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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. **9452** / 9F (Road) – 392/2017
Dated, Bhubaneswar the **16th** May'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 10.635 ha of Forest land for widening to two lane from 327/700 to 413/700 Km of NH-326 (erstwhile Km from 16/0 to 102/0 Km of SH-25) under Vijayawada- Ranchi route in Koraput & Malkangiri district of Odisha on EPC mode by the EE, NH Division, Jeypore-Submission of Stage-I compliance regarding-

Ref:- No.5-ORC332/2017-BHU dated 05.03.2018 of Conservator of Forests(Central), Government of India, MoEF & CC, Eastern 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, Eastern Regional Office, Bhubaneswar has accorded Stage-I/In-principle approval vide No.5-ORC332/2017-BHU dated 05.03.2018 of Conservator of Forests (Central), Government of India, MoEF & CC, Eastern Regional Office, Bhubaneswar for diversion of 10.635 ha of Forest land for widening to two lane from 327/700 to 413/700 Km of NH-326 (erstwhile Km from 16/0 to 102/0 Km of SH-25) under Vijayawada- Ranchi route in Koraput & Malkangiri District of Odisha on EPC mode by the EE, NH Division, Jeypore subject to fulfillment of 24 nos. of conditions.

The point wise compliance basing on the report of RCCF, Koraput Circle are as follows:

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

Compliance: The RCCF, Koraput Circle has reported that in this regard the User Agency has furnished an undertaking duly countersigned by DFO, Malkangiri and Jeypore Forest Division which is enclosed as **Annexure-1.**

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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 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 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: The RCCF, Koraput Circle has reported that the DFO, Jeypore Forest Division vide his Letter No.1411 dt 28.03.2018 has raised demand of Rs.27,15,588/- (@ Rs.9,39,000/- X 2.892 ha = Rs.27,15,588/-) towards the NPV for 2.892 ha of forest area proposed to be diverted being Eco class-II and density-0.45

Similarly, the DFO, Malkangiri Forest Division vide his Letter No.746 dt 29.03.2018 has raised demand of Rs.56,52,390/- (@ Rs.7,30,000/- X 2.892 ha = Rs.27,15,588/-) towards NPV for 7.743 ha of forest area proposed to be diverted being Eco class-I and density-0.3
The user agency has deposited total NPV amount of Rs.83,67,978/- (Jeypore Division= Rs.27,15,588/- + Malkangiri Division = Rs.56,52,390/-) vide UTR No. SBINR 52018050500051086 dt 05.05.2018.

The copy of demand letters of both the DFOs and payment particular of Rs.83,67,978/- duly countersigned by DFO, Jeypore and Malkangiri Forest Division is enclosed as **Annexure-2**.

Condition No. (iii): *At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble supreme Court of India.*

Compliance: The RCCF, Koraput Circle has reported that the user agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Forest Division to pay the additional amount of NPV, if so determined which is enclosed as **Annexure-3**.

Condition No. (iv): *Compensatory afforestation shall be raised over 10.785 ha of revenue forest land identified in plot No-645, Khata No-88, Kisam Gramya Jungle of village Rekhapali under Chitrakonda Tahasil of Malkangiri district against the area of forest land proposed to be diverted at the cost of the user agency.*

Compliance: The RCCF, Koraput Circle has reported that the user agency has deposited total Rs 60,18,400/- towards the cost of Compensatory Afforestation at wage rate @ **Rs.326/- per M.D.** for raising of CA over 10.785 ha of revenue forest land identified in plot No-504/645/665, Khata No-88/1, Kisam Gramya Jungle in village Rekhapali under Chitrakonda Tahasil of Malkangiri district. The details of deposit amount of Rs 60,18,400/- towards CA cost is furnished below-

Particulars	Letter of demand raised by DFO, Malkangiri	UTR No. and dt. of deposit	Amount deposited (Rs.)
CA cost wage rate @Rs 213.50.	746 dt 29.03.2018	SBINR 52018050500051465 dated 05.05.2018.	Rs.23,98,400/-
Differential CA cost at wage rate @Rs 315/-	1575 dt 29.03.2022	SBINR 52022041377996435 dated 13.04.2022.	Rs.30,56,300/-
Differential CA cost at wage rate @Rs 326/-	3068 dt 11.07.2022	SBINR 52022072295575410 dated 22.07.2022.	Rs.5,63,700/-
TOTAL			Rs.60,18,400/-

The copies of technical approval order at wage rate of Rs.213.50 per MD by Addl.PCCF (FD&NO,FC Act.), @ Rs.315/-per MD by CCF (FD&NO,FC Act.) and @ Rs.326/-per MD by CCF (FD&NO,FC Act.) are enclosed as **Annexure-4(A) series**. The copies of demand letters of DFO, Malkangiri are enclosed as **Annexure-4(B) Series** and payment particulars thereof are enclosed as **Annexure-4(C) series**.

