



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.pccfho@odisha.gov.in

No. 963 /9F(RLY) - 341/2021

Dated, Bhubaneswar the 18th January 2023

From

Sri Susanta Nanda, IFS
Principal Chief Conservator of Forests
(Forest Diversion and 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
Integrated Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

Sub: Diversion of 125.355ha {Reserve Forest 41.533 ha, Protected Forest 23.326 ha, Revenue Forest (Village Forest) 60.496 ha} of forest land for construction of Angul-Gopalprasad-Puttagadia-Jarpada-Tentuloi New BG Railway Line by East Coast Railway-Stage-I compliance regarding.

Ref: Letter No.5-ORA466/2021-BHU dated 03.12.2021 of Dy. Inspector General of Forests (C), GoI, 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, IRO, Bhubaneswar has accorded Stage-I/In-principle approval vide No. 5-ORA466/2021-BHU dated 03.12.2021 for diversion of 125.355 ha {Reserve Forest 41.533ha, Protected Forest 23.326ha, Revenue Forest (Village Forest) 60.496ha} of forest land for construction of Angul-Gopalprasad-Puttagadia-Jarpada-Tentuloi New BG Railway Line by East Coast Railway under Angul Forest Division subject to fulfillment of 14 nos. of conditions prior to handing over of forest land by the State Forest Department and 17 nos of conditions after handing over of forest land to the User Agency by the State Forest Department. The point wise compliance basing on the reports of the DFO, Angul Forest Division and RCCF, Angul 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 125.355 ha forest land being diverted under this proposal, as per the Orders of Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry Vide its letter No.5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal in CAMPA account of the State concerned.

Compliance: The RCCF, Angul Circle has reported that the User Agency i.e. IRCON has deposited an amount of Rs. 15,70,49,545/- towards the cost of CA amounting to Rs.3,93,41,200/- and NPV amount of Rs.11,77,08,345/- in ORISSA CAMPA account No. 150825949967201 of Union Bank of India Lodhi Complex Branch, New Delhi vide NEFT/RTGS IFSC Code: UBIN0903710 dtd.17.01.2022. The copy of demand letter of DFO, Angul Division and challan with UTR No. is enclosed as *Annexure-1, 1A, 1B & 1C respectively*.

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

Compliance: The RCCF, Angul Circle has reported that the land identified for the purpose of Compensatory Afforestation has been clearly depicted on a Survey of India Toposheet of 1:50,000 scale. The copy of Toposheet submitted by the User Agency i.e. IRCON duly authenticated by DFO, Bolangir is enclosed as *Annexure-2*.

Condition No. (iii): *The Site-Specific Wildlife Conservation Plan shall be prepared and duly approved by PCCF (WL) & CWLW, Odisha for implementation at the project cost.*

Compliance: The RCCF, Angul Circle has reported that the scheme for Site Specific Wildlife Conservation Plan in respect of the project has been technically approved by the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha, Bhubaneswar vide his Letter No. 5694 dt. 21.06.2022 with a financial out lay of Rs. 29.23 Crore/- (Rupees twenty nine crore twenty three lakhs) only. The User Agency i.e. IRCON has deposited the above amount in CAMPA head on dt.22.08.2022. The copy of demand letter by DFO, Angul Division, Challan with UTR No. and undertaking for improvement of the Plan duly countersigned by DFO, Angul are enclosed as *Annexure-3, 3A & 3B respectively*.

Condition No. (iv): *A flyover/bridge to be constructed for the entire length where the railway line crosses the Rajjharan water reservoir to ensure smooth passage of wildlife.*

Compliance: The RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking to construct a flyover/ bridge for the entire length where the railway line crosses the Rajjharan water reservoir to ensure smooth passage of wildlife. The undertaking submitted by User Agency duly countersigned by DFO, Angul is enclosed as *Annexure-4*.

Condition No. (v): *Adequate number of underpasses and overpasses shall be made for free movement of wildlife wherever required as per the Wildlife Management PLAN.*

Compliance: The RCCF, Angul Circle has reported that adequate no of underpasses and over passes shall be made as per the direction of Forest Officials/ as per the Site-Specific Wild Life Conservation Plan for the free movement of wild life. The User Agency i.e. IRCON has submitted an undertaking duly countersigned by DFO, Angul Division is enclosed as *Annexure-5*.

