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. 456

/ 9F (RAIL) - 90/ 2017

Dated, Bhubaneswar the

06 th December' 2021

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 19.43 ha of Revenue forest land in village Laikera, Chuabahal, Kalamegha, Bihajore and Kanaktora in Hemgiri Tahasil of Sundargarh district, Odisha for construction of Railway Siding Corridor by NTPC Darlipali STPP to connect their MGR line (drawn between Darlipali STPP and their Dulanga Coal Mines) with MCL Railway stations at Laikera and Kechobahal to transport coal from Basundhara, Garjanbahal area of MCL and also for transportation of oil rakes to the STPP, Darlipali - Submission of Stage-I compliance report.

Ref: Letter No.5-ORC349/2018-BHU dated 18.06.2018 of Conservator of Forests (C), Govt. of India, MoEF& CC, ERO, Bhubaneswar.

Sir,

In 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-ORC349/2018-BHU dated 18.06.2018 for diversion of 19.43 ha of Revenue forest land in village Laikera, Chuabahal, Kalamegha, Bihajore and Kanaktora in Hemgiri Tahasil of Sundargarh district, Odisha for construction of Railway Siding Corridor by NTPC Darlipali STPP to connect their MGR line (drawn between Darlipali STPP and their Dulanga Coal Mines) with MCL Railway stations at Laikera and Kechobahal to transport coal from Basundhara, Garjanbahal area of MCL and also for transportation of oil rakes to the STPP, Darlipali subject to fulfillment of 22 nos. of conditions imposed therein. The point wise compliance basing on the reports of the DFO, Sundargarh Forest Division and RCCF, Rourkela Circle are as follows:-

Legal status of forest land proposed for diversion shall remain unchanged.

In Compliance to the above condition, the RCCF, Rourkela Circle has reported the the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-I**.

(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 and while conveying the compliance of this condition, mention be made of the Eco-class and density of forest for which NPV has been charged.

In Compliance to the above condition, the RCCF, Rourkela Circle has reported that the concerned DFO has demanded Rs.1,56,02,290/- (Rupees One Crore Fifty-Six Lakhs Two Thousand Two Hundred Ninety) only towards the cost of NPV (Eco-value class-III & density 0.6) for diversion of 19.43 ha. of forest land as per the Order 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 as per the guideline issued by the Ministry vide letter No.5-3/2007-FC dated 05.02.2009, No.11-599/2014-FC dated 01.04.2015 and 19.10.2015 and the same has been deposited by the User Agency through RTGS transfer made vide UTR No: SBINR52018071000017283 in CAMPA A/c No:150825920055804 of Corporation Bank, CGO Complex, Phase-I Lodhi Road, New Delhi-110003 on Dtd. 10.07.2018. The copy of RTGS receipt in this regard submitted by the DFO, Sundargarh Division is enclosed as Annexure-II.

Further, the RCCF, Rourkela Circle has reported that the concerned DFO has demanded Rs.82,69,214/- (Rupees Eight two Lakhs Sixty nine Thousand Two Hundred fourteen) only towards the differential amount of revised NPV and the said amount has already been deposited by user agency through E-payment mode vide UTR No. SBINR52023090470154137- 226095 Dtd, 04.09.2023. The copy of payment receipt duly signed by the DFO, Sundergarh is enclosed as **Annexure-IIA**.

(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 dertermined, as per the final decision of the Hon'ble Supreme Court of India.

In Compliance to the above condition, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh 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-III**.

(iv) Compensatory Afforestation shall be raised over 38.86 Ha of degraded forest land identified in Gundi PRF under RWC in Bhawanipatna Range of Kalahandi(North) Division against the area of forest land proposed to be diverted at the cost of the user agency.

In Compliance to the above condition, the RCCF, Rourkela Circle has reported that an area of 38.86 ha of the degraded forest has been identified for raising CA plantation in Gundi PRF under RWC in Bhawanipatna Range of Kalahandi (North) Division. The Divisional Forest Officer, Kalahandi (North) Division has submitted one Site Specific Compensatory Afforestation scheme and its subsequent maintenance for 10 years. The above scheme has already been approved Addl. PCCF (FD & NO FC Act) for Rs.1,60,81,000.00/- (Rupees one crore sixty lakhs eighty-one thousand) at the wage rate of Rs.213.50/- per manday. The User Agency had deposited a sum of Rs.1,60,81,000.00/- through RTGS transfer mode vide UTR No. SBINR52018071000017283 in CAMPA A/c No.150825920055804 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 Dtd.10.07.2018. The copy of RTGS receipt in this regard is enclosed as **Annexure-IV**.

