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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. **9219** /9F (Road) – 122/2016
Dated, Bhubaneswar the **12th** May 2023

From

Sri Susanta Nanda, IFS
Principal Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

The Deputy Director General of Forests (Central)
Government of India, Ministry of Environment, Forest & Climate Change
Integrated Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

Sub:- Diversion of 4.545 ha of revenue forest land for construction of Pallahara Bypass road coming within the stretch of Km 0.000 to Km 68.280 under the project “Rehabilitation and Up-gradation of NH-149 from Pallahara to Pitiri Section to two lanes with paved shoulders under NHPD-IV in the State of Odisha on EPC mode” under Deogarh Forest Division in Angul District, Odisha – Submission of Stage-I compliance regarding.

Ref:- GoI, MoEF & CC, ERO, Bhubaneswar Letter No. 5-ORB317/2017-BHU dated 13.03.2018 and Letter No.10F(Cons)144/2017-8053/F&E dated 09.04.2018 of Govt. of Odisha, F&E Department,

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, ERO, BBSR have accorded Stage-I approval vide their Letter No. 5-ORB317/2017-BHU dated 13.03.2018 for diversion of 4.545 ha of revenue forest land for construction of Pallahara, Bypass road coming within the stretch of Km 0.000 to Km 68.280 under the project “Rehabilitation and Up-gradation of NH-149 from Pallahara to Pitiri Section to two lanes with paved shoulders under NHPD-IV in the State of Odisha on EPC mode” under Deogarh Forest Division in Angul District, Odisha subject to fulfilment of twenty five (25) nos. of conditions stipulated therein. 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, Deogarh Forest Division and RCCF, Rourkela Circle are as follows:-

Condition No.(i):- Legal status of the forest land proposed for diversion will remain unchanged.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that the legal status of the forest land proposed for diversion shall not be changed which is enclosed as **Annexure-I.**

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Condition No.(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 23.08.2008,24.04.2008 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, Rourkela Circle has reported that the User Agency has deposited Rs.51,57,227/- which includes **Rs.33,17,850/-** towards NPV in ORISSA State CAMPA Account No.150826117128125 of Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.SBIN818156593425 dated **05.06.2018**. The copy of the demand notice of DFO, Deogarh Division and payment particulars are enclosed as **Annexure-II series**.

Detail of land diverted and NPV calculated-

Eco Value class-I with Open forest Canopy Density below 0.4

Total Area to be diverted= 4.545 Ha

NPV @ Rs 7,30,000/- for 4.545 ha = Rs.33,17,850/-

Condition No.(iii):-*At the time of payment of 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, Rourkela Circle has reported that the user agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division 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**.

Condition No.(iv):-*State Govt. shall realize Penal NPV as per Para B of guideline issue by Ministry Vide Letter No 11-42/2017-FC dated 29.01.2018 for use of forest land in violation of Forest (Conservation) Act,1980 as follows:*

- a) *The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest till the deposit is made.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has deposited Rs.51,57,227/- in ORISSA State CAMPA Account No. 150826117128125 of Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No. **SBIN818156593425** dated **05.06.2018** which includes Penal NPV of Rs.3,277/- (20% of Penal NPV of Rs.16386/-). A copy of the demand notice of DFO, Deogarh and payment particulars are enclosed as **Annexure II series**.

Penal NPV has been calculated as follows:-

NPV Rate per ha= Rs.7,30,000/-

FC Act Violation Area= 112.23 Sq. mtr=0.011223 ha

P. NPV for above violated area per year= Rs.7,30,000/- X 0.011223 ha=Rs.8,193/-

So, Penal NPV calculated for 2 years= Rs.8,193/-X2=Rs.16,386/-

b) *In case of public utility projects of the Government, the penalty shall be 20% of the penalty proposed in Para (a) above*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the user agency has deposited Rs.51,57,227/- in ORRISSA CAMPA Account No.150826117128125 of Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No. SBIN818156593425 dated 05.06.2018 which includes Penal NPV of Rs.3277/- (20% of Penal NPV of Rs.16386/-). A copy of the demand notice of DFO, Deogarh and payment particulars are enclosed as **Annexure II series**.

