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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. **10471** /9F (Others) – 395/2023
Dated, Bhubaneswar the **18th** May' 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 41.297 ha of forest land for Conveyor Corridor System connecting between Pottangi Bauxite Mines and Alumina Refinery Plant at Damonjodi by M/s NALCO Ltd in Koraput Forest Division – Stage-I Compliance regarding.

Ref:- Letter No. 5-ORA620/2023-BHU dated 22.12.2023 of Deputy Inspector General of Forests(C), Government of India, MoEF& CC, Regional Office, 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, Regional Office, Bhubaneswar has accorded Stage-I/In-principle approval vide Letter No. 5-ORA620/2023-BHU dated 22.12.2023 for diversion of 41.297 ha of forest land for Conveyor Corridor System connecting between Pottangi Bauxite Mines and Alumina Refinery Plant at Damonjodi by M/s NALCO Ltd in Koraput Forest Division under Section-2 of the Forest (Conservation) Act, 1980 subject to fulfilment of 8 nos. of conditions prior to handing over of forest land by the State Forest Department and 21 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, Koraput Forest Division and RCCF, Koraput Circle are as follows:

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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 41.297 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.5-3/2011-FC (Vol.-I) dated 06.01.2022 and 22.03.2022. The requisite funds shall be transferred through online portal in CAMPA account of the State concerned.

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the DFO, Koraput Division has raised the demand to deposit the Net Present Value (NPV) of Rs.3,95,53,441/- @ rate of Rs.9,57,780/- per ha [Eco-Value Class-III, density 0.3]. The user agency has deposited an amount of Rs.3,95,53,441/- towards NPV (out of total deposit of Rs.6,02,30,241/-) in Orissa CAMPA Account vide UTR No.SBINR52024020199573261 dated 13.01.2024. The payment particulars alongwith demand letter are enclosed as **Annexure-A-I Series.**

Condition No.ii: The land identified for the purpose of Compensatory Afforestation shall be clearly depicted on a Survey of India Topo sheet of 1:50,000 scale.

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has submitted Survey of India Toposheet map of No.E44L2 of 1:50,000 scale depicting the land identified for the purpose of CA in Rabalpadu DPF under Semiliguda Forest Range of Koraput Forest Division which is enclosed as **Annexure-A-II & Plate-A-1.**

Condition No.iii: The KML files of the area to be diverted and the CA areas 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, Koraput Circle has reported that DFO, Koraput Division has already uploaded the same in the e-Green watch portal with all requisite details. A declaration in this regard by UA which is enclosed as **Annexure- A-III.**

Condition No.iv: The user agency shall transfer the cost of raising and maintaining the Compensatory Afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The Scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the CA scheme has already been approved for Rs.2,06,76,800/- by PCCF (Nodal). The DFO, Koraput Division has raised demand vide his Letter No.266 dt.10.01.2024 for deposit of the approved amount of Rs.2,06,76,800/- and accordingly the user agency has deposited the approved amount of

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Rs.2,06,76,800/- (out of deposit of Rs.6,02,30,241/-) in account of CAMPA vide UTR No.SBINR52024020199573261 dated 13.01.2024. The scheme prepared on the basis of one time cost norm which include appropriate cost for anticipated cost increase for works scheduled for subsequent years. The payment particulars and demand letter are enclosed as **Annexure-A-IV Series.**

Condition No.v: *All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (<https://pariesh.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, Koraput Circle has reported that the user agency has transferred/ deposited all the funds under this project in CAMPA account through e-portal (<https://pariesh.nic.in/>) vide UTR No.SBINR52024020199573261 dated 13.01.2024. The statement of funds deposited by the user agency towards compensatory levies in CAMPA format duly signed by the DFO, Koraput Forest Division and countersigned by the PCCF (FD & Nodal Officer, FC Act) is enclosed as **Annexure- A (V).**

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the Stage-I compliance report will be uploaded on e-portal (<https://parivesh.nic.in/>), in this regard an undertaking countersigned by the DFO, Koraput Division is submitted by UA which is enclosed as **Annexure-A-VI.**

Condition No.vii: *The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificates from the concerned District Collector.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the Collector, Koraput District has issued the FRA certificate vide No.3288/XV-3/2024/FRA dated 15.03.2024 over 41.297 ha which is enclosed as **Annexure-A-VII.**

Condition No.viii: *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, Koraput Circle has reported that the user agency has already erected four feet height reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates. The details are shown in Survey of India Toposheet No.E44K13 and E44K14 of scale 1:50,000 which is enclosed as **Plate No.A-2.**

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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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that the legal status of forest land proposed for diversion shall remain unchanged which is enclosed as **Annexure-B-I.**

Condition No.ii: *Compensatory Afforestation shall raised over 83.169 ha of degraded forest land identified in Rabalpadu DPF under Semiliguda Range under Koraput Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. The species to be planted in the CA Scheme shall be of native species of the area. At least 18 month old seedlings should be planted. 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, Koraput Circle has reported that the CA scheme over 83.169 ha of degraded forest land has already been approved by the PCCF (Nodal) and deposited for Rs.2,06,76,800/- in CAMPA account vide UTR No.SBINR52024020199573261 dated 13.01.2024 by the user agency. In the CA Scheme provision for 18 months old seedlings especially of native species will be planted. The plantation will be taken up by the state within 2 years from the date of Stage-II clearance. Provision for 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. In this regard, the User Agency has furnished a declaration duly countersigned by the DFO, Koraput Division which is enclosed as **Annexure-B-II.**