Condition No. (vi): *No infrastructure other than railway line will be created within the forest land of 125.355 ha for which diversion proposal is submitted.*

Compliance: The User Agency i.e. IRCON also undertakes that except the structures related to

the railway line, no other new infrastructure will be created within the forest land of 125.355 ha. The undertaking duly countersigned by DFO, Angul is enclosed as **Annexure-6**.

Condition No. (vii): *CA Scheme shall be @ 1000 saplings per Ha identified CA land. The degraded forest land identified for CA to be planted with indigenous species and Teak should be avoided from the list of species to be planted. If the land identified is inadequate for planting minimum number of required saplings @ 1000 per Ha, the State Govt. may identify additional degraded forest land for planting balance seedlings as per Para 2.8 of Chapter-2 of Handbook of FC Act guidelines issued by Ministry.*

Compliance: The RCCF, Angul Circle has reported that Para 2.8 (ii) of Chapter-2 of Handbook of FC Act guidelines issued by the Ministry has been deleted. Further, it has been clarified by the Regional Empowered Committee in its 77th REC meeting of IRO Bhubaneswar held on dt.19.10.2022 that the cut off date of deletion of provision under Para 2.8 (ii) of Handbook of FC Act, 1980 will be taken as 16.10.2019 for all proposals.

In the view of the above clarification, the CA scheme submitted by the DFO, Angul Division for planting of 150600 nos. of seedlings over an area of 251 ha against the diversion of 125.355 ha forest land for the financial outlay of Rs.4,30,53,200/- has been approved by the CCF (Nodal) which is enclosed as **Annexure-7**. Undertaking to this effect by User Agency duly signed by DFO, Angul are also enclosed as **Annexure-7A & 7B**.

Condition No. (viii): *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: The RCCF, Angul Circle has reported that the KML files of the area to be diverted and the CA areas will be uploaded on the e-Green watch portal with all requisite details by the office of the DFO, Angul Division. The User Agency has submitted an undertaking duly authenticated by DFO, Angul to this effect is enclosed as **Annexure-8**.

Condition No. (ix): *The user agency shall transfer the cost of raising and maintaining the compensatory afforestation / additional 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: The RCCF, Angul Circle has reported that the User Agency i.e. IRCON has deposited an amount of Rs. 15,70,49,545/- towards the cost of CA = **Rs.3,93,41,200/- @ Rs.315/-** per manday and the cost of NPV amounting to Rs.11,77,08,345/- in ORISSA CAMPA account No. 150825949967201 of Union Bank of India Lodhi Complex Branch, New Delhi vide NEFT/RTGS IFSC Code: UBIN0903710 dtd.17.01.2022. The cost of differential CA @ Rs.326/- amounting to **Rs.37,12,000/-** deposited in ORISSA CAMPA account No. 150825949967033 of Union Bank of India Lodhi Complex Branch, New Delhi vide NEFT/RTGS IFSC Code: UBIN0903710 dtd.25.07.2022. The copy of demand letters of DFO, Angul along with Challan duly countersigned by DFO, Angul are enclosed as **Annexure -9 to 9 (c) respectively**.

Condition No. (x): 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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has deposited all necessary payments in CAMPA account through e-portal (<https://parivesh.nic.in/>). The DFO, Angul Division has submitted the details of deposit in 12 point CAMPA format duly countersigned by PCCF (FD&NO) FC Act which is enclosed as *Annexure-10*.

Condition No. (xi): 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.

Compliance: The RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking duly countersigned by the DFO, Angul Division to this effect which is enclosed as *Annexure-11*.

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

Compliance: The RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that the compliance report of the Stage-I approval shall be uploaded on e-portal (<https://parivesh.nic.in/>). The undertaking duly countersigned by the DFO, Angul Division to this effect is enclosed as *Annexure-12*.

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

Compliance: The RCCF, Angul Circle has reported that the required FRA certificate received from the District Collector, Angul is enclosed as *Annexure-13*.

Condition No. (xiv): 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 this condition, the RCCF, Angul Circle has reported that the proposed forest land for diversion has been demarcated on the 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-ordinate. The copy of DGPS surveyed map of the forest land proposed to be diverted duly authenticated by ORSAC & DFO, Angul Division is enclosed as *Annexure-14*.

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 this condition, the User Agency i.e., IRCON has submitted an undertaking that the legal status of the forest land will remain unchanged. The undertaking submitted by User Agency and countersigned by DFO, Angul to this effect is enclosed as *Annexure B-I*.

