



**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. **24515** /9F (Road) – 301/2020
Dated, Bhubaneswar the **15th** December' 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
Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

Sub:- Diversion of 0.04 ha of Revenue forest land for construction of approach road to the Petrol Pump from Road (NH-53) present at village Barapal under Sukinda Tahasil of Jajpur District of Cuttack Forest division by Sri Pradeep Kumar Mallick – Stage-I compliance regarding

Ref:- Letter No.5-ORB414/2020-BHU dated 13.5.2020 of the Deputy Inspector General of Forests (C), Govt. 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 Order No. 5-ORB414/2020-BHU dated 13.5.2020 for diversion of 0.04 ha of Revenue Forest land for construction of approach road to the Petrol Pump from Road (NH-53) present at village Barapal under Sukinda Tahasil of Jajpur District of Cuttack Forest Division by Sri Pradeep Kumar Mallick subject to fulfilment of 20 (twenty) nos. of conditions stipulated therein. The point wise compliance basing on the report of the DFO, Cuttack Forest division and RCCF, Angul Circle are as follows:-

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

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Cuttack Forest Division that the legal status of the forest land proposed for diversion shall remain unchanged which is enclosed as **Annexure-1.**

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Condition No. (ii):- *The State Govt. shall realize the cost of plantation (including 10 years maintenance) of 100 trees from the user agency towards Compensatory Afforestation.*

Compliance:- In compliance to the above, the RCCF, Angul Circle has reported that the scheme for plantation of 100 nos. of 18 months old seedlings with 10 years maintenance has been approved for Rs.1,59,310/-. The DFO, Cuttack Forest Division has raised demand for deposit of the above amount vide his memo No.6621 dated 01.07.2020 and the User Agency has deposited the approved amount in Account of Ad-hoc CAMPA, Odisha vide UTR No.SBIN-120205285887 dated 23.7.2020 for raising compensatory afforestation. The approved scheme, demand letter and the deposit particulars are enclosed as **Annexure-2 series.**

Condition No. (iii):- *The State Govt. shall charge the Net Present Value (NPV) for the 0.04 ha forest area to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 30.10.2002,01.08.2003,28.03.2008,24.04.2008 and 09.05.2008 in IA No. 566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by Ministry vide letter No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and No.5-3/2007-FC dated 05.02.2009 in this regard.*

Compliance:- In compliance to the above, the RCCF, Angul Circle has reported that the DFO, Cuttack Forest Division has demanded to the User Agency to pay Rs.25,040/- towards the NPV over 0.04 ha @ Rs.6,26,000/- per ha (Eco-Value Class-III and Canopy density is below 0.4) vide his Memo No. 5865 dated 4.6.2020. The User Agency has deposited the cost of NPV for Rs.25,040/- vide UTR No. ALLAH20188197562 dated 3.7.2020 and the demand letter alongwith deposit particulars are enclosed as **Annexure-3 series.**

Condition No. (iv):- *Additional amount of the NPV of the forest land to be diverted , if any , becoming due after finalization of the same by the Hon'ble Supreme Court of India on the receipt of the report from the Expert Committee, shall be charged by the State Govt. from the user agency . The user agency shall furnish an undertaking to this effect.*

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division to pay the additional amount of NPV if any becoming due after finalization of the same by Hon'ble Supreme Court of India which is enclosed as **Annexure- 4.**

Condition No. (v):- *All the funds received from the user agency under the project shall be transferred/deposited to State CAMPA fund only through (<http://parivesh.nic.in/>).*

Compliance:- In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has deposited the cost of NPV amount of Rs 25,040/- and cost of plantation of 100 nos. of plants for Rs.1,59,310/-. The payment particulars downloaded from PARIVESH portal is enclosed herewith as **Annexure-5.**

Condition No. (vi):- *The complete compliance of the FRA,2006 shall be ensured by way of prescribed certificate from the concerned District Collector .The FRA certificate in Form -II (for linear projects other than plantation) shall be submitted before Stage-II approval.*

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Compliance:- In compliance to the above, the RCCF, Angul Circle has reported that the Certificate under Forest Rights Act, 2006 has been issued by the Collector, Jajpur vide letter No. 853 dated 23.05.2023 alongwith the proceedings of Gram Sabha, SDLC & DLC proceedings are enclosed as **Annexure-6**.

