



PRADEEP MINING AND CONSTRUCTIONS PVT. LTD.

HEAD OFFICE : CHORDA, JAJPUR ROAD, JAJPUR - 755 019

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Ref. PMC/59/23-24

Dt. 03.10.2023

To

The Divisional Forest Officer
Cuttack Forest Division

Sub: Proposal for Diversion of 0.433 hectares of forest land for MS/HSD Retails Outlet in village Nizigarh and Madhapur by M/s Pradeep Mining & Construction Pvt. Ltd., Odisha
- Compliance to shortcomings/discrepancies during scrutiny of the diversion of 0.433 Ha of forest land for construction & establishment of Retail Outlet

Ref. Your office letter No.4945/5F(Forest Diversion)60/2018, Date:03.07.2023

Sir,

With reference to the above cited letter, I hereby furnish the following compliances to the shortcomings/discrepancies.

(1) In compliance to observation No.4 of this office letter vide reference at (i) above.

The document furnished by the user agency (letter of IOCL) regarding acceptance of additional land is not valid, authenticated, legal and justified allotment of forest land to a private entity.

Compliance:- The present proposal for diversion of 0.433 Ha is part of the total required area over 0.534 Ha for the proposed MS/HSD retail outlet dealership by the applicant. The rest 0.101 Ha is sabik non-forest land. Although land of 1575 sqm or or 0.157 Ha of area is required for the outlet as revealed from the LOI of IOCL (Annexure III of the FDP), the total land requirement would be 0.534 Ha including the allied activities like parking place, servicing center etc. It is pertinent to mention that the forest land involved in the project over 0.433 Ha is of kism "Gharabari" in the HAL record and has been purchased by the applicant in 1997 (Copy of sale deed and RoR of the seller are enclosed as **Annexure -I**). Till 2011, part of the sabik forest has been utilized by the applicant for non-forest purpose which later on vide letter No 43968 dt.24.10.2011 of the Dept of Revenue and Disaster Management, GoO was stopped. Therefore, as the applied area is owned by the applicant since 1997 and found out to be sabik forest, the diversion of which needs to be undertaken under FC Act 1980 as per letter No 43968 dt.24.10.2011 of the Dept of Revenue and Disaster Management, GoO, the applicant has applied for diversion of 0.433 Ha of this sabik forest which is justified



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for putting up the MS/HSD retail outlet dealership of IOCL along with allied purposes.

(2) In respect of Lol vide letter dated 15.02.2020 of IOCL. It is clearly mentioned that "for making the land available, the user agency will ensure that the land arranged is either registered in his name or it should be leased to him for a minimum period of 19 years and 11 months" in this context, the following clarification may be furnished :-

(a) Registration deed of the applied plots for diversion.

Compliance:- RoR and Sale deed of the applied plots for diversion have been furnished vide **Annexure-I.**

(b) If, It is a lease hold land, the lease order issued in favour of Pradip Mining and Construction Pvt. Ltd by the Govt. of Odisha for the purpose.

Compliance:- Not applicable, as this land is not a lease hold land

(c) The copy of the RoR when the applied plots in Sabik record was Sal Jungle.

Compliance:- Copy of Sabik records RoR of the applied plots is furnished in **Annexure-II.**

(d) In checklist Sl. No. – II, DFO, Cuttack has furnished a certificate that applied land is unavoidable & barest minimum forest land. It may be clarified as to how the DFO, Cuttack could reach in such an inference, when the land has been suo-motu offered by the user agency for installation of retail HSD retail outlet.

Compliance:- The land applied for diversion is in the name of the applicant as per the revenue record (RoR) and hence complete owner of the said land. Further it is submitted that I intended to open one HSD Retail outlet in my own plot keeping in view its requirement particularly near the NH 53. Although land of 1575 sqm or 0.157 Ha of area is required for the outlet as revealed from the LOI of IOCL (Annexure III of the FDP), the total land requirement would be 0.534 Ha including the allied activities like parking place, servicing center etc which includes 0.433 Ha of sabik forest land and 0.101 Ha of sabik non-forest land. Therefore, my proposed project to be installed on my own land is unavoidable and to keep the infrastructures as per the guidelines of IOCL within the same area which is barest minimum of forest land in addition to non-forest land belonging to me as submitted in the FDP. Hence this may be considered to be unavoidable with use of barest minimum forest land which is non-forest land as per HAL record and needs diversion as per letter No 43968 dt 24.10.2011 of the Dept of Revenue and Disaster Management, GoO.



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(3) The project is non site specific and violation has already been committed by executing construction work in Sabik forest area.

Compliance:- In view of compliance furnished above in point no-2 (d), this is not coming under non-site specific as the purpose of my project on my own land is site specific. Besides regarding violation committed it is to submit that initially the execution of construction work taken up considering the land in question in non-forest land within my area. Subsequently as required vide letter No 43968 dt 24.10.2011 of the Dept of Revenue and Disaster Management, GoO, the same was found to be under sabik forest kissam and no non-forest activity has been undertaken within the area thereafter. Therefore, this Act of violation may be considered to have been made in non-forest land and as per law this sabik forest kissam has been included in the Forest Diversion Proposal immediately after being cognizant of the same.

(4) There is no mention about Hal record and also no documents have been submitted by UA/ DFO. It is only mentioned as Gharabari in the Joint Verification Report.

Compliance:- Copy of Hal and Sabik records of the applied plots have been furnished in **Annexure-III**.

(5) Tahasildar has reported that Sabik record is not available but has signed in the report where Sabik record is forest.

Compliance:- Initially sabik status was not available with Tahasildar but thereafter on production of the same from Settlement Office Cuttack, the same has been kept under forest kissam as per sabik record which is forest.

This is for favour of your kind information and necessary action.

Thanking you
Yours faithfully,

For Pradeep Mining And Constructions Pvt.Ltd.

Sabyasachi Balsamant
Director