Condition No. (v): *The revenue 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: The RCCF, Koraput Circle has reported that the revenue forest land identified for raising compensatory afforestation over 10.785 ha in village Rekhapali under Chitrakonda Tahasil has already been transferred and mutated in favour of the State Forest Department vide ROR No.88/1. The copy of ROR and other related letters / documents of revenue authorities are enclosed as **Annexure-5**.

Condition No. (vi): *State Govt. 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: The scheme for CA with 10 years maintenance has been technically approved by the Addl. PCCF (Forest Diversion & Nodal Officer, FC Act) vide Memo No.6941 dt 29.03.2018 for **Rs.23,98,400/-** at wage rate @ Rs.213.50/- per M.D and subsequently this has been revised @ wage rate of Rs.315/- and Rs.326/- per MD. The copy of said technical approval of CA scheme for Rs.60,18,400/- is enclosed as **Annexure-4(A)series**.

Condition No. (vii): *The revenue 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. If the DFL over which C.A will be taken up is not a notified forest under IFA or State Forest Act ,the same shall be notified as RF/PF under this Act.*

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Compliance: The RCCF, Koraput Circle has reported that the revenue forest land over 10.785 ha identified in Rekhapali village under Chitrakonda Tahasil of Malkangiri District has already been notified as "Rekhapali PF" vide Letter No.FE-DIV-FLD-89-2022-(10F-Cons-226/2017)-20522/FE & CC dated 19.11.2022 of Govt. of Odisha, FE & CC Deptt. The copy of said notification is enclosed as **Annexure-6**.

Condition No. (viii): *The user agency shall comply with the conditions stipulated by State Govt. vide letter No-10 (Cons) 226/2017-25648/ F & E dated-12.12.2017.*

The compliance to the conditions stipulated by State Govt. of Odisha vide their Letter No.10F(Cons)-226/2017-25648/F&E dt 12.12.2017 is furnished below-

- (a) *Scheme for planting 10 times of trees already felled (1,607 X 10=16,070) from non-forest land of the project road of length 86 Km shall be prepared by the user agency and approved by the RCCF, Koraput and 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 in both Jeypore and Malkangiri Forest Division.*

Compliance: The RCCF, Koraput Circle has reported that the number of trees enumerated for felling is 1607 nos. but actually felled 1594 (Jeypore Division-557 nos. + Malkangiri Division-1037 nos.) nos. of trees. Accordingly, plantation scheme for ten times of number of trees required to be felled in Malkangiri and Jeypore Forest Division has been approved by the DFO, Malkangiri and Jeypore Division for Rs.86,82,153/- and 46,63,413/- respectively. As per Money receipt dated 09.01.2017 of OFDC Ltd and Letter No.476 dt 27.02.2023 of DM, Jeypore (C-KL) Division, the User Agency has deposited Rs.1,33,45,566.00/- (Jeypore-Rs.46,63,413.00 + Malkangiri-Rs.86,82,153.00) in favour of OFDC Ltd. Bhubaneswar for planting of 15940 (Jeypore-557nos+ Malkangiri-1037nos) nos. of plants. Further, the RCCF, Koraput Circle has reported that the DM, Jeypore (C-KL) Division has already planted 12027 (Jeypore-4618 nos + Malkangiri-7409 nos.) numbers of trees covering the total stretch 327/700 Km to 413/700 Km being total length of 86 Km.

The copy of said schemes for Malkangiri and Jeypore Division along with payment acknowledgement receipt, copy of Letter of DM, OFDC Ltd. Jeypore Division dated 27.02.2023 are enclosed as **Annexure-7 series**.