c) *State Govt. will initiate disciplinary action against the official concerned for not being able to prevent use of forest land for non forestry purpose without prior approval of Government of India.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the DFO, Deogarh Division has called for an explanation to Sri Saroj Kumar Samal, Ex-Range Officer, Pallahara Range in this regard vide Memo No.3433 dtd.30.06.2018 of the DFO, Deogarh Forest Division which is enclosed as **Annexure-IV(C1)**. Further, the Ex-Range Officer, Pallahara vide his letter No.975 dated 26.10.2018 intimated to his office that explanation has been called for to Ex-Forester Smt. Bharati Kapardar and Ex-Forest Guard Sri Manmath Behera in this regard which is enclosed as **Annexure-IV(C2)**. Again, the DFO, Deogarh Division called for explanation to Sri Saroj Kumar Biswal, Ex-Range Officer, Pallahara (Now ACF) vide his office memo No.1578 dt.08.04.2022 with a copy to the Ex-Forester Smt. Bharati Kapardar (Now Dy. Ranger) and Ex-Forest Guard Sri Manmath Behera (Now Forester) to explain the reasons for the lapses committed by them in using forest land for non-forestry purpose in their Sections and beat respectively, which is enclosed as **Annexure-IV (C3)**.

The DFO, Deogarh Division has also requested to the Collector & District Magistrate, Angul to take appropriate action under the local act against the revenue officials concerned for not being able to prevent the use of revenue forest land for non-forestry purpose and the User Agency for unauthorized use of Revenue Forest Land vide his Letter No.1584 dated 08.04.2022.

The Letter No.1584 dated 08.04.2022 of DFO, Deogarh, is enclosed as **Annexure-IV(C)**.

The memo No.3434 dated 30.06.2018, 952 dated 07.03.2022 of DFO, Deogarh, letter No.1490 dated 04.08.2022, 1725 dated 07.09.2022 of Executive Engineer, NH Division, Pallahara, Memo No.9890 dated 01.10.2022 of Chief Engineer, NH, Odisha are enclosed as **Annexure-4 D series**.

d) *User agency responsible for violation shall be prosecuted under local Act of the State for unauthorized use of forest land without the permission of State Authority.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the DFO, Deogarh Division has requested to the Executive Engineer, Dhenkanal NH Division to initiate disciplinary action against the officials concerned for unauthorized use of forest land without the permission of State Authority vide his Memo No.3434 dated 30.06.2018.

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The Executive Engineer, NH Division, Pallahara has been reminded to initiate disciplinary action against the officials concerned for unauthorized use of forest land without the permission of State Authority vide Memo No.952 dated 07.03.2022 of DFO, Deogarh Division.

The Executive Engineer, NH Division, Pallahara vide his letter No.1490 dated 04.08.2022 has intimated to the DFO, Deogarh Division that Chief Construction Engineer, Northern NH Circle, Bhubaneswar has issued show cause notice to the Ex-Executive Engineer, Sri Sudhir Kumar Tripathy vide his office Letter No.1355 dated 11.07.2022.

Again, the Executive Engineer, NH Division, Pallahara vide his letter No.1725 dated 07.09.2022 has intimated the names of the incumbents of NH Division, Pallahara who were in position during the occurrence of the violation of the FC, Act in the current case as follows-

- i. Sri. Sudhir Kumar Tripathy, Ex-Executive Engineer, N.H. Division, Pallahara
- ii. Sri Rohan Gourav Ray, Ex-Asst. Executive Engineer, N.H. Sub-Division, Pallahara
- iii. Sri. Srinibash Behera, Asst. Engineer, N.H. Section-III, Pallahara

The Chief Engineer, NH, Odisha vide his Memo No.9890 dt.01.10.2022 intimated to the DFO, Deogarh Division that proceedings have already been initiated against the officer concerned for violating the Forest (Conservation) Act, 1980.

All the above correspondences made as above are enclosed as **Annexure-IV(D) Series.**

Condition No.(v):-Compensatory Afforestation shall be raised over 4.557 ha of non-forest land identified in Plot No 768/1 and 770/1, Khata No 73, Kisam Patita of village Sanadhouragotha under Pallahara Tahasil of Angul District against the area of forest land proposed to be diverted at the cost of the user Agency.

