



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
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No. **4651** /9F (Irrig) - 346/2013

Dated, Bhubaneswar the **26th** February' 2024

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 7.535 ha of forest land for construction of Sandul Medium Irrigation Project in M.Rampur Block of Kalahandi District, Odisha – Stage-I compliance regarding.

Ref: Letter No.5-ORC292/2016-BHU dated 18.11.2016 of Conservator of Forests (Central), Govt. of India, MoEF& CC, Eastern Regional Office, Bhubaneswar.

Sir,

In inviting reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, Eastern Regional Office, Bhubaneswar has accorded '**Stage-I/In-principle**' approval vide Letter No. 5-ORC292/2016-BHU dated 18.11.2016 for diversion of 7.535 ha of forest land for construction of Sandul Medium Irrigation Project in M. Rampur Block of Kalahandi District, Odisha subject to fulfillment of 25 nos. of conditions. The user agency has complied all the conditions imposed by Govt of India, MoEF&CC ERO, Bhubaneswar. The point wise compliance basing on the reports of the DFO, Kalahandi (North) Forest Division and RCCF, Bhawanipatna Circle are furnished below.

Condition (i):- *Legal status of forest land proposed for diversion shall remain unchanged.*

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Kalahandi North Forest Division that the legal status of forest land (7.535 ha) proposed for diversion for Sandul irrigation Project shall remain unchanged, which is enclosed as **Annexure-1**.

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Condition (ii):- The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency 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 in this regard. While conveying the compliance of this condition, mention be made of the Eco-class and density of forest for which NPV has been charged.

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that the DFO Kalahandi North Division has raised demand on User Agency to deposit a sum of Rs.47,16,910/- towards the cost of NPV vide his letter No. 44/4F-(Misc)-2017 dated 03.01.2017. Further, as the project got in-principle approval on 18.11.2016, the user agency is liable to deposit the NPV in the revised rate as per guidelines dated 22.03.2022 of MoEF& CC. Accordingly, the DFO, Kalahandi North division has raised demand on the user agency to deposit a sum of Rs.24,99,962/- vide his letter No 881 dated 14.02.2022. The detailed calculation of NPV is mentioned below:

Name of the Division	Forest Area (in ha)	Density	Eco-Value Class	Rate of NPV per ha (in Rs.)	NPV amount (in Rs.)
Kalahandi North	7.535	Below 0.4	III	6,26,000	47,16,910
				9,57,780	24,99,962 (72,16,872 – 47,16,910)

The user agency has deposited a sum of Rs 3,82,95,210/- on 01.02.2018 in the State specific CAMPA Account No. 520101263743655 through RTGS in Corporation Bank, Lodhi Complex Branch, New Delhi vide UTR No. U000000345623294 which includes Rs 47,16,910/- towards NPV. The user agency has deposited the differential NPV of Rs.24,99,962/- on 06.08.2022 online through Parivesh portal in the Account No.150825712758765 in the Union Bank of India, Lodhi Complex Branch, CGO Complex, New Delhi vide UTR No. RBI2182283735530.

The copy of the demand notices, payment receipts of the above amounts and the status of payment downloaded from Parivesh portal are enclosed at Annexure-2 Series.

Condition (iii):- At the time of payment of the Net Present Value (NPV) at the present 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, Bhawanipatna circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Kalahandi North Division to pay the additional Net Present Value if so determined, as per final decision of Hon'ble Supreme Court of India which is enclosed as Annexure-3.

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Condition (iv):- *Compensatory afforestation over 7.535 ha of non- forest land identified in plot no. 201 & 211, Khata No. 29, Kisam Dangar of Amjhola Village Thuamul Rampur Tehsil of Kalahandi district shall be raised and maintained by the State Forest Department at the cost of the user agency.*

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that an area of 7.535ha of non-forest Govt. land has been identified for compensatory afforestation in village Amjhola under Thuamul Rampur Tahasil of Kalahandi (South) Forest Division in lieu of 7.535ha of forest land to be diverted for Sandul Irrigation Project. The cost towards compensatory afforestation has been deposited in CAMPA account as per the approved scheme for the purpose. The State Forest Department shall raise& maintain the compensatory afforestation on the identified land at the cost of the user agency.