- (b) *The Comprehensive Wildlife 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: The Site Specific Wildlife Conservation Plan has been approved by the PCCF (WL) & C.W.L.W, Odisha vide his Letter No.975 dt 30.01.2019 for Rs.5,41,26,000/- to be implemented in project impact area of Jeypore and Malkangiri Forest Division. The user agency

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has deposited the said amount of Rs.5,41,26,000/- vide UTR No.SBINR 52022020265018490 dt 02.02.2022. The copy of approval order of SSWLCP by PCCF (WL) & C.W.L.W, Odisha, Demand letter of DFO, Jeypore and payment particulars i.e. Challan with UTR no thereof are enclosed as **Annexure-8,8(a), and 8(b)** respectively.

- (c) *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 the Divisional Forest Officers of Jeypore and Malkangiri Forest Division only after all compensatory levies are deposited by the UA as per conditions to be stipulated in the in-principal approval order.*

Compliance: The RCCF, Koraput Circle has reported that the User Agency has deposited all the compensatory levies as indicated in 12-point CAMPA format. The DFO, Jeypore and Malkangiri Forest Division have issued work orders vide their No.77dt 19.05.2018 and Order No.101dt 23.05.2018 respectively, the copies of which are enclosed as **Annexure-9(a) & 9(b)** respectively.

- (d) *In case the said revenue forest land identified for CA is not notified forest under the Orissa Forest Act, the said extent of revenue forest land shall be notified as RF/PF under the Orissa Forest Act as per provision of guidelines of MoEF&CC bearing F.No-11-423/2011-FC dt.8.11.2017.*

Compliance: The RCCF, Koraput Circle has reported that the revenue forest land over 10.785 ha identified in Rekhapali village under Chitrakonda Tahasil of Malkangiri district has already been notified as "Rekhapali PF" vide Letter No.FE-DIV-FLD-89-2022-(10F-Cons-226/2017)-20522/FE & CC dated 19.11.2022 of Govt. of Odisha, FE & CC Deptt. under sec-33 of the O.F.Act,1972. The copy of said notification is enclosed as **Annexure-6**.

- (e) *Separate land schedule of revenue forest land of 1.102ha. (Anlajodi village. 0.091 ha, + Kotrimajhiguda village 0.148 + Salpadar village 0.863 ha.) Coming within the road alignment proposed for diversion duly authenticated by Tahasildar, Mathili of Malkangiri district shall be furnished.*

Compliance: The RCCF, Koraput Circle has reported that the User Agency has furnished a separate land schedules of revenue forest land of 1.102 ha. (Anlajodi village. 0.091 ha+ Katrimajhiguda village 0.148ha + Salpadar village 0.863 ha.) coming within the road alignment proposed for diversion duly authenticated by Tahasildar, Mathili of Malkangiri District and countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-10**.

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Condition No. (ix): 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: The RCCF, Koraput Circle has reported that all the funds received from the User Agency under the project has been transferred through e-portal to the Ad-hoc CAMPA in the S.B Accounts pertaining to the State concerned. The 12 point CAMPA format showing the statement of funds deposited by the User Agency duly signed by both DFO, Jeypore and Malkangiri Forest Division and countersigned by the PCCF(FD & NO, FC Act) is enclosed as **Annexure-A**.

Condition No. (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 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 DFOs 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 interest of the forest 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: The RCCF, Koraput Circle has reported that the User Agency has fixed the boundary pillars in the forest land proposed for diversion with GPS co-ordinates on the pillars. In this regard the list of pillar ID, pillar to pillar distance, GPS co-ordinates of different points of existing road etc. duly countersigned by DFO, Jeypore and Malkangiri Division are enclosed as **Annexure-11**.

Condition No. (xi): The State Forest Department /UA shall submit the surveyed sketch of revenue 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 the longitude.

Compliance: The RCCF, Koraput Circle has reported that the user agency has submitted the surveyed sketch map of revenue forest land identified for CA in Rekhapali village over 11.5 ha giving pillar no, distance between pillar to pillar, longitude, latitude, bearing etc. duly countersigned by DFO, Jeypore and Malkangiri Division which are enclosed as **Annexure-12 series**.