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

Compliance- In compliance to the above, the RCCF, Angul Circle has reported that this proposal does not require Environmental Clearance under EIA Notification, 2006.

Condition No. (viii):- *Fuel stations should generally be part of the rest area complex having other amenities like place for parking, toilets, restaurants, rest rooms, shop etc. Proper planning should be made by the user agency, in advance, for construction of such complex along the highways so that destruction of road side forests is minimized.*

Compliance- In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has submitted the layout plan showing for retail outlet alongwith place for parking, toilets, restaurants, rest rooms, shop and submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division to this effect which is enclosed as **Annexure-7**.

Condition No. (ix):- *Suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantations.*

Compliance In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Cuttack Division that suitable signs and markings showing the location of the fuel station may be provided without disturbing the road side plantation which is enclosed as **Annexure-8**.

Condition No. (x):- *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 Angul Circle has reported that the User agency has submitted an undertaking duly countersigned by the DFO, Cuttack 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-9**.

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

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division that no labour camp shall be allowed in the forest area which is enclosed as **Annexure-10**.

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

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the User Agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division to provide LPG to the laborers working at the site to avoid damage/tree felling and ensure no fuel wood used which is enclosed as **Annexure-11**.

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Condition No. (xiii):- *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 Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division that not to fell any tree or damage forest growth in the surrounding forest area in any manner while executing the work which is enclosed as **Annexue-12**.

Condition No. (xiv):- *The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.*

Compliance In compliance to the above, the RCCF, Angul Circle has reported that the boundary of the forest land to be diverted has been demarcated on the ground by fixing RCC Pillars at the project cost.

Condition No. (xv):- *The period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency or the project life, whichever is less.*

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division that the period of diversion under this approval shall be co-terminus with the period of lease granted in favour of the User Agency or the project life which is enclosed as **Annexure-13**.

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

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division that the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change which is enclosed as **Annexure-14**.

Condition No. (xvii):- *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.*

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest 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 & Climate Change which is enclosed as **Annexure-15**.

Condition No. (xviii):- *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 the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division 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, shall be complied by the user agency which is enclosed as **Annexure-16**.

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

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division to ensure compliance of the 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 is enclosed as **Annexure-17**.

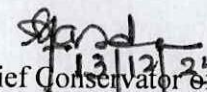
Condition No. (xx):- The compliance report shall be uploaded on e-portal (<http://parivesh.nic.in/>).

Compliance:- In compliance to the above, the RCCF Angul Circle has reported that the user agency has submitted an undertaking duly countersigned by the DFO, Cuttack Forest Division in this regard which is enclosed as **Annexure-18**.

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 of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 0.04 ha of Revenue forest land for construction of approach road to the Petrol Pump from Road (NH-53) present at village Barapal under Sukinda Tahasil of Jajpur District in Cuttack Forest division by Sri Pradeep Kumar Mallick.

Encl: Compliance in one set

Yours faithfully


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

Memo No.

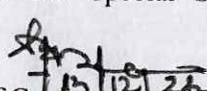
24516

/Dt.

15.12.2023

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-ORB414/2020-BHU dated 13.5.2020 of Deputy Inspector General of Forests (C), Govt. of India, MoEF & CC, Eastern Regional Office, Bhubaneswar and letter No. 8361/F&E, dated 01.06.2020 of the Special Secretary to Government, F&E Department.

Encl: Compliance in one set


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

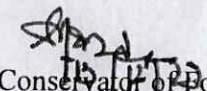
Memo No.

24517

/Dt.

15.12.2023

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for information and necessary action with reference to his Memo No. 5010 dated 10.11.2023.


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

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Memo No. 24518 /Dt. 15.12.2023

Copy forwarded to the Divisional Forest Officer, Cuttack Forest Division for information and necessary action with reference to Memo No. 5011 dated 10.11.2023 of RCCF, Angul Circle.

Memo No. 24519 /Dt. 15.12.2023

Copy forwarded to Sri Pradeep Kumar Mallick, At-Sukarna, Po-Ampolaba, PS-Sukinda, Dist-Jajpur for information and necessary action.

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

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(Forest Diversion and Nodal Officer, FC Act)