Subsequently, the GoI, MoEF through their corrigendum dated 27.04.2018 have modified the above condition as follows:

"Compensatory Afforestation shall be raised over 4.560 ha of non forest land identified in Plot No 768,717,718,719,720,721,722,723,724,725,727, 728, 729,730,731,732, 733, 734 & 736, Khata No.73, Kisam Patita of village Sanadhouragotha under Pallahara Tahasil of Angul District against the area of forest land proposed to be diverted at the cost of the user Agency".

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that a scheme for raising of compensatory afforestation over 4.560 ha of non-forest land identified in village Sandhauragotha under Pallahara Tahasil in Angul District under Khamar Range of Deogarh Forest Division has been prepared by the DFO, Deogarh Division.

The CA scheme has been technically approved by the Addl. PCCF (FD & NO, FC Act) for Rs.18,36,100/- at the then wage rate of Rs.213.50 per manday. The user agency has deposited Rs.51,57,227/- which includes the CA amount of **Rs.18,36,100/-** in ORISSA State CAMPA Account **No.150826117128125** of Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.**SBIN818156593425** dated **05.06.2018**. A copy of the CA Scheme, Financial outlay approved by Addl.PCCF (FD & NO, FC Act) and payment particulars are enclosed as **Annexure-V (A) and Annexure-II series.**

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The said scheme has been further revised and approved for Rs.23,56,700/- at wage rate of Rs.311/- per manday. The challan for payment of the differential amount of Rs.5,20,600/- (Rs.23,56,700 – Rs.18,36,100) has been generated in the parivesh portal and the User Agency has deposited the said differential amount in ORISSA State CAMPA account of Union Bank of India, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.UCBAH21365311614 dated 31.12.2021 through RTGS. A copy of the approved financial outlay, copy of demand notice of DFO, Deogarh Division and payment particulars are enclosed as **Annexure-V(B) series**.

Further, due to enhance of wage rate @ Rs.326/- per Manday, the CA scheme has been revised and approved by this office for an amount of Rs.42,72,800/-. As per the demand notice of the DFO, Deogarh Division regarding deposit of differential amount of CA, the UA has deposited the differential amount of CA (Rs.42,72,800 – Rs.23,56,700=Rs.19,16,100/-) in ORISSA State CAMPA account of Union Bank of India, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.UCBAH22171010308 dated 20.06.2022. The copy of the revised financial outlay, copy of demand notice of the DFO and payment particulars are enclosed as **Annexure-V(C) Series**.

Again, due to enhancement of wage rate from Rs.326/- per manday to Rs.333/- per manday, the CA scheme has been further revised and approved by this office for an amount of Rs.42,99,300/-. As per the demand note of the DFO, Deogarh the UA has deposited the differential amount of CA of Rs.26,500/- (Rs.42,99,300/- – Rs.42,72,800/- = Rs.26,500/-) in ORISSA State CAMPA account of Union Bank of India, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.UCBAH2302795143 dated 27.01.2023. The copy of the revised financial outlay and payment particulars are enclosed as **Annexure-V(D) Series**.

Condition No.(vi):-*The non forest land identified for raising Compensatory Afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the non-forest land to the extent of 11.26 Acre (4.560 ha) over 19 nos. of plots identified in village Sanadharagotha in Pallahara Tahasil of Angul District for raising of CA has been transferred and mutated in favour of State Forest Department, Odisha vide alienation case No.61/2018 and issued vide Letter No.3403 dated 25.09.2020 of Tahasildar, Pallahara. The copy of the RoR and letter No.3403 dated 25.09.2020 of Tahsildar Pallahara are enclosed as **Annexure-VI Series**.

Condition No.(vii):-*State Government will formulate the Compensatory Afforestation Scheme including activities like soil and moisture conservation, regeneration cleaning, silvicultural activities and shall ensure maintenance of these plantations for a period of seven to ten years as per requirement.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the CA scheme has been formulated and prepared which includes activities like SMC, fencing etc. duly approved by Addl. PCCF (FD & NO FC Act) for Rs.18,36,100/-. The copy of the CA Scheme along with the financial outlay has been enclosed as **Annexure-V Series**.

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Condition No.(viii):-*The non forest land over which Compensatory Afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the non-forest Govt. land to the extent of 11.26 Acre (4.560 ha) identified in village Sanadharagotha in Pallahara Tahasil under Angul District for raising CA has already been mutated and transferred in favour of the State Forest Department, Odisha vide alienation case No.61/2018 and communicated vide Letter No.3403 dated 25.09.2020 of Tahasildar, Pallahara.