Condition No. (xii):*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: The RCCF, Koraput Circle has reported that in this regard the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-13.**

Condition No. (xiii):*The designing of culverts/ bridges, if any, over the natural streams/ rivers/ 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.*

Compliance: The RCCF, Koraput Circle has reported that the User Agency vide his letter No.3719 dt 12.12.2022 has intimated to the DFO, Malkangiri Division regarding designing of culverts / bridges over the natural streams / rivers / canals which does not affect natural course of water, does not give rise to water logging and does not hamper movement of wild animals. The copy of said letter of user agency is enclosed as **Annuxere-14.**

Condition No. (xiv):*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: The RCCF, Koraput Circle has reported that in compliance to the condition, the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-15.**

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

Compliance: The RCCF, Koraput Circle has reported that in compliance to the condition the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-16.**

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

Compliance: The RCCF, Koraput Circle has reported that in compliance to the condition the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-17.**

Condition No. (xvii):*No labour camp shall be allowed in the forest area.*

Compliance: The RCCF, Koraput Circle has reported that in compliance to the condition the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-18.**

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Condition No. (xviii):*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: The RCCF, Koraput Circle has reported that the User Agency has furnished an undertaking to provide LPG or alternate fuel to labourers working at the site to avoid damage/ tree felling and ensure no fuel wood use duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-19**.

Condition No. (xix):*The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.*

Compliance: The RCCF, Koraput Circle has reported that in compliance to the condition the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-20**.

Condition No. (xx):*The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstance be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance: The RCCF, Koraput Circle has reported that in compliance to the condition the User Agency has furnished an undertaking duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-21**.

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

Compliance: The RCCF, Koraput Circle has reported that the User Agency UA has furnished an undertaking to this effect duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-22**.

Condition No. (xxii):*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.*

Compliance: The RCCF, Koraput Circle has reported that the copy of required certificates under FRA,2006 issued by the Collector Malkangiri District over 7.743 ha and the certificate issued by the Collector, Koraput District for 2.892 ha are enclosed as **Annexure-23(a) & 23(b)** respectively.

Condition No. (xxiii): 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: The RCCF, Koraput Circle has reported that the User Agency has furnished an undertaking to comply 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 duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-24**.


Condition No. (xxiv): The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

Compliance: The RCCF, Koraput Circle has reported that the User Agency has furnished an undertaking to ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project duly countersigned by DFO, Jeypore and Malkangiri Division which is enclosed as **Annexure-25**.

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF& CC, Eastern Regional Office, Bhubaneswar is sent herewith for according final approval for diversion of 10.635 ha of Forest land for widening to two lane from 327/700 to 413/700 Km of NH-326 (erstwhile Km from 16/0 to 102/0 Km of SH-25) under Vijayawada-Ranchi route in Koraput & Malkangiri district of Odisha on EPC mode by the EE, NH Division, Jeypore.

Encl: Compliance in one set

Yours faithfully


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

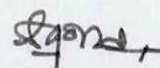
Memo No.

9453

/ Dt. 16.05.2023

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-ORC332/2017-BHU dated 05.03.2018 of Conservator of Forests(Central), Government of India, MoEF& CC, Eastern Regional Office, Bhubaneswar and No.5878/F&E [10F(Con)226/2017] dated 14.03.2018 of Special Secretary to Government, F&E Department.

Encl: Compliance in one set


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

1130
Memo No.

9454

/Dt.

16.05.2023

Copy forwarded to the Regional Chief Conservator of Forests, Koraput Circle for information and necessary action with reference to his Memo No. 116 dated 06.01.2023.

Spndr - 12/05/23
Principal Chief Conservator of Forests

(Forest Diversion and Nodal Officer, FC Act)

Memo No.

9455

/Dt.

16.05.2023

Copy forwarded to the DFO, Jeypore / DFO, Malkangiri Forest divisions for information and necessary action with reference to Memo No.117 dated 06.01.2023 of RCCF, Koraput Circle.

Spndr - 12/05/23
Principal Chief Conservator of Forests

(Forest Diversion and Nodal Officer, FC Act)

Memo No.

9456

/Dt.

16.05.2023

Copy forwarded to the Executive Engineer, NH Division, Jeypore, Dist-Koraput / Chief Engineer, National Highways, Odisha, Unit-IV, Sachivalaya Marg, Bhubaneswar-751001 for information and necessary action.

Spndr - 12/05/23
Principal Chief Conservator of Forests

(Forest Diversion and Nodal Officer, FC Act)