



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

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No. 24918 /9F (MG) – 458/2016
Dated, Bhubaneswar the 20th December' 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, Chandrasekharpur
Bhubaneswar-751023

Sub:- Diversion of 0.8 ha of Revenue forest land (Gramya Jungle) in village Arda under Kirmira Tahasil of Jharsuguda District for expansion of Line –II of Railway line at Jharsuguda Cement Works (JCW) by M/s. Ultra Tech Cement Ltd. in Jharsuguda District – Stage-I compliance regarding

Ref:- Letter No.5-ORB477/2021-BHU dated 03.12.2021 of the Deputy Inspector General of Forests (C), Govt. of India, MoEF & CC, IRO, Bhubaneswar.

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Bhubaneswar has accorded Stage-I/In-principle approval vide Order No.5-ORB477/2021-BHU dated 03.12.2021 for diversion of 0.8 ha of Revenue forest land (Gramya Jungle) in village Arda under Kirmira Tahasil of Jharsuguda District for expansion of Line –II of Railway line at Jharsuguda Cement Works (JCW) by M/s. Ultra Tech Cement Ltd. in Jharsuguda District under DFO, Jharsuguda Forest Division subject to fulfilment of 7 (seven) 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 forest department stipulated therein. The point wise compliance basing on the report of the DFO, Jharsuguda Forest division and RCCF, Sambalpur Circle are as follows:-

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

Condition No. (i): The user agency shall transfer online, the Net Present Value (NPV) of 0.8 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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the UA has deposited the Net Present Value (NPV) amounting to Rs. 5,00,800.00 @ Rs.6,26,000/- per ha over 0.8 ha. of forest land in the CAMPA Account through e-payment mode vide UTR No.HDFCR52022011991142863, dt.19.01.2022.The copy of the demand letter of the DFO, Jharsuguda Division and payment particulars are enclosed as *Annexure-I and Annexure- I(A)* respectively.

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: In compliance to the above, the RCCF, Sambalpur Circle has reported that a scheme for road side avenue plantation of 100 nos. of 18 months old seedling has been prepared by the DFO, Jharsuguda Division with provision of 20% escalation cost with 10 years maintenance duly approved by the Regional Chief Conservator of Forests, Sambalpur Circle for Rs.6,34,302/- @ wage rate of Rs.315/- per MD and the User Agency has deposited the said amount through e-payment mode vide UTR No. HDFCR5202202795190932 dt.07.02.2022.

The copy of the plantation scheme, demand letter of the DFO, Jharsuguda Division and payment particulars are enclosed as *Annexure-II, II-B, II-C* respectively.

The wage rate has been revised form @ Rs.315/- to @ Rs.326/- and in this regard, the UA has deposited an amount of Rs.11659.00 towards the differential amount due to enhancement of wage rate of roadside avenue plantation for 100 nos. of plants in the CAMPA Account through RTGS through e-payment mode vide UTR No.N347222246173218 dt.13.12.2022.

The copy of the plantation scheme, demand letter of the DFO, Jharsuguda Division and payment particulars are enclosed as *Annexure-III, III-D, III-E* respectively.

Further, the wage rate has been revised form @ Rs.326/- to @ Rs.333/- and in this regard, the UA has deposited an amount of Rs.7651.00 towards the differential amount due to enhancement of wage rate of roadside avenue plantation for 100 nos. of plants in the CAMPA Account through e-payment mode vide UTR No. N105232419443515 dt.15.04.2023.

The copy of the plantation scheme, demand letter of the DFO, Jharsuguda Division and payment particulars are enclosed as *Annexure-IV, IV-D, IV-E* respectively.

Condition No. (iii): *The KML files of the area to be diverted shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.*

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the KML file to be uploaded on the e-Green watch portal with all requisite details after Stage-II approval.

Condition No. (iv): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that all funds already been deposited by the UA in the Adhoc-CAMPA Account using E-payment module through web portal of MoEF & CC, Govt. of India, the details is furnished below:

Cond. No.	Name of the Activities	Mode of payment	UTR No.	Amount deposited (Rs.)	Date of deposit as per Parivesh Portal	Reference Ann. No.
2.A(i)	NPV	RTGS	HDFCR52022011991142863	500800/-	dt.19.01.2022	<i>Ann. I</i>
2.A(ii)	Cost of roadside avenue plantation for 100 nos of plants.	RTGS	HDFCR5202202795190932	634302/-	dt.07.02.2022.	<i>Ann. II</i>
	Differential Cost of roadside avenue plantation for 100 nos of plants(@326.00/ Per MD	RTGS	N347222246173218	11659/-	dt.13.12.2022	<i>Ann. III</i>
	Differential Cost of roadside avenue plantation for 100 nos of plants(@333.00/ Per MD	RTGS	N105232419443515	7651/-	Dt.15.04.2023	<i>Ann. IV</i>

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

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

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the Ultratech Cement Limited, Jharsuguda Cement Work has ensured that, the compliance report of the Stage-I approval shall be uploaded on e-portal of MoEF & CC, Govt. of India.