Further, the said transferred and mutated non-forest Govt. land to the tune of 11.26 Ac.=4.560 ha has already been notified as Protected Forest vide Government of Odisha Notification No.10F(Cons) 136/2018-8879/FE&CC dated 12.05.2022. The copy of PF Notification is enclosed as **Annexure-VII.**

Condition No.(ix):-*The user agency shall comply with the conditions stipulated by State Government vide Letter No.10F(Cons)144/2017-11950/F&E dated 05.06.2017.*

- a) *Felling of trees from the forest area shall be taken up strictly as per the requirement and as per the permission to be accorded by DFO, Deogarh Forest Division only after all compensatory levies are deposited by the user agency as per condition to be stipulated in the in-principle approval order.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the user agency has already deposited a sum of total Rs.51,57,227/- in ORRISSA CAMPA Account which includes the cost of CA of Rs.18,36,100/-, cost of NPV of Rs.33,17,850/- and Penal NPV of Rs.3,277/- (20% of Penal NPV of Rs.16386/-). In addition to the above, due to increase in wage rate, the UA has further deposited the differential cost of CA of Rs.5,20,600/-, Rs.19,16,100/-, Rs.26,500/-, the cost of SSWLC Plan amounting to Rs.1,36,00,000/- and cost of Avenue Plantation amounting to Rs.5,43,359/- and subsequently the differential amount of Rs.2,18,682/- towards cost of Avenue Plantation due to enhancement of wage rate to Rs.333/- per manday. Thus, after payment of all the compensatory levies, the felling order of 67 No. of trees standing over the forest land to be diverted has been issued to the DM, OFDC Ltd., Deogarh vide Letter No.3197 dated 08.06.2018 of DFO, Deogarh. The copy of the said letter is enclosed as **Annexure-VIII.**

- b) *The user agency shall pay the cost of removal of trees existing over forest /non forest land of the alignment before commencement of work on payment of all compensatory levies to be stipulated in the in-principle approval order under orders of the DFO,Deogarh as per authorization of State Government.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that, the user agency has deposited a sum of Rs.1,14,224/- (UTR No-SBIN718288195306 dated 15.10.2018) towards the cost of removal of trees existing over forest land of the alignment with the DM, OFDC Ltd., Deogarh vide Letter No 2768 dt. 15.10.2018 of EE, NH, Dhenkanal. The copy of Letter & deposit particulars are enclosed **Annexure-IX Series.**

- c) *Scheme for planting 300 no of trees (10 times of 30 no of trees to be felled from non forest land of the road alignment) prepared by the user agency and approved by DFO Deogarh shall be executed at project cost. The plantation under this scheme shall be avenue plantation on both sides of the instant road as well as the feeder roads, if required.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the user agency has submitted a scheme and the estimate to the DFO, Deogarh Division for approval of avenue plantation along NH-149 from Pallahara to Pitri for planting of $30 \times 10 = 300$ nos. of plant for Rs.2,98,953/- at the then wage rate of Rs 213.50/- per manday vide Letter No.1712 dated 23.06.2018. The copy of the said letter and Avenue Plantation scheme are enclosed as **Annexure-X (A) Series**. The User Agency has further submitted the revised Avenue Plantation scheme at the wage rate of Rs.326/- per manday amounting to Rs.5,43,359/- vide his letter No.870 dated 17.05.2022 to the DFO, Deogarh Division. After approval of the said scheme by the RCCF, Rourkela Circle, the UA has deposited the said amount of Rs.5,43,359/- in ORISSA CAMPA Account No.150826117128158 of Union Bank of India, FCS Centre, 21/1, 3rd Floor, Gelitta Towers, Mission Road, Bangalore-560027 vide UTR No.UCBAH22283452563 dated 10.10.2022 which are enclosed as **Annexure-X (B) Series**.

Again, due to enhancement of wage rate from Rs.326/- to Rs.333/- per manday, the above Avenue Plantation Scheme has been revised and approved for Rs.7,62,041/-. Accordingly, the differential amount of Rs.2,18,682/- (Rs.7,62,041 – Rs.5,43,359 = Rs.2,18,682/-) has been deposited in ORISSA State CAMPA Account No.150826117128094 of Union Bank of India, FCS Centre, 21/1, 3rd Floor, Gelitta Towers, Mission Road, Bangalore-560027 vide UTR No.UCBAH23116808711 dated 16.01.2023 which are enclosed as **Annexure-X (C) Series**.

