



Government of India/ भारत सरकार
Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur/ ए/३, चंद्रशेखरपुर
Bhubaneswar-751 023/ भुवनेश्वर - ७५१ ०२३



जहाँ है हरियाली ।
वहाँ है खुशहाली ॥

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No.5-ORC158/2013-BHU

13th October, 2014

To

The Principal Secretary,
Forest & Environment Department,
Govt. of Odisha,
Bhubaneswar.

Sub:- Diversion of 13.95 ha of forest land for setting up of Darlipali Super Thermal Power Project in Darlipali and Raidihi village under Sundergarh Forest Division of Sundergarh district by NTPC Ltd.

Sir,

I am directed to refer State Govt. letter No. 10F(Cons)535/2012/ 24374/F&E dated 29.12.2012 and No.10F(Cons)15/2013-6348/F&E dated 21.03.2013, wherein prior approval of the Ministry of Environment, Forests & Climate Change for diversion of 13.95 ha of forest land for setting up of Darlipali Super Thermal Power Project in Darlipali and Raidihi village under Sundergarh Forest Division of Sundergarh district by NTPC Ltd. was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment & Forests and on the basis of recommendation of State Advisory Group, the in-principle approval for diversion of the said forest land was accorded by Ministry vide letter of even number dated 14.08.2013, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Odisha vide their letter No. 10F(Cons) 124/2014-11605/F&E dated 27.06.2014, OSD, Ad-hoc CAMPA, New Delhi letter No.1-26/2013-CAMPA dated 22.07.2014 and Ministry's letter No.7-1/2014-ROHQ dated 28.08.2014, approval of the Ministry of Environment, Forests & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 13.95 ha of forest land for setting up of Darlipali Super Thermal Power Project in Darlipali and Raidihi village under Sundergarh Forest Division of Sundergarh district by NTPC Ltd., subject to the fulfillment of the following conditions:-

- i) The legal status of the diverted forest land shall remain unchanged.
- ii) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by Hon'ble Supreme Court of India, shall be charged by the State Govt. from the user agency.
- iii) Compensatory Afforestation shall be raised over 28.34 ha of degraded revenue forest land identified by State Govt. in Plot No.46 (Pt), Khata No.227 of Abad Jogy Anabadi (Patra Jungle Kisam) in Lephripara Tehsil of Sundergarh district by State Forest Department at the project cost.

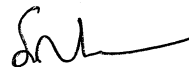
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- iv) The degraded revenue forest land indentified for the purpose of compensatory afforestation shall be notified by the State Govt. as RF under Section 4 or PF under Section 29 of Indian Forest Act, 1927 or under the relevant section of the local Forest Act. The Nodal Officer shall report compliance within a period of six months and send a copy of the original notification declaring the non-forest land under section 4 or section 29 of India Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this office for information and record.
- v) The boundary of the forest land diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from adjoining pillars etc. The distance between any two pillars shall be kept at 50 mtr and each pillar should be clearly visible from pillars on both sides.
- vi) The user agency shall implement the plan prepared for safe drinking water supply for targeted villages (around 5 Km. periphery of the plant) giving special emphasis for poor SC and ST population at the project cost.
- vii) The user agency shall implement the site specific wildlife conservation plan duly approved by CWLW, Odisha at the project cost.
- viii) The user agency shall make necessary arrangement to provide street lighting and electric supply to the adopted villages and also provide individual toilet for each house.
- ix) Green belt Scheme shall be implemented over 160.84 ha land within the project area at project cost.
- x) The user agency shall also utilize the ash generated by supplying for construction of road project within the 100 Km radius and also facilitate supply of ash to brick industries as per fly ash notification as amended in 2003 No.S.O.979 dated 27th August, 2003 as per the feasibility.
- xi) Conservation, protection and regeneration of existing forest cover outside the project boundary is required to be done at project cost in JFM mode by peoples participation.
- xii) Felling of trees in the proposed diversion area shall be taken up in phased manner strictly as per requirement with prior permission of the DFO, Sundergarh.
- xiii) Earth or any other material shall not be borrowed from the adjoining forest area, and debris resulting during construction shall not be disposed off there.
- xiv) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- xv) No labour camps shall be established on the forest land.
- xvi) The user agency shall provide alternate fuel to the labourers and staff working at the site so as avoid any damage to the adjacent forest area.
- xvii) The user agency shall ensure that no damage to the available wildlife or to the forest flora in the adjoining forest is caused by labourers/workmen engaged by the project authorities or contractor working under them during the life of the project.

- 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.
- xix) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forests & Climate Change.
- xx) The user agency shall obtain Environment clearance under Environment (Protection) Act, 1986 if applicable.
- xxi) The user agency shall submit the annual report on compliance to the conditions stipulated in the approval to the State Govt. and the concerned Regional Office of this Ministry.
- xxii) 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.
- xxiii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
- xxiv) In case of non-compliance of any of the above conditions, the State Govt. shall report to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.

As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Eastern Regional Office of MoEFCC may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forest(FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Govt. of Odisha, Aranya Bhawan, C.S. Pur, Bhubaneswar - 16.
3. The Addl. PCCF & Nodal Officer (FC), Govt. of Odisha, Aranya Bhawan, C.S. Pur, Bhubaneswar - 16
4. The Divisional Forest Officer, Sundergarh Forest Division, Sundergarh, Odisha..
5. The General Manager, Darlipali STPP, NTPC Ltd., Sundergarh, Odisha
6. Guard File

Conservator of Forests (Central)