



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

E-mail:- nodal.pccfhoff@odisha.gov.in / nodal.pccfodisha@gmail.com

No. 20406 /9F (Road) – 316/2021
Dated, Bhubaneswar the 13 October' 2023

From

Sri Susanta Nanda, IFS
Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

The Deputy Director General of Forests (Central)
Government of India, Ministry of Environment, Forest & Climate Change
Regional Office, A/3, Chandrasekharapur
Bhubaneswar-751023

Sub: Diversion of 0.047 ha of Revenue forest land in village Kirarama under Lakhanpur Tahasil of Jharsuguda District in Jharsuguda Forest division for construction of Link road to Residential-cum-Office Complex of CMPDI Exploration Camp at village Kirarama under Lakhanpur Tahasil in Jharsuguda District at Kirarama by M/s CMPDI Ltd – Stage-I compliance regarding.

Ref: Letter No.5-ORB460/2021-BHU dated 04.05.2021 of Deputy Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar.

Sir,

In inviting reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, IRO, Bhubaneswar has accorded Stage-I/In-principle approval vide their Letter 5-ORB460/2021-BHU dated 04.05.2021 for diversion of 0.047 ha of Revenue forest land in village Kirarama under Lakhanpur Tahasil of Jharsuguda District in Jharsuguda Forest division for construction of Link road to Residential-cum-Office Complex of CMPDI Exploration Camp at village Kirarama under Lakhanpur Tahasil in Jharsuguda District at Kirarama by M/s CMPDI Ltd subject to fulfillment of 6(six) nos. of conditions prior to handing over of forest land by the State Forest Department and 17(seventeen) nos. of conditions after handing over of forest land to the User Agency by the State Forest Department. The point wise compliance basing on the reports of the DFO, Jharsuguda Forest Division and RCCF, Sambalpur Circle are as follows:-

A: Condition which need to be complied prior to handling over of forest land by the State Forest Department.

Condition No.(i):- The user agency shall transfer online, the Net Present Value (NPV) of 0.047 ha forest land being diverted under this proposal, as per the Orders of Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal in CAMPA account of the State concerned.

Compliance:- The RCCF, Sambalpur Circle has reported that the User Agency has deposited the Net Present Value (NPV) amounting to Rs. 29,422/- for diversion of 0.047 ha. of forest land in the CAMPA Account through e-payment mode vide UTR No. SBIN221207449394 dt.26.07.2021 enclosed as *Annexure-I* to this compliance. The demand letter No. 2519 dt. 13.05.2021 of DFO, Jharsuguda and the copy of deposit receipts regarding deposit of NPV value are enclosed as *Annexure- I-(A)*.

Condition No.(ii):- The user agency shall transfer the cost of plantation of 100 nos. of plants (including 10 years maintenance) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The Plantation Scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance:- The RCCF, Sambalpur Circle has reported that the user Agency has deposited an amount of Rs.9, 34, 932.00 towards the cost of scheme for roadside avenue plantation for 100 nos. of plants duly approved by the Regional Chief Conservator of Forests, Sambalpur through e-payment mode vide UTR No. SBIN421214545749 dt.02.08.2021. The copy of the deposit receipt is enclosed as *Annexure-II (A)*.

The demand letter for cost of plantation for 100 nos. of trees of DFO, Jharsuguda vide L. No. 2630 dt. 25.05.2021 and technically, financially approved cost of roadside avenue plantation by RCCF, Sambalpur are enclosed as *Annexure-II (B) & II(C)* respectively.

Condition No.(iii):- All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.

Compliance:- The RCCF, Sambalpur Circle has reported that all funds have been deposited by the User Agency in the CAMPA Account using e-payment module through web portal of MoEF & CC, Govt. of India, the details are furnished below:

Cond. No.	Name of the Activities	Mode of payment	UTR No.	Amount deposited (Rs.)	Date of deposit	Reference Ann. No.
2.A(i)	NPV	NEFT	SBIN221207449394	29422.00	26.07.2021	Annex- I
2.A(ii)	Cost of roadside avenue plantation for 100 nos. of plants.	NEFT	SBIN421214545749	934932.00	02.08.2021	Annex- II

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The Statement of funds deposited by the user agency in CAMPA Account in prescribed format duly signed by the DFO, Jharsuguda and countersigned by PCCF (FD & Nodal Officer, FC Act) is enclosed as **Annexure-XX**.

Condition No.(iv):- *The compliance report of the Stage-I approval shall be uploaded on e-portal ([https:// parivesh.nic.in/](https://parivesh.nic.in/)).*

Compliance:- The RCCF, Sambalpur Circle has reported that the compliance report of the Stage-I approval has been uploaded on e-portal of MoEF & CC, Govt. of India as intimated by the User Agency.

Condition No.(v):- *The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. The user agency shall submit FRA certificate before issue of Stage-II approval.*

Compliance:- The RCCF, Sambalpur Circle has reported that the FRA certificate under FRA, 2006 has been issued by Collector & Dist. Magistrate, Jharsuguda vide letter No. 295 dated 03.03.2023 for the entire forest land comprised in Plot No.-76, Khata No.-113, village-Kirarama which is enclosed as **Annexure-III**.

Condition No.(vi):- *The boundary of the proposed forest land for diversion, 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.*

Compliance:- The RCCF, Sambalpur Circle has reported that the boundary of the proposed forest land for diversion, has already been 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. The copy of details of pillars erected is enclosed as **Annexure-IV**.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval.