Condition No. (ii): Compensatory afforestation shall be raised over 251.00 Ha degraded forest land identified in Bhimkhole RF of Saintala Range under Bolangir Forest Division within three 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 avoiding Teak. 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 this condition, the RCCF Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking to this effect duly signed by DFO, Angul 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 final decision of the Hon'ble Supreme Court of India.

Compliance: In compliance to this condition, the RCCF Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking to pay the additional amount of NPV, if so determined, as per final decision of the Hon'ble Supreme Court of India. The undertaking to this effect is enclosed as *Annexure B-III*.

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 this condition, the RCCF Angul Circle has reported that the User Agency i.e. IRCON has submitted undertaking duly signed by DFO, Angul that the speed regulating signage will be erected along the railway line at regular intervals in Protected Areas/Forest Areas which is enclosed as *Annexure B-IV*.

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 this condition, the RCCF Angul Circle has reported that the User Agency i.e., IRCON has submitted an undertaking to take up Avenue Plantation on either side of alignment of the track at its own cost in consultation with the DFO, Angul Division. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-V*.

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

Compliance: In compliance to these conditions the RCCF, Angul Circle has reported that no environmental clearance is applicable for this project. The compliance submitted by the User Agency duly countersigned by the DFO, Angul Division to this effect is enclosed as *Annexure B-VI*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that no labour camp shall be established on the forest land and the user agency will 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. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-VII*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that no additional or new path will be constructed inside the forest area for any activity related to the project work. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-VIII*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that while executing works, will not fell any tree or damage forest growth in the surrounding forest area in any manner. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-IX*.

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

Compliance: In compliance to this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that the layout plan of proposed forest land will not be changed without the prior approval of Ministry of Environment, Forest & Climate Change. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-X*.

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

Compliance: In compliance to this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that the forest land will not be used for any purpose other than that specified in the proposal. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-XI*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking 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. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-XII*.

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

Compliance: In compliance to this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that no damage to the flora and fauna of the adjoining area shall be caused. The undertaking to this effect duly signed by DFO, Angul is enclosed as *Annexure B-XIII*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON will extend all necessary support to the Divisional Forest officer, Angul while monitoring and taking necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area. The copy of compliance report submitted by the UA duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-XIV*.

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 this condition, the RCCF, Angul Circle has reported that User Agency i.e. IRCON has submitted an undertaking to 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. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-XV*.

Condition No. (xvi):*Any other conditions that the Ministry of Environment, Forest & 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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that any other conditions that the Ministry of Environment, Forest & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, will be complied by the user agency. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as *Annexure B-XVI*.

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 this condition, the RCCF, Angul Circle has reported that the User Agency i.e. IRCON has submitted an undertaking that State Govt. and user agency will ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order(s) & Hon'ble

110

Court Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as **Annexure B-XVII**.

In view of the above, the compliances to the conditions imposed by the Government of India, MoEF & CC, IRO, Bhubaneswar are sent herewith for according final approval for diversion of 125.355 ha {Reserve Forest 41.533 ha, Protected Forest 23.326 ha, Revenue Forest (Village Forest) 60.496 ha} of forest land for construction of Angul-Gopalprasad-Puttagadia-Jarpada-Tentuloi New BG Railway Line by East Coast Railway under Angul Forest Division by East Coast Railway.

Encl: Compliance in one set

Yours faithfully

[Signature] 17/01/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No. 964 /Dt. 18.01.2023

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-ORA466/2021-BHU dated 03.12.2021 of Dy. Inspector General of Forests (C), GoI, MoEF&CC, IRO, Bhubaneswar and No. 22078/FE&CC [10F(Cons) 40/2021] dated 15.12.2021.

Encl: Compliance in one set

[Signature] 17/01/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No. 965 /Dt. 18.01.2023

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for information and necessary action with reference to his Memo No. 5507 dated 31.12.2022.

[Signature] 17/01/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No. 966 /Dt. 18.01.2023

Copy forwarded to the Divisional Forest Officer, Angul Forest Division for information and necessary action with reference to Memo No. 5508 dated 31.12.2022 of RCCF, Angul Circle.

[Signature] 17/01/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No. 967 /Dt. 18.01.2023

Copy forwarded to the Deputy Chief Engineer (Con-II), Angul Railway Station, East Coast Railway, Angul, Odisha, Pin-759122 for information and necessary action.

[Signature] 17/01/23
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)