- d) *The Comprehensive Wildlife Management Plan shall be prepared for protection and conservation of wildlife and improvement of their habitat in the area. The plan shall be approved by the Chief Wildlife Warden, Odisha and implemented at project cost.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the Comprehensive Site Specific Wildlife Management Plan for protection and conservation of wildlife and improvement of their habitat in the area has been prepared by the User Agency & approved by the PCCF(WL)& CWLW, Odisha vide his Letter No 9110/1W-FC-Road-SSP-90/2018 dated 09.10.2018 for an amount of Rs.146.20 Lakh (for activities to be implemented by the User Agency in project area= Rs.10.26 Lakhs + for activities to be implemented in project impact area= Rs.136.0 Lakh). Further, due enhancement of wage rate to Rs.333/- per manday, the SSWLC plan has been further revised and approved by the PCCF (WL) & CWLW, Odisha vide his letter No.1760 dated 17.02.2023 for an amount of Rs.1,64,03,575/-. Accordingly, the UA has deposited an amount of Rs.136.00 Lakhs in State CAMPA account No.150826117128820 of Corporation Bank of India, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.SBIN118319590758 dated 15.11.2018. Further, the UA has also deposited the differential cost of SSWLC Plan for an amount

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of Rs.28,03,575/- (1,64,03,575 – 1,36,00,000) in State CAMPA Account No.150826117128014 of Union Bank of India, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.UCBAH23087419653 dated 28.03.2023. The copy of SSWLC Plan approved by PCCF & CWLW, Odisha dated 09.10.2018, demand letter of DFO, Deogarh Division and payment particulars of Rs.136.0 Lakhs and Rs.2,80,03,575/- are enclosed as **Annexure-XI (A) & XI (B) Series.**

- e) District Profile of Angul district duly signed by the Additional PCCF (Forest Diversion) & Nodal Officer, F.C. Act shall be furnished.*

Compliance: In compliance to the above, the District Profile of Angul District submitted by the DFO, Angul Division and countersigned by PCCF(FD & NO, FC Act) is enclosed as **Annexure-XII.**

- f) Gazette Notification of GOI, MoRTH indicating Notification No & date for acquiring land for road project shall be provided.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has submitted the documents i.e. Gazette Notification of GOI, MoRTH vide Notification No. 464 dt. 3.3.2015 & No. 2043 dt. 22.09.2015 for acquiring land which are enclosed as **Annexure-XIIIA & XIIIB.**

Condition No.(x):-All the funds received from the user agency under the project shall be transferred through e-portal to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned. 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.

Compliance: In compliance to the above, all compensatory levies has been deposited through e-portal in Adhoc CAMPA account by the user agency. The statement of funds in prescribed format duly signed by the DFO, Deogarh Forest Division and countersigned by the PCCF(FD & NO, FC Act) is enclosed as **Annexure XIV.**

Condition No.(xi):-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 coordinates, distance from adjoining pillars etc. As per Ministry's Letter No. 13-20/2015-CAMPA dated 09.06.2016, the cost of expenditure like boundary walls, stone pillars, demarcation charges, charges for felling of trees and their transportation to depots shall be deposited with DFO's concerned and the work should be undertaken departmentally in order to ensure that the task of erection of boundary walls, stone pillars, demarcation charges etc are undertaken faithfully and in the best interests of the forests before the diversion and handing over of the forest land takes place. The work on these items should be completed within 6 months from the grant of final approval to diversion of forest land.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has intimated about the completion of pillar posting and submitted the details of the demarcated boundary of the forest land proposed to be diverted at the project cost and erection of four feet high RCC pillars, each inscribed with serial number, DGPS coordinates, distance from adjoining pillars which are enclosed as **Annexure-XV Series.**

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Condition No.(xii):-*The State Forest Department/UA shall submit the surveyed sketch of non-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 also submit the DGPS reading of each demarcated pillar giving the latitude and the longitude.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished the sketch/trace map of non-forest land identified for CA, with forward and backward bearing of each demarcated pillar, DGPS reading of each pillar with latitude & longitude duly countersigned by the DFO, Deogarh Division which is enclosed as **Annexure-XVI**.