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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-III.**

Condition No.iv: *As proposed by the State Govt. the width of conveyor corridor system i.e. conveyor belt along with maintenance road, power transmission line, water pipe line etc. shall be 69 meter.*

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Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that the width of conveyor corridor system i.e. conveyor belt along with maintenance road, power transmission line, water pipe line etc. will remain be confined to 69 meter which is enclosed as **Annexure-B-IV.**

Condition No.v: *Wherever possible the water pipeline will be laid underground along the road to avoid disturbance to forest land.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that wherever possible the water pipeline will be laid underground along the road to avoid disturbance to forest land which is enclosed as **Annexure-B-V.**

Condition No.vi: *The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that they shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable which is enclosed as **Annexure-B-VI.**

Condition No.vii: *The user agency shall implement intensive Soil & Moisture Conservation measures along both sides of the proposed Conveyor corridor passing through the forest are at project cost.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that they shall implement intensive Soil & Moisture Conservation measures along both sides of the proposed Conveyor corridor passing through the forest are at project cost which is enclosed as **Annexure-B-VII.**

Condition No.viii: *As proposed by the State Govt. a scheme duly approved by the competent authority for planting 10 times of number of trees to be felled from non-forest area of the project, shall be executed at the project.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that a scheme duly approved by the competent authority for planting 10 times of number of trees to be felled from non-forest area of the project, shall be executed at the project which is enclosed as **Annexure-B-VIII.**

Condition No.ix: *The cost of felling of trees shall be deposited by the user agency with the State Forest Department. The user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall*

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be done only when it is unavoidable and that too under strict supervision of the State Forest Department.

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that the cost of felling of trees shall be deposited by the user agency with the State Forest Department. The user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department which is enclosed as **Annexure-B-IX.**

Condition No.x: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-X.**

Condition No.xi: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XI.**

Condition No.xii: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that while they executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner which is enclosed as **Annexure-B-XII.**

Condition No.xiii: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XIII.**

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Condition No.xiv: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XIV**.

Condition No.xv: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XV**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that no damage to the flora and fauna of the adjoining area shall be caused which is enclosed as **Annexure-B-XVI**.

Condition No.xvii: *The 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, Koraput Circle has reported that the DFO, Koraput Division will monitor and take necessary mitigative measures to ensure that there will be no adverse impact on the forests in the surrounding area. In this regard the user agency has submitted an undertaking duly countersigned by the DFO, Koraput Forest Division which is enclosed as **Annexure-B-XVII**.

Condition No.xviii: *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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput Forest Division that they 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-B-XVII**.

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Condition No.xix: 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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XIX**.

Condition No.xx: 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, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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-B-XX**.

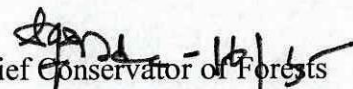
Condition No.xxi: Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issue by this Ministry's letter No.5-2/2017-FC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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Koraput 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 issue by this Ministry's letter No.5-2/2017-FC dated 28.03.2019 which is enclosed as **Annexure-B-XXI**.

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF & CC , Regional Office, Bhubaneswar vide Letter No. 5-ORA620/2023-BHU dated 22.12.2023 is sent herewith for according final approval for diversion of 41.297 ha of forest land for Conveyor Corridor System connecting between Pottangi Bauxite Mines and Alumina Refinery Plant at Damonjodi by M/s NALCO Ltd in Koraput Forest Division

Encl: Compliance in one set

Yours faithfully


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

Memo No.

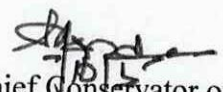
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/Dt.

18.05.2024

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 Letter No. 5-ORA620/2023-BHU dated 22.12.2023 of Deputy Inspector General of Forests(C), Government of India, MoEF & CC, Regional Office, Bhubaneswar and Memo No. 26839/FE&CC dated 30.12.2023 of OSD-cum-Special Secretary to Government, FE&CC Department.

Encl: Compliance in one set


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

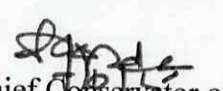
Memo No.

10473

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18.05.2024

Copy forwarded to the Regional Chief Conservator of Forests, Koraput Circle for information and necessary action with reference to his Memo No. 1573 dated 04.05.2024.


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


Memo No.

10474

/Dt.

18.05.2024

Copy forwarded to the Divisional Forest Officer, Koraput Forest Division for information and necessary action with reference to Memo No. 1574 dated 04.05.2024 of RCCF, Koraput Circle.


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


Memo No.

10475

/Dt.

18.05.2024

Copy forwarded to the Executive Director (Project Mines), M/s NALCO Ltd., NALCO Bhawan, P/1, Nayapalli, Bhubaneswar-751016 for information and necessary action.


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