Condition No. (vi): *The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.*

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the FRA certificate under FRA, 2006 issued by Collector & Dist. Magistrate, Jharsuguda has been forwarded by the District Welfare Officer, Jharsuguda vide Memo No.434 dated 23.03.2017 which are enclosed as **Annexure-IV Series (A)**.

Condition No. (vii): *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: In compliance to the above, 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

163 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 conditions as mentioned is enclosed duly authenticated by the DFO, Jharsuguda Division as **Annexure-V series**.

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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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-VI**.

Condition No. (ii): The State Govt. shall carry out plantation of 100 plants towards compensatory afforestation within three years from the issue of approval 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.

Compliance: In compliance to the above, 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 documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. The Avenue Plantation of 100 nos. plants will be taken up from OMP Football Ground (Old SH-10) to District Stadium Road, Jharsuguda.

Further, an undertaking duly signed by the DFO, Jharsuguda Forest Division for the above purpose is enclosed as **Annexure-VI-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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India, is enclosed as **Annexure-VII**.

Condition No. (iv): Speed regulating signage will be erected along the railway line at regular intervals in Protected Areas/Forest Areas.

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that the speed regulating signage will be erected along the railway line at regular intervals in Protected Areas/Forest Areas, is enclosed as **Annexure- VIII**.

Condition No. (v): *The user agency shall take up Avenue Plantation on either side of alignment of the track at its own cost in consultation with the DFO.*

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that Avenue Plantation on either side of alignment of the track will take up at its own cost in consultation with the DFO, Jharsuguda Forest Division is enclosed as *Annexure-IX*.

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

Compliance: In compliance to the above, 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-X*.

Condition No. (vii): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XI*.

Condition No. (viii): *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 RCCF, Sambalpur Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Jharsuguda Forest Division no additional or new path will be constructed inside the forest area for any activity related to the project work, is enclosed as *Annexure-XII*.

Condition No. (ix): *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 RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XIII*.

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

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XIV*.

161
Condition No. (xi): *The forest land shall not be used for any purpose other than that specified in the proposal.*

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XV*.

Condition No. (xii): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XVI*.

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

Compliance: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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, is enclosed as *Annexure-XVII*.

Condition No. (xiv): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that it is ensured that the DFO, Jharsuguda as well as local field official will monitor & take necessary mitigative measure to ensure as there is no adverse impact on the forests in the surrounding area.

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

Condition No. (xv): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Jharsuguda Forest Division that they shall submit the annual self-monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Regional Office of this Ministry by the end of March every year is enclosed as *Annexure-XVIII*.

Condition No. (xvi): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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 is enclosed as **Annexure-XIX**.

Condition No. (xvii): *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: In compliance to the above, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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 is enclosed as **Annexure-XX**.

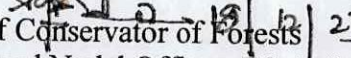
3. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated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

Compliance: In compliance to the above condition, the RCCF, Sambalpur Circle has reported that the User Agency has submitted 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 is enclosed as **Annexure-XXI**.

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF & CC, Regional Office, Bhubaneswar is sent herewith for according final approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 0.8 ha of Revenue forest land (Gramya Jungle) in village Arda under Kirmira Tahasil of Jharsuguda District for expansion of Line -II of Railway line at Jharsuguda Cement Works (JCW) by M/s Ultra Tech Cement Ltd. in Jharsuguda District under DFO, Jharsuguda Forest Division.

Encl: Compliance in one set

Yours faithfully


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

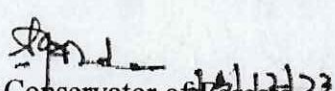
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/ Dt.

20-12-2022

Copy alongwith the compliance report forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Order No.5-ORB477/2021-BHU dt.03.12.2021 of GoI, MoEF & CC, IRO, Bhubaneswar and Letter No.22137/FE&CC dated 16.12.2021 of the Special Secretary to Govt., Govt. of Odisha, FE & CC Department.

Encl: Compliance in one set


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

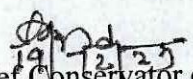
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Memo No.

24920

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20-12-2023

Copy forwarded to the Regional Chief Conservator of Forests, Sambalpur Circle for information and necessary action with reference to his Memo No.2758 dated 22.11.2023.


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)


Memo No.

24921

/Dt.

20-12-2023

Copy forwarded to the Divisional Forest Officer, Jharsuguda Forest Division for information and necessary action with reference to Memo No. 2759 dated 22.11.2023 of RCCF, Sambalpur Circle.


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

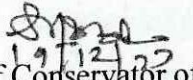
Memo No.

24922

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20-12-2023

Copy forwarded to the DGM-HR & Admin, Jharsuguda Cement Works, Near Dhutra Railway Station, Po-Arda, Dist-Jharsuguda, Odisha, Pin-768202 for information and necessary action.


Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)