Initially, the CA scheme has been approved for Rs.20,70,500/- by the Nodal Officer, FCA at the wage rate of Rs. 200/- MD. The user agency has deposited a sum of **Rs 3,82,95,210/- on 01.02.2018** in the State specific CAMPA Account No. **520101263743655** through RTGS in Corporation Bank, Lodhi Complex Branch, New Delhi vide UTR No. U000000345623294 which includes **Rs 20,70,500/-** towards CA.

- Due to enhancement of wage rate the said scheme has been revised at the wage rate of Rs.308 MD amounting to **Rs.23,41,900/-**. The user agency has deposited a sum of Rs. 2,71,400/- towards differential cost of CA (Rs.23,41,900/- -Rs.20,70,500/-) on 10.01.2022. The UA has deposited a sum of **Rs 1,59,00,400/- on 10.01.2022** in the State specific CAMPA Account No. **150825712758262** in Union Bank of India, Lodhi Complex Branch, New Delhi online through Parivesh portal vide UTR No. RBI0112251095862 which includes differential cost of CA of **Rs.2,71,400/-**.
- Due to enhancement of wage rate the said scheme has again been revised at the wage rate of Rs.326/- MD amounting to **Rs.42,92,900/-**. The user agency has deposited a sum of Rs. 19,51,000 towards differential cost of CA (Rs.42,92,900/- -Rs.23,41,900/-) on 29.09.2022. The UA has deposited a sum of **Rs 1,29,14,700/- on 29.09.2022** in the State specific CAMPA Account No. **150825712758984** in Union Bank of India, Jelitta Towers, Mission Road, Bengaluru online through parivesh portal vide UTR No. RBI2642246579547 which includes differential cost of CA of **Rs.19,51,000/-**.

The financial outlay of CA scheme @ Rs.326/- MD, the copy of payment receipt of the above amounts and the status of payment downloaded from parivesh portal are enclosed as **Annexure-7 Series**.

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Condition(v):-*The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.*

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that the non-forest land of 7.535 ha identified in for raising compensatory afforestation has been transferred and mutated in favour of the State Forest Dept. vide Khatian No. 29/1, Plot No. 201/311 & 211 of Village Amjhola, Tahasil Th. Rampur, District Kalahandi. The Copy of the RoR is enclosed as **Annexure-5**.

Condition (vi):-*The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act,1927 or under the relevant section (s) of the Local Forest Act. The Nodal officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act local forest as the case may be, to this Ministry for information and record.*

Compliance: The draft notification proposal for declaring 7.535 ha of non-forest Govt. land in village Amjhola under Thuamul Rampur Tahasil of Kalahandi District as "Protected Forests" under Section-33 of Orissa Forest Act, 1972 has been forwarded to the State Government in FE&CC Department, Govt. of Odisha vide this Office Letter No. 1156/9F(Irrig)-346/2023 dated 19.01.2024 which is enclosed as **Annexure-6**.

Condition (vii):-*The user agency shall transfer the cost of raising and maintaining the compensatory afforestation for 10 years, at the current wage rate, to the State Forest Department*

Compliance: The RCCF, Bhawanipatna Circle has reported that, the user agency has deposited Rs.42,92,900/- in three phases (Rs.20,70,500/- +Rs. 2,71,400/-+Rs. 19,51,000/-) towards the cost of Compensatory Afforestation over 7.535ha of non-forest govt. land identified for Sandul Irrigation Project on dated **01.02.2018, 10.01.2022 and 20.09.2022** respectively.

The copy of payment receipt of the above amount and the status of payment downloaded from Parivesh portal are enclosed at **Annexure-7**.

Condition (viii):-*All the funds received from the user agency under the project shall be transferred to the ad-hoc CAMPA in the concerned Saving Bank Account of Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodhi Road, New Delhi-110003.*

Compliance: In compliance to the above, the RCCF, Bhawanipatnacircle has reported that the all the funds have been deposited in State SpecificCAMPA account through <http://parivesh.nic.in> by the user agency. The 12 point CAMPA format showing the details of the funds deposited in CAMPA account duly signed by the DFO, Kalahandi (North) division and countersigned by the PCCF(FD & Nodal Officer, FC Act) is enclosed as **Annexure-8**.

