**

**Condition No-iv:** *Compensatory Afforestation over 23.00 Ha of degraded Forest land identified in Jhirjhira PRF in Laxmipur Range of Koraput Forest Division against twice of the area of forest land i.e. 11.377 ha proposed to be diverted shall be raised & maintained by the State Forest Department at the cost of user agency.*

**Compliance:** In compliance to the above, the Divisional Forest Officer, Koraput Forest Division has reported that the revised Compensatory Afforestation scheme has been prepared for raising Block Plantation (Bald Hill) over 15.00 ha and ANR with gap plantation over 8.00 ha @ 800 seedlings gap plantation per ha in Jhirjhira PRF with provision of maintenance of plantation up to 10 years. The revised Compensatory Afforestation scheme has been technically approved for Rs.63,76,650/- including Rs.10,00,000/- towards cost of infrastructure to be provided in kinds. The U/A has already deposited Rs.53,76,650/- in Adhoc-CAMPA A/c maintained in Corporation Bank through e-portal on 16.11.2016. The approved CA scheme alongwith financial outlay is enclosed vide **Annexure-II (G).**

**Condition No-v:** *The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation for 10 Years at the current wage rate to the State Forest Department.*

**Compliance:** In compliance to the above, the user agency has deposited an amount of Rs. 53,76,650/- towards cost of raising and maintaining the Compensatory Afforestation for 10 years at the current wage rate on 17.11.2016 in Ad-hoc CAMPA through e-portal in the designated A/c maintained in Corporation Bank Documents in support of the payment are enclosed as **Annexure-II (A) & II (C).**



**Condition No-vi:** All the funds received from the User Agency under the project shall be transferred to the Ad-hoc CAMPA in concerned saving Bank account of Ad-hoc CAMPA in corporation Bank CGO Complex, Lodhi Road, New Delhi 110003.

**Compliance:** In compliance to the above, all the funds received from the user agency has been transferred to Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodhi Road, New Delhi. The particulars of deposits which has been duly signed by the DFO, Koraput Division and countersigned by the RCCF, Koraput Circle is enclosed as **Annexure-II (F)**. Details of Compensatory Afforestation levies deposited by the user agency is as follows.

Sl No	Category of Payment	Amount deposited (Rs.)	Mode of payment	Annexure
1	NPV	71,22,000.00	e-portal on Corporation Bank on 10.11.2016	<b>Annexure-II (B)</b>
2	Compensatory Afforestation	53,76,650.00	e-portal on Corporation Bank on 17.11.2016	<b>Annexure-II (C)</b>
3	Plantation of Dwarf total Species	80,82,000.00	e-portal on Corporation Bank on 24.11.2016	<b>Annexure-II (D)</b>
	Total	<b>2,05,80,650.00</b>		

**Condition No-vii:** The state Govt. shall inform, before stage-ii approval, the number of trees to be felled and to be retained out of the total enumerated trees as proposed by REC.

**Compliance:** In compliance to the above, the DFO has reported that all 188 nos. of trees and Bamboo clumps enumerated, will be felled, as given below.

1. Forest Area- 24 nos
  2. Non forest (Govt.) Land – 38 nos.
  3. Non forest (Private) Land – 126 nos.
- Total = 188 Nos.**

The enumeration list of the trees have been furnished as **Annexure IV, V & VI**.

**Condition No-viii:** The user agency shall comply with the conditions stipulated by state Govt. vide letter No 10(Cons)28/2016-3592/F&E dated 23.02.2016.

**Compliance:** In compliance to the above, the user agency has furnished an undertaking to comply with the conditions stipulated by the State Government, which is enclosed as **Annexure-VII**.

**Condition No-ix:** 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.

**Compliance:** In compliance to the above, the user agency has furnished an undertaking to this effect which is enclosed as **Annexure VIII**.

**Condition No-x:** *The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) insight of way under the transmission line & provide funds for execution of said scheme by the State Forest Department.*

**Compliance:** In compliance to the above, the Divisional Forest Officer, Koraput Division has prepared a scheme for plantation of Dwarf species (preferably medicinal plants) in ROW under 220 KV S/C Transmission line over a length of 3250.57 meters with a financial outlay of Rs. 80,82,000/- which has been technically approved by RCCF, Koraput. The scheme is enclosed as **Annexure-II (E)**. The U/A has deposited Rs.80,82,000/- in Adhoc-CAMPA towards the cost of plantation of dwarf species through e-portal in Corporation Bank on 24.11.2016. Copy of the documents in support of the payment are enclosed as **Annexure-II(A) & II (D)**.

**Condition No-xi:** *The boundary of the forest land being diverted shall be demarcated on ground at the project cost by erecting four feet high reinforced cement concrete pillar each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar and submit DGPS map along with soft copy in shape file.*

**Compliance:** In compliance to the above, as reported by the DFO, Koraput Division, boundary of the Forest land has already been demarcated on ground by erecting 84 numbers of RCC pillars inscribed with its serial number, DGPS coordinates, forward and back bearing & distance from pillar to pillar. The details about pillars have been furnished by the user agency which is enclosed as **Annexure-IX**. (The DGPS map of forest land has been provided as Plate No.4 along with Diversion proposal).

