



Government of India/ भारत सरकार  
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय  
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No. 5-ORA329/2017-BHU

30<sup>th</sup> October, 2019

To

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

Sub:- Diversion of 64.094 ha of forest land for rehabilitation and up-gradation of Binjabahal to Teleibani Section of NH-6 from Km.414.982 to Km.493.300 (except the stretch from Ch. Km.428.300 to Ch.Km.429.400) in Deogarh and Angul district (within the jurisdiction of Deogarh Forest Division) of Odisha under NHDP Phase-IV-B (Package-III) on BOT mode.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)231/2017-23872/F&E dated 20.11.2017 and No.257/F&E dated 04.01.2018, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 64.094 ha of forest land for rehabilitation and up-gradation of Binjabahal to Teleibani Section of NH-6 from Km.414.982 to Km.493.300 (except the stretch from Ch. Km.428.300 to Ch.Km.429.400) in Deogarh and Angul district (within the jurisdiction of Deogarh Forest Division) of Odisha under NHDP Phase-IV-B (Package-III) on BOT mode, 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 the decision of the Regional Empowered Committee meeting held on 12.01.2018, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 15.01.2018, subject to fulfillment of certain conditions. The Nodal Officer of 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 of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the APCCF (Nodal), Odisha vide their letter No.12300/9F(Road)-106/2017 dated 12.07.2019 and uploading of the Stage-I compliance report in Parivesh web portal on 17.10.2019, **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 64.094 ha of forest land for rehabilitation and up-gradation of Binjabahal to Teleibani Section of NH-6 from Km.414.982 to Km.493.300 (except the stretch from Ch. Km.428.300 to Ch.Km.429.400) in Deogarh and Angul district (within the jurisdiction of Deogarh Forest Division) of Odisha under NHDP Phase-IV-B (Package-III) on BOT mode, subject to the fulfillment of the following conditions:-

- Legal status of the diverted forest land shall remain unchanged.
- Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
- Compensatory afforestation shall be taken up by the Forest Department over 224.328 ha of degraded forest land identified in Chamakpur PRF (128.188 ha) and Kalikaprasad RF (96.140 ha) of Champua Range under Keonjhar Forest Division at the cost of user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

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- iv) The user agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under the strict supervision of the State Forest Department and cost of felling of trees shall be deposited by the user agency with the State Forest Department.
- v) For this proposed 4 lane road, the user agency shall increase the number of culverts, humepipe passages, bridges etc. to one and half times more than the passages existing for earlier 2 lane road to facilitate wildlife movement including amphibians and reptiles.
- vi) State Govt. shall take up plantation of fruit and flower bearing trees of 10 times the number of trees to be felled from non-forest land of the project alignment at the cost of user agency as proposed by State Govt., on both sides of this road near site of diversion, if available, otherwise on degraded forest land elsewhere. The details of which is to be intimated to Regional Office.
- vii) As proposed by the State Govt., the site specific wildlife conservation shall be implemented taking note of suggestion/observation of CWLW, Odisha for protection and conservation of wildlife in the area at the project cost.
- viii) In case the widening of the road is to be done in areas already having adequate clearance, trees shall not be cut. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
- ix) The designing of culverts/bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- x) The user agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No. S.O. 254 (E) dated 25.01.2016.
- xi) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificates from the concerned District Collector.
- xii) The user agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- xiii) Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
- xiv) The user agency shall provide suitable under/ over pass in Protected Area/ Forest Area as per recommendations of CWLW/ NBWL/ FAC/ REC.
- xv) The user agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required under the said Act.
- xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xvii) No labour camp shall be established on the forest land.
- xviii) Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourers after purchasing the same from the State Forest Department or Forest Development Corporation or any other legal source of alternate fuel.
- xix) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned DFO.

- xx) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xxi) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- xxii) The forest land shall not be used for any purpose other than that specified in the project proposal.
- xxiii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- xxiv) The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Eastern Regional Office of this Ministry.
- xxv) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife. The State Govt. shall ensure compliance of all the above conditions.
- xxvi) Violation of any of these conditions will be dealt as per Para 1.21 (iii) 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,

  
(A.K. Jena)

Technical Officer (Forestry)

Copy to:-

1. The Director, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Addl. PCCF & Nodal Officer, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharapur, Bhubaneswar.
3. The Divisional Forest Officer, Deogarh Forest Division, Deogarh.
4. The Project Director, National Highway Authority of India, Project Implementation Unit, Badadera, Mandua, Keonjhar-751014, Odisha.
5. Guard file.

  
Technical Officer (Forestry)