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Condition (ix):-*The user agency shall comply with the conditions stipulated by State Govt. Vide letter No. 10(Cons) 223/2016-16470/F&E dated 02.09.2016*

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that the conditions stipulated by the State Govt. Vide letter No. 10(Cons) 223/2016-16470/F&E dated 02.09.2016 has been compiled and enclosed as **Annexure-9A, 9B, 9C.**

Condition (x):-*The user agency shall obtain Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required.*

Compliance: In compliance to the above, the RCCF, Bhawanipatna Circle has reported that the Environment Clearance has been obtained from State Environment Impact Assessment Authority (SEIAA), Odisha vide their File No: SEIAA-39/2012 dated 06.01.2018 as per the provisions of the Environment (Protection) Act, 1986. The Copy the Environment Clearance received from SEIAA; Odisha is enclosed as **Annexure-9B.**

Condition (xi):-*The Catchment Area Treatment Plan shall be prepared and implemented at the cost of user agency. It may be ensured that water harvesting structure be included as a component in CAT Plan.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the Catchment Area Treatment Plan(CATP) has been approved by the Chief Conservator of Forests, FC & NO, FC Act and the user agency has deposited the cost of CATP in CAMPA account as per the approved scheme for the purpose.

Initially, the CATP scheme has been approved for Rs.3,15,07,800/- at the wage rate of Rs. 200/- MD. The user agency has deposited a sum of **Rs.3,82,95,210/- on 01.02.2018** in the State specific CAMPA Account No.**520101263743655** through RTGS in Corporation Bank, Lodhi Complex Branch, New Delhi vide UTR No U000000345623294 which includes **Rs.3,15,07,800/-** towards CATP.

- Due to enhancement of wage rate the said scheme has been revised at the wage rate of Rs.308 MD amounting to **Rs.4,71,36,800/-** The user agency has deposited a sum of Rs. 1,56,29,000/- towards differential cost of CATP (Rs.4,71,36,800/- -Rs.3,15,07,800/-) on 10.01.2022. The UA has deposited a sum of **Rs.1,59,00,400/- on 10.01.2022** in the State specific CAMPA Account No.**150825712758262** in Union Bank of India, Lodhi Complex Branch, New Delhi online through Parivesh portal vide UTR No RBI0112251095862 which includes differential cost of CA of **Rs.1,56,29,000/-**.

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- Due to enhancement of wage rate the said scheme has again been revised at the wage rate of Rs.326/- MD amounting to **Rs.5,81,00,500/-**. The user agency has deposited a sum of Rs. 1,09,63,700 towards differential cost of CATP (Rs.5,81,00,500/- -Rs.4,71,36,800/-) on 29.09.2022. The UA has deposited a sum of **Rs 1,29,14,700/- on 29.09.2022** in the State specific CAMPA Account No. **150825712758984** in Union Bank of India, Jelitta Towers, Mission Road, Bengaluru online through Parivesh portal vide UTR No RBI2642246579547 which includes differential cost of CA of **Rs.1,09,63,700/-**.

The financial outlay of CA scheme @ Rs. 326/- MD, the copy of payment receipt of the above amounts and the status of payment downloaded from Parivesh portal are enclosed as **Annexure-11 Series**.

Condition (xii):-*Plantation of suitable species shall be raised and maintained along the canal, at the cost of user agency, if possible.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that, the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-12**.

Condition (xiii):-*Water will be provided free of cost to the Forest Department for raising nursery/plantation in nearby areas.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that, the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-13**.

Condition (xiv):-*No tree felling shall be done between Full Reservoir level (FRL) and 4 meters below Full Reservoir level (FRL).*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that, the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-14**.