Condition No.(xiii):-*In case the widening of the road is to be done in areas already having adequate clearance, trees shall not be cut. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that in case the widening of the road is to be done in areas already having adequate clearance, trees shall not be cut and any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department which is enclosed as **Annexure- XVII**.

Condition No.(xiv):-*The designing of culvert/ bridges, if any, over the natural streams/river/canals should be 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 including migration of fish, amphibia and reptiles.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that the designing of culvert/ bridges, if any, over the natural streams/river/ canals should be done in such a manner that it does not hamper the natural course of water, does not given rise to water-logging, and also does not hamper movement of wild animals including migration of fish, amphibia and reptiles which is enclosed as **Annexure- XVIII**.

Condition No.(xv):-*The User Agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No.S.O.254 (E) dated 25.01.2016.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division to use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No.S.O.254 (E) dated 25.01.2016 which is enclosed as **Annexure-XIX**.

Condition No.(xvi):-*The user agency shall submit an undertaking to ensure that flanks of road should be filled by transported soil and not with soil dug from the side of the road.*

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that to ensure that flanks of road should be filled by transported soil and not with soil dug from the side of the road which is enclosed as **Annexure-XX**.

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Condition No.(xvii):-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, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh 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-XXI**.

Condition No.(xviii):-No labour camp shall be allowed in the forest area.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that no labour camp shall be allowed in the forest area which is enclosed as **Annexure-XXII**.

Condition No.(xix):-The user agency shall provide LPG or alternate fuel, to labourers working at the site to avoid damage/tree felling and ensure no fuel wood use.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division to provide LPG or alternate fuel to labourers working at the site to avoid damage/tree felling and ensure no fuel wood use which is enclosed as **Annexure-XXIII**.

Condition No.(xx):-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, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division not to fell any tree or damage forest growth in the surrounding forest area in any manner while executing the works which is enclosed as **Annexure-XXIV**.

Condition No.(xxi):-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 and Climate Change.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that 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 and Climate Change which is enclosed as **Annexure-XXV**.

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

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest and Climate Change which is enclosed as **Annexure-XXVI**.

Condition No.(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 and 05.07.2013, in support thereof. 282

Compliance: In compliance to the above, the RCCF, Rourkela Circle has submitted the copy of FRA certificate issued by the Collector, Angul District vide his Letter No 82 dated 16.01.2016 which is enclosed as **Annexure-XXVII**.

Condition No.(xxiv):-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, which shall be complied by the user agency.

Compliance: In compliance to the above, the RCCF, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh 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 which is enclosed as **Annexure-XXVIII**.


Condition No.(xxv):-The State Government and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and 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, Rourkela Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Deogarh Division that any other conditions that the State Government and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines and 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-XXIX**.

In view of the above, the compliance to the conditions imposed by the GoI, MoEF& CC, IRO, Bhubaneswar is sent herewith for according final approval for diversion of 4.545 ha of revenue forest land for construction of Pallahara Bypass road coming within the stretch of Km 0.000 to Km 68.280 under the project "Rehabilitation and Up-gradation of NH-149 from Pallahara to Pitiri Section to two lanes with paved shoulders under NHPD-IV in the State of Odisha on EPC mode" under Deogarh Forest Division in Angul 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.


9220

/Dt.

12.05.2023

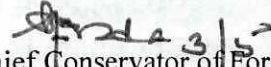
Copy along with one set of Stage-I compliance forwarded to the Additional Chief Secretary to Government, Forest, Environment & Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to F&E Department Letter No.8053/F&E 10F(Con)-144/2017 dated 09.04.2018.

Encl: Stage-I Compliance in one set


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

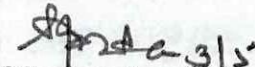
281
Memo No. 9221 /Dt. 12.05.2023

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela Circle for information and necessary action.


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

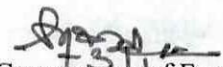
Memo No. 9222 /Dt. 12.05.2023

Copy forwarded to the Divisional Forest Officer, Deogarh Forest Division for information and necessary action.


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

Memo No. 9223 /Dt. 12.05.2023

Copy forwarded to the Executive Engineer, NH Division, Pallahara, Dist-Angul for information and necessary action.


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