**Condition No-xii:** *The State Forest Department UA shall submit the DGPS map of 23.00 ha of degraded forest land along with soft copy in shape files identified in Jhirjhira PRF in Laxmipur Range of Koraput forest Division as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them.*

**Compliance:** In compliance to the above, the DGPS Map with forward & backward bearing of each demarcation pillar of 23 Ha of degraded forest land identified in Jhirjhira PRF in Laxmipur Range of Koraput Forest Division identified for CA has already been provided as Plate No.5, & Plate No. 6 along with Diversion proposal.

**Condition No-xiii:** *No labour camp shall be established on the forest land.*



**Compliance:** In compliance to the above, the user agency has furnished an undertaking not to establish any labour camp on the forest land. Copy of the said undertaking is enclosed as **Annexure X.**

**Condition No-xiv:** *The User Agency shall provide alternate fuel to the labourers and the staff working at the site so as to avoid any damage and any pressure on adjacent forest areas.*

**Compliance:** In compliance to the above, the user agency has furnished an undertaking to this effect which is enclosed as **Annexure XI.**

**Condition No-xv:** *No additional or new path will be constructed inside the forest area for any activity related to the project work.*

**Compliance:** In compliance to the above, the user agency has furnished an undertaking not to construct any additional or new path inside the forest area, which is enclosed as **Annexure-XII.**

**Condition No-xvi:** *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.*

**Compliance:** In compliance to the above, the user agency has furnished an undertaking not to bring any earth or any material from the forest area nor the debris resulting during construction will be disposed of in the adjoining forest area, which is enclosed as **Annexure-XIII.**

**Condition No-xvii:** *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 the above, the user agency has furnished an undertaking not to fell any tree or damage forest growth in the surrounding forest area in any manner, which is enclosed as **Annexure-XIV.**

**Condition No-xviii:** *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 and Climate change.*

**Compliance:** In compliance to the above, the user agency has furnished an undertaking to this effect which is enclosed as **Annexure XV.**

**Condition No-xix:** *The State Govt shall complete settlement of rights in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act.2006, if any, on the forest land to be diverted and submit the documentary evidence 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.*

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Compliance: In compliance to the above, the Collector, Koraput has issued the requisite FRA certificate in prescribed format over an area of 11.377 ha of forest land proposed for diversion vide letter No. 3049/ XXVII-274/2015 dated 11.12.2015, which is enclosed as **Annexure-XVI**.

Condition No-xx: Any other condition that ministry of environment, forest and climate change may stipulate, from time to time, in the interest of conservation, protection and development of forest and wild life shall be complied by the user agency.

Compliance: In compliance to the above, the user agency has furnished an undertaking which is enclosed as **Annexure XVII**.

Condition No-xxi: The user agency and the state Government shall ensure compliance to provisions of the all Acts, Rules, Regulation and Guidelines for the time being in force, as applicable to the project.

In compliance to this condition, the user agency has furnished an undertaking to ensure compliance to provisions of all the Acts, Rules, Regulation and Guidelines for the time being in force, as applicable to the project which is enclosed as **Annexure-XVIII**.

In view of the above position of compliance to the conditions imposed in Stage-I approval order of Government of India, Ministry of Environment & Forests & CC , Eastern Regional Office, Bhubaneswar, Ministry is requested to consider the case for according final approval for diversion of 11.377 ha of forest land for construction of 220 KV (S/C) Transmission line on D/C tower from existing 220/33 KV Sub-station of OPTCL at Laxmipur to premises of NALCO at Damanjodi in Koraput district of Odisha by M/s NALCO Ltd under Section-2 (ii) of Forest Conservation Act, 1980.

Yours faithfully,

Encl: **Annexure-I to XVIII**  
**in duplicate**

*ahangut 24/7/17*  
Additional Principal Chief Conservator of Forests,  
Forest Diversion, Nodal Officer, F C Act.

Memo No. **17032**

/Dt. **25-7-17**

Copy along with copy of Stage-I compliance is forwarded to the Addl. Chief Secretary to Government, Forest & Environment Department for information and necessary action.

*ahangut 24/7/17*  
Additional Principal Chief Conservator of Forests  
Forest Diversion & Nodal Officer, FC Act

o/c



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Memo No. 17033 /Dt. 25-7-17

Copy forwarded to the Regional Chief Conservator of Forests, Koraput Circle information and necessary action with reference to his Memo No.2619 dated 07.07.2017.

*Chandrasekhara* 24/7/17  
Additional Principal Chief Conservator of Forests,  
Forest Diversion, Nodal Officer, F C Act

Memo No. 17034 /Dated. 25-7-17

Copy forwarded to the Divisional Forest Officer, Koraput Forest Division for information and necessary action.

*Chandrasekhara* 24/7/17  
Additional Principal Chief Conservator of Forests,  
Forest Diversion, Nodal Officer, F C Act

Memo No. 17035 /Dated. 25-7-17

Copy forwarded to the General manager (Project)I/C, NALCO, Corporate office, NALCO Bhawan, Nayapali, Bhubaneswar for information and necessary action.

*Chandrasekhara* 24/7/17  
Additional Principal Chief Conservator of Forests,  
Forest Diversion, Nodal Officer, F C Act