Further, due to enhancement of wage rate the financial out lay of the above CA scheme has been revised @ Rs.224.30/-MD and technically approved by Addl. PCCF(FD&NO,FC Act) amounting to Rs.1,66,35,000/- (Rupees one crore sixty six lakhs thirty five thousand) only. The User Agency had deposited the differential amount of Rs.5,54,000/- through RTGS transfer mode vide UTR No. SBINR52018091200022782 in CAMPA A/c No. 150825920055204 of Corporation Bank, CGO Complex, Phase-I Lodhi Road, NewDelhi-110003 Dtd.12.09.2018.

As reported by the DFO, Sundargarh Division, an additional demand of Rs.69,37,700/for CA land was raised on the User Agency due to enhancement of wage rate @ Rs.326/- per
MD and the financial outlay costing to Rs.2,35,72,700/- in total. The same has been approved
by the CCF, (Forest Diversion & Nodal Officer, F.C Act). The user agency has deposited
Rs.69,37,700/- through RTGS transfer mode vide UTR No. SBINR52022062891408399 in
CAMPA A/c No:150825920055424 of Union Bank of India, Lodhi Complex Branch, Block11,
CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 Dtd.28.06.2022. Thus, the User
Agency has paid a total sum of Rs.2,35,72,700/- towards the cost of CA in 3 phases which is
enclosed as **Annexure-IV**.

(v) State Govt./Forest Deptt. will recast the compensatory afforestation scheme including activities like soil and moisture conservation with creation of water bodies by impounding nallahs and/or excavations at appropriate sites and shall ensure plantation of local tree and shrub and grass species. Scheme shall be re-casted/prepared within the limit of CA fund demanded /collected and submitted within 3 months for appraisal of Eastern Regional Office, Bhubaneswar.

In compliance to the above, the RCCF, Rourkela Circle has reported that the DFO, Kalahandi (S) Forest Division in whose jurisdiction the identified land for compensatory

afforestation falls, had formulated the Compensatory Afforestation Scheme with an estimated cost of Rs.1,60,81,000.00/- (Rupees one crore sixty lakhs eighty-one thousand) only at the wage rate of Rs.213.50/- per manday with due focus on soil & moisture conservation along with regeneration, cleaning, silvicultural activities based on the site condition with to maintenance. The above scheme has already been approved by the Addl. PCCF (FD & NO FC Act). The User Agency had deposited a sum of Rs.1,60,81,000.00/- through RTGS transfer mode vide UTR No. SBINR52018071000017283 in CAMPA A/c No.150825920055804 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 Dtd.10.07.2018. The copy of RTGS receipt in this regard is enclosed as Annexure-IV.

Due to enhancement of wage rate the financial out lay of the above CA scheme has been revised @Rs.224.30/-MD and technically approved by Addl. PCCF (FD&NO,FC Act) amounting to Rs.1,66,35,000/- (Rupees one crore sixty six lakhs thirty five thousand) only. The differential amount of Rs.5,54,000/- has been demanded by DFO, Kalahandi (S) Forest Division and the said amount has already been deposited by user agency through RTGS transfer mode vide UTR No.SBINR52018091200022782 in CAMPA A/c No. 150825920055204 of Corporation Bank, CGO Complex, Phase-I Lodhi Road, NewDelhi-110003 Dtd.12.09.2018. which is enclosed as **Annexure-V**.

Besides that, the said CA scheme has been revised @ Rs.326/- per M/D by the CCF (FD&NO,FC Act) with a financial out lay of Rs.2,35,72,700/- and the User Agency has deposited the differential amount of Rs.69,37,700/- through RTGS transfer mode vide UTR No. SBINR52022062891408399 in CAMPA A/c No:150825920055424 of Union Bank of India, Lodhi Complex Branch, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 Dtd.28.06.2022.

(vi) 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 Ad-hoc CAMPA of the concerned state through online portal. The scheme may include appropriate provision for anticipated cost increase for works schedule for subsequent years.

In compliance to the above, the RCCF, Rourkela has reported that the cost of Compensatory Afforestation and its subsequent maintenance for 10 years was estimated and demand note of Rs.1,60,81,000.00/- (Rupees one crore sixty lakhs eighty-one thousand) only was raised on the User Agency and the User Agency had deposited a sum of Rs.1,60,81,000.00/- through RTGS transfer mode vide UTR No.SBINR52018071000017283 in CAMPA A/c No.150825920055804 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003 Dtd.10.07.2018. The copy of RTGS receipt in this regard is enclosed as **Annexure-IV**.

Further an additional demand of Rs.5,54,000/- for CA land was raised due to revision of the financial outlay at the wage rate of Rs.224.30 per man day and the User Agency had deposited a sum of Rs.5,54,000/- through RTGS transfer mode vide UTR No. SBINR52018091200022782 in CAMPA A/c No.150825920055204 of Corporation Bank, CGO Complex, Phase-I Lodhi Road, NewDelhi-110003 Dtd.12.09.2018. The copy of RTGS receipt in this regard is enclosed as Annexure-V.