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

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the legal status of forest land proposed for diversion shall remain unchanged which is enclosed as **Annexure-V**.

Condition No.(ii):- *The State Govt. shall carry out plantation of 100 plants towards compensatory afforestation within three years from the issue of approval as per approved Plan/Scheme and maintained thereafter, at the cost of user agency. The State Govt. shall inform the site of the plantation. The trees shall be indigenous to the area and naturally growing species shall be planted using intensive planting technique to ensure survival of the plantation. 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. These reports shall be communicated to IRO periodically (six monthly)*

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Compliance:- The RCCF, Sambalpur Circle has reported that the compensatory afforestation shall be taken up with indigenous species of naturally grown species using intensive planting technique to ensure survival of plantation & intensive monitoring of the plantation to be done and to be documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals.

Further, an undertaking duly countersigned by the DFO, Jharsuguda Forest Division for the above purpose is enclosed as *Annexure-V-A*.

Condition No.(iii):- *At the time of payment of Net Present Value (NPV) at the then prevailing 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:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that at the time of payment of Net Present Value (NPV) at the then prevailing 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 which is enclosed as *Annexure-VI*.

Condition No.(iv):- *The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.*

Compliance:- The RCCF, Sambalpur Circle has reported that the proposed project does not require Environmental Clearance (EC) under EIA notification in 2006, which is enclosed as *Annexure -VI-A*.

Further, the User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division for the above purpose which is enclosed as *Annexure-VII*.

Condition No.(v):- *No labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division 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 the staff working at the site so as to avoid any damage and pressure on the nearby forest areas which is enclosed as *Annexure-VIII*.

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

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that no additional or new path will be constructed inside the forest area for any activity related to the project work which is enclosed as *Annexure-IX*.

Condition No.(vii):- *The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the user agency while executing works, shall not fell any tree or

damage forest growth in the surrounding forest area in any manner which is enclosed as *Annexure-X*. ✓

Condition No.(viii):- *The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change which is enclosed as *Annexure-XI*.

Condition No.(ix):- *The forest land shall not be used for any purpose other than that specified in the proposal.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the forest land shall not be used for any purpose other than that specified in the proposal which is enclosed as *Annexure-XII*.

Condition No.(x):- *The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change which is enclosed as *Annexure-XIII*.

Condition No.(xi):- *No damage to the flora and fauna of the adjoining area shall be caused.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that no damage to the flora and fauna of the adjoining area shall be caused which is enclosed as *Annexure-XIV*.

Condition No.(xii):- *The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.*

Compliance:- The RCCF, Sambalpur Circle has reported that the DFO, Jharsuguda as well as local field official will monitor & take necessary mitigative measure to ensure that there is no adverse impact on the forests in the surrounding area.

The DFO, Jharsuguda Forest Division has furnished an undertaking for the above purpose is enclosed as *Annexure-XIV-A*.

Condition No.(xiii):- *The period of diversion under the approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the period of diversion under the approval shall be co-terminus with

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the period of lease granted in favour of user agency or the project life, whichever is less which is enclosed as **Annexure-XV**.

Condition No.(xiv):- *The user agency shall submit annual self-monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Integrated Regional Office of this Ministry by the end of March every year.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the user agency shall submit annual self-monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Integrated Regional Office of this Ministry by the end of March every year which is enclosed as **Annexure-XVI**.

Condition No.(xv):- *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, shall be complied by the user agency.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division 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, shall be complied by the user agency which is enclosed as **Annexure-XVII**.

Condition No.(xvi):- *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.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that 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 which is enclosed as **Annexure-XVIII**.

Condition No.(xvii):- *Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.*

Compliance:- The User Agency has furnished an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019 which is enclosed as **Annexure-XIX**.

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In view of the above, the compliance to the conditions imposed by the GoI, MoEF & CC, IRO, Bhubaneswar is sent herewith for according final approval for diversion of 0.047 ha of Revenue forest land in village Kirarama under Lakhanpur Tahasil of Jharsuguda District in Jharsuguda Forest division for construction of Link road to Residential-cum-Office Complex of CMPDI Exploration Camp at village Kirarama under Lakhanpur Tahasil in Jharsuguda District at Kirarama by M/s CMPDI Ltd.

Encl: Stage-I Compliance in one set

Yours faithfully

Sharda - 12/10/23
Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No.

20407

/Dt. 13.10.2023

Copy along with one set of Stage-I compliance forwarded to the Additional Chief Secretary to Government, Forest, Environment & Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to 5-ORB460/2021-BHU dated 04.05.2021 of Deputy Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar and Memo No. 9034/F&E dated 10.05.2021 of the Special Secretary to Government, F&E Department.

Encl: Stage-I Compliance in one set

Sharda - 12/10/23
Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No.

20408

/Dt. 13.10.2023

Copy forwarded to the RCCF, Sambalpur Circle for information and necessary action with reference to his Memo No. 2058 dated 21.08.2023.

Sharda - 12/10/23
Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No.

20409

/Dt. 13.10.2023

Copy forwarded to the Divisional Forest Officer, Jharsuguda Forest Division for information and necessary action with reference to Memo No. 2059 dated 21.08.2023 of RCCF, Sambalpur Circle.

Sharda - 12/10/23
Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No.

20410

/Dt. 13.10.2023

Copy forwarded to the Regional Director, Central Mine Planning & design Institute limited, RI-VII, Odisha State Housing Board Building, Sachibalaya Marg, Bhubaneswar-751001 for information and necessary action.

Sharda - 12/10/23
Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