Condition (xv):-*The boundary of the forest land being diverted shall be demarcated on 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 pillar to pillar and submit DGPS map along with soft copy in shape file.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the boundary of the forest land proposed to be diverted has been demarcated on the ground by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number,

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DGPS coordinates, distance from adjoining pillars etc. The DGPS map along with the soft copy in shape file is enclosed as **Plate No. 1 to 12.**

Condition (xvi):-*The State Forest Department/UA shall submit the DGPS map of 7.535ha of non-forest land identified in Plot no. 201 & 211, Khata No. 29, Kisam Dangar of Amjhola Village Thuamul Rampur Tehsil of Kalahandi district as proposed for CA, along with shape file, giving the forward and backward bearing of each demarcation pillar and distance between them.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the DGPS map of the non-forest land identified in plot no. 201 & 211, Khata No. 29, Kisam Dangar of Amjhola Village in Thuamul Rampur Tehsil of Kalahandi district as proposed for CA is enclosed as **Plate-13.**

Condition (xvii):-*No labour camp shall be established on the forest land.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-17.**

Condition (xviii):-*The user agency shall provide alternate fuel to the labourer's and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-18.**

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

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-19.**

Condition (xx):-*Earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi North Forest Division in this regard which is enclosed as **Annexure-20.**

Condition (xxi):-*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 above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi (North) Forest Division in this regard which is enclosed as **Annexure-21**.

Condition (xxii):-*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 without prior approval of the Ministry of Environment, Forest & Climate change.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi (North) Forest Division in this regard which is enclosed as **Annexure-22**.

Condition (xxiii):-*The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with letter No. 11-9/1998-FC(pt.) dated 05.02.2013, in support thereof.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the settlement of rights under the provision of schedule tribes and other traditional forest dwellers (recognition of forest rights) Act, 2006 on the forest land proposed to be diverted, pertaining to Kalahandi (North) Forest Division in Kalahandi District (Odisha) has been completed.

Necessary certificates issued by Collector, Kalahandi is furnished at **Annexure-23**.

Condition (xxiv):-*Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife shall be compiled by the user agency.*

Compliance: The User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi (North) Forest Division in this regard is enclosed as **Annexure-24**.

Condition (xxv):-*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.*

Compliance: In compliance to above, the RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Kalahandi (North) Forest Division in this regard which is enclosed as **Annexure-25**.


Further, the user agency has submitted the valid cogent reason for delay in submission of compliance to the conditions stipulated in Stage-I approval which is enclosed as **Annexure-27**.

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In view of the above, the compliance to the conditions imposed by Government of India, MoEF& CC, ERO, Bhubaneswar is sent herewith for according final approval for diversion of 7.535 ha of forest land for construction of Sandul Medium Irrigation Project in M. Rampur Block of Kalahandi District, Odisha.

Encl: Stage-I Compliance in one set

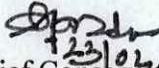
Yours faithfully


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

Memo No. 4652 /Dt. 26.02.2024

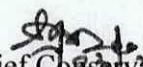
Copy alongwith one set of Stage-I compliance forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to Letter No. 5-ORC292/2016-BHU dated 18.11.2016 of Conservator of Forests (Central), Govt. of India, MoEF& CC, ERO, Bhubaneswar and FE&CC Department Letter No. 10F(Con) 223/2016/21833/F&E dated 25.11.2016.

Encl: Stage-I Compliance in one set


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

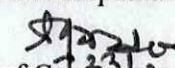
Memo No. 4653 /Dt. 26.02.2024

Copy forwarded to the RCCF, Bhawanipatna Circle for information and necessary action with reference to his Memo No.215 dated 16.01.2024.


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

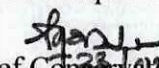
Memo No. 4654 /Dt. 26.02.2024

Copy forwarded to the DFO, Kalahandi (North) Division for information and necessary action with reference to Memo No. 216 dated 16.01.2024 of RCCF, Bhawanipatna Circle.


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

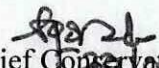
Memo No. 4655 /Dt. 26.02.2024

Copy forwarded to the DFO, Kalahandi (South) Division for information and necessary action with reference to Memo No. 217 dated 16.01.2024 of RCCF, Bhawanipatna Circle.


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

Memo No. 4656 /Dt. 26.02.2024

Copy forwarded to the Superintending Engineer, Kalahandi Investigation Division, Bhawanipatna for information and necessary action with reference to Memo No. 218 dated 16.01.2024 of RCCF, Bhawanipatna Circle.


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