As reported by the DFO, Sundargarh Division, an additional demand of Rs.69,37,700/for CA land was raised on the User Agency due to revision of the financial outlay at the wage
rate of Rs.326 per Man day. The user agency has deposited Rs.69,37,700/- through RTGS
transfer mode vide UTR No. SBINR52022062891408399 in CAMPA A/c No:15082592
0055424 of Union Bank of India, Lodhi Complex Branch,Block11,CGO Complex, Phase-I,
Lodhi Road, New Delhi-110003 Dtd.28.06.2022. Thus, the User Agency has paid a total sum
of Rs.2,35,72,700/- towards the cost of CA in 3 phases which is enclosed as Annexure-IV.

(vii) The user agency should ensure that the compensatory levies (C.A. cost, NPV etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.

In compliance to the above, the RCCF, Rourkela has reported that the cost of CA & NPV has been deposited through challan generated online on web portal and deposited in appropriate bank. The online mode of transaction has been successfully uploaded on the web portal. The statement of funds deposited by the user agency towards compensatory levies duly signed by the DFO, Sundargarh Forest division and countersigned by the PCCF (FD & Nodal Officer, FC Act) is enclosed as **Annexure VI**.

(viii) The State Govt. shall submit the tree enumeration list in Govt. Non-Forest land before issuing working permission against the Stage-I/In-principle approval of MOEF&CC.

In compliance to the above, the RCCF, Rourkela has reported that the DFO, Sundargarh has submitted the tree enumeration report over Non-Forest Govt. land which is enclosed as **Annexure-VIII**.

- (ix) The user agency shall comply with the conditions stipulated by State Govt. vide Letter No. 10 (Cons) 91/2018 11100/F&E dated 14.05.2018.
 - The User Agency shall pay towards cost of removal of trees enumerated before commencement of work and tree felling should be taken up in phase strictly as per requirement under the supervision of Divisional Forest Officer, Sundargarh Forest Division.

In compliance to the above, the RCCF, Rourkela Circle has reported that an amount of Rs.54,32,535/- through Treasury Challan on dated.17.07.2018 has been deposited by the User Agency in the head of account 8782- FOREST REMITTANCE-103-CASH

REMITTANCE of Sundergarh Forest Division towards valuation of the royalty of 10225 nos. of trees standing over forest and non-forest land of the seven villages under Hemgir Tahsil and Jharsuguda Tahsil which is enclosed as **Annexure-VIII**. The copy of demand note & Treasury Challan dt.17.07.2018 is enclosed herewith in **Annexure-IX** (A). Trefelling should be taken up in phase manner strictly as per requirement under the supervision of Divisional Forest Officer, Sundargarh Forest Division.

Longitudinal and latitudinal extent of Railway siding corridor shall be furnished.

In compliance to the above, the RCCF, Rourkela has reported that the DFO, Sundergarh has furnished the Longitudinal extent of Railway Siding corridor is from 83°49'57.51" E to 83°53'41.18" E and Latitude extent is from 21°54'12.24" N to 21°59'24.42" N.

 The individual FRA title holder over 0.30 Acr of forest land in Kalamegha village shall be compensate suitably as per prevailing law/guidelines before taking possession of such forest land for undertaking non-forest activities on having forest clearance.

In compliance to the above, the RCCF, Rourkela has reported that the User agency has submitted the compensation payment against 0.30 Ac. of forest land to the FRA title holder amounting to Rs.8,46,516/- to Sri Sadanand Bhoi of Village- Kalamegha vide UTR No.CMS1578628387 dt.17.08.2020 to State Bank Account No.35340964865, which is enclosed as Annexure-IX(B).

• The user agency as well as the Divisional Forest Officer, Sundargarh shall remain vigilant to ensure that there is no harmful impact of this project on the wildlife available in the area. The protective measures provided under approved SSWLC plans for NTPC-MGR and Dulanga coal mining project shall be meticulously implemented to ensure safety of the wild animals available in the area.

In compliance to the above, the User Agency has furnished an undertaking that, no harmful impact of this project on the wildlife available in the area. The protective measures provided under approved SSWLC Plans for NTPC- MGR and Dulanga Coal Mining Project shall be meticulously implemented to ensure safety of the Wild animals available in the area, an undertaking in this regards submitted by the User Agency, which is enclosed as Annexure-IX (C).

 Detailed tree enumeration report on non-forest land involved in the project duly authenticated by the Tahasildar concerned shall be furnished by user agency.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has submitted the tree enumeration list pertaining to non-forest land duly authenticated by the Tahasildar, Hemgir, which is enclosed as **Annexure-VIII**.

(x)The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinate, distance from adjoining pillars etc. The cost of expenditure like RCC/Stone pillars, demarcation charges, charges for felling of trees and their transportation to the depots shall be deposited with DFOs concerned and the work should be undertaken departmentally as per directions of Ministry's letter No.13-20/2015-CAMPA dated 09.06.2016.

In compliance to the above, the RCCF, Rourkela has reported that the boundary of the forest land proposed for diversion has already been demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinate, distance from adjoining pillars etc. at the cost of the user agency and the same has been observed during site inspection with Forest Dept on 26.03.2017. The user agency has deposited the pillar posting cost Rs.3,33,000.00/- through RTGS transfer mode vide UTR No. SBINR 12022120518860977 in DFO, Sundargarh A/C No - 3391101006954 of CANARA BANK, Sundargarh. The payment receipt in this regard is enclosed as Annexure-X.

(xi) The State Forest Department/UA shall submit the surveyed sketch of degraded forest land identified for CA, giving the forward and backward bearing of each demarcation pillar and distance between them. The State Forest Department/User Agency shall submit the DGPS reading of each demarcated pillar giving the latitude and longitude.

In compliance to the above, the RCCF, Rourkela has reported that the user agency has submitted the digitally surveyed map of the identified CA land over 38.86 ha of the degraded forest land in Gundi PRF under RWC in Bhawanipatna Range of Kalahandi (North) Division with the forward & backward bearings of each demarcated pillar and distance between them which is enclosed as Annexure-XI. Demarcation pillars have been erected and inscribed as per requirement.

Felling of trees on the forest land being diverted shall be reduced to the bare minimum and (xii) the trees should be felled in a phased manner under strict supervision of the State Forest Department.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as Annexure-XII.

The designing of culverts/bridges, if any, over the natural streams/rivers/canals/ should be (xiii) done in such a manner that it does not hamper the natural course of water, does not give rise to water logging, and also does not hamper movement of wild animals.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as Annexure-XIII.

(xiv) No additional or new path will be constructed inside the forest area for any activity related to the project work.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which enclosed as Annexure-XIV.

(xv) No labour camp shall be allowed in the forest area.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XV**.

(xvi) The user agency shall provide alternate fuel preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XVI**.

(xvii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XVII**.

(xviii) 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 the prior approval of Ministry of Environment, Forest & Climate Change.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XVIII**.

(xix) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.

In compliance to the above, the RCCF, Rourkela has reported that The User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XIX**.

(xx) 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 and 05.07.2013, in support thereof.

In compliance to the above, the RCCF, Rourkela has reported that there is no habitation of Schedule Tribe and Traditional Forest Dwellers in the proposed diverted forest land. The Collector, Sundargarh has issued the required certificate for the entire Forest land of 19.43 Ha for diversion by NTPC Ltd. Further the said project is linear by nature. The copy of the certificate along with the relevant enclosures is enclosed as **Annexure-XX**.

(xxi) Any other conditions that the ministry of Environment Forest & Climates Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XXI**.

(xxii) The State Government and the user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

In compliance to the above, the RCCF, Rourkela has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Sundargarh to this effect which is enclosed as **Annexure-XXII**.

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 19.43 ha of Revenue forest land in village Laikera, Chuabahal, Kalamegha, Bihajore and Kanaktora in Hemgiri Tahasil of Sundargarh district, Odisha for construction of Railway Siding Corridor by NTPC Darlipali STPP to connect their MGR line (drawn between Darlipali STPP and their Dulanga Coal Mines) with MCL Railway stations at Laikera and Kechobahal to transport coal from Basundhara, Garjanbahal area of MCL and also for transportation of oil rakes to the STPP, Darlipaliunder Section-2 of Forest (Conservation) Act, 1980.

Encl: Stage-I Compliance in one set

Yours faithfully

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

Memo No. 457 /Dt. 06.01.2024

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-ORC349/2018-BHU dated 18.06.2018 of Conservator of Forests (C), Govt. of India, MoEF& CC, ERO, Bhubaneswarand FE&CC Department Letter No. 10F(Cons) 91/2018/13858/F&E dated 23.06.2018.

Encl: Stage-I Compliance in one set

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

Memo No. 458 /Dt. 06.01.2024

Copy forwarded to the RCCF, Rourkela Circle for information and necessary action with reference to his Memo No.1790 dated 31.05.2023.

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

Memo No. 459

Dt. 06.01.2024

Copy forwarded to the DFO, Sundargarh Forest Division for information and necessary action with reference to Memo No. 1791 dated 31.05.2023 of RCCF, Rourkela Circle.

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

Memo No.

460

/Dt. 06.01.2024

Copy forwarded to the Executive Director, NTPC Ltd, Darlipali STPP, Sundargarh for information and necessary action.

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