



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

E-mail:- nodal.pccfhoff@odisha.gov.in / nodal.pccfodisha@gmail.com

No. 5726 /9F (Misc) - 456/2016
Dated, Bhubaneswar the 21 March' 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 0.95 ha of forest Land for construction of intake water pump house at Samal, Talcher in Angul District, Odisha by NTPC Ltd. for proposed expansion of their Talcher Thermal Power Station - Stage-I compliance regarding.

Ref:- Letter No. 5-ORB327/2017-BHU dated 12.06.2018 of Conservator of Forests (Central), Govt. of India, MoEF & CC, ERO, 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 Letter No. 5-ORB327/2017-BHU dated 12.06.2018 of Conservator of Forests (Central), Govt. of India, MoEF & CC, ERO, Bhubaneswar in respect of diversion of 0.95 ha of forest land for construction of intake water pump house at Samal, Talcher in Angul District, Odisha by NTPC Ltd. for proposed expansion of their Talcher Thermal Power Station subject to fulfillment of 18 nos. of conditions imposed by the Govt. of India. The point wise compliance basing on the reports of the DFO, Angul 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, Talcher Thermal Power Station has furnished an undertaking duly countersigned by the DFO, Angul Forest Division that the Legal status of forest land proposed for diversion shall remain unchanged. The undertaking to this effect 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 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: In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has deposited Rs.9,90,850/- (Rupees Nine lakhs ninety thousand eight hundred fifty) only for the cost of NPV in CAMPA Account through e-payment on dt. 31.08.2018 towards diversion of 0.95 ha Revenue Forest land in Bhaktipal village under Talcher Tahsil, NPV @ Rs.10,43,000/- per ha. The density of vegetation of area proposed for diversion is 0.7 and Eco-Class-I. The UA has deposited in ORISSA CAMPA Account No.150826312401685 in Corporation Bank, Lodhi Complex Branch, Lodhi Road, New Delhi vide UTR No.SBIN918243088892 dated 31.08.2018. The copy of payment particulars are enclosed as **Annexure-II Series.**

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: In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Angul Forest Division to pay the additional amount of the Net Present Value (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):- The user agency shall comply with the conditions stipulated by State Govt. vide letter No. 10(Cons) 39/2017-22951/F&E dated. 09.11.2017.

(a) Relevant Scheme for planting 10 times tree to be felled for this project shall be prepared by the DFO, Angul and approved by Competent Authority for implementation by user agency at project cost.

Compliance: In compliance to the above, the RCCF, Angul Circle has reported that a scheme for Block Plantation of 2470 nos. of plants against cutting of 247 nos. of plants has been prepared and technically approved for Rs.2,05,924/-. The plantation scheme is enclosed as **Annexure-IVA.** The DFO, Angul Division has raised demand vide Letter No.995 dated 14.02.2019 and the User Agency has deposited Rs.2,05,924/-, out of total deposit of Rs.67,45,924/- vide account No.150826312401841 dated 20.09.2022 which is enclosed as **Annexure-IV B.** The CA scheme has been revised at the current wage rate of Rs.333/- per manday with 10 years maintenance and technically approved for Rs.4,18,100/- by the PCCF (FD & NO FC, Act). The differential amount of Rs.2,12,176/- (Rs.4,18,100/- – Rs.2,05,924/-) towards plantation scheme has been deposited in ORISSA CAMPA vide UTR No.SBINR52023022333712884 dated 23.02.2023. The revised scheme and payments is enclosed as **Annexure-IV C.**

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(b) Site specific wildlife management plan for the area need to be prepared by the user agency and the same be approved by PCCF (WL) & CWLW, Odisha for its implementation at project cost.

Compliance: In compliance to the above, the RCCF, Angul Circle has reported that the UA has deposited towards the cost of Site-specific wildlife management plan approved by the PCCF(WL) & CWLW, Bhubaneswar vide Memo No. 4693 dt. 30.05.2019 for Rs.65,40,000/- (Rupees Sixty Five Lakh Forty Thousand) only out of total deposit of Rs.67,45,924/- for activities to be implemented in Project Impact area in Angul Division and the amount deposited in ORISSA CAMPA Account No.520101263743655 through RTGS vide UTR No. SBINR52022092606364824 dt.26.09.2022. (Enclosed as **Annexure-IV D series**) Besides the U.A has submitted an undertaking to deposit the differential revise cost. The undertaking to this effect duly countersigned by the DFO, Angul Division is enclosed as **Annexure-IV D series**.

(c) Since the area reported to be prone to soil erosion, the user agency is required to take adequate measures to prevent the same at project cost.

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, Angul Division to take adequate measures to prevent soil erosion at project cost which is enclosed as **Annexure-IV E**.

Condition No.(v):- 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.

Compliance: In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has deposited all funds transferred through e-portal to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State. The deposit statement is enclosed herewith in a separate CAMPA format duly signed by the DFO, Angul Forest Division and countersigned by the PCCF (FD& NO FC, Act) is enclosed as **Annexure-V**.

Condition No.(vi):- 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, the RCCF, Angul Circle has reported that the UA has deposited the compensatory levies (C.A. cost, NPV etc) through challan generated online on web portal and deposited in appropriate bank online. The downloaded copy of the deposit particulars is enclosed as **Annexure-VI**.

Condition No.(vii):- The State Govt. shall furnish the detail status (Kisam) of non-forest land of pipeline route before issue of Stage-II approval.

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Compliance: In compliance to the above, the RCCF, Angul Circle has reported that the User Agency has submitted the Hal Sabik comparison certificate of plots coming in proposed make up water pipeline corridor duly signed by the Tahasildar, Kaniha Tahasil which is enclosed as **Annexure-VII series**.

Condition No.(viii):- *The user agency shall plant trees of native species in available vacant spaces, as per feasibility, around the project site at their own cost, in consultation with State Forest Department.*

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, Angul Division to plant trees of native species in available vacant spaces, as per feasibility, around the project site at their own cost, in consultation with State Forest Department which is enclosed as **Annexure-VIII**.

Condition No.(ix):- *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 co-ordinates, distance from adjoining pillars etc. The cost expenditure like RCC/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 as per directions of Ministry's letter No.13-20/2015-CAMPA dated 09.06.2016.*

Compliance: In compliance to the above, the RCCF, Angul Circle has reported that the boundary of the forest land proposed to be diverted has been demarcated on the ground by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS co-ordinates, distance from adjoining pillars etc. The cost expenditure like RCC/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 as per directions of Ministry's letter No.13-20/2015-CAMPA dated 09.06.2016. The DGPS co-ordinates, distance from adjoining pillars and SI No. are inscribed in the pillars. In this regard, the details DGPS reading etc and the undertaking furnished by the UA is duly countersigned by the DFO, Angul Division, which are enclosed as **Annexure-IX series**.

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 furnished an undertaking duly countersigned by the DFO, Angul 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-X**.

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 furnished an undertaking duly countersigned by the DFO, Angul Division that no labour camp shall be allowed in the forest area which is enclosed as **Annexure-XI**.

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Condition No.(xii):- *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, Angul Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Angul Division that 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 which is enclosed as **Annexure-XII**.

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 furnished an undertaking duly countersigned by the DFO, Angul Division that the user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner which is enclosed as **Annexure-XIII**.

Condition No.(xiv):- *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 furnished an undertaking duly countersigned by the DFO, Angul 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-XIV**.

Condition No.(xv):- *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 furnished an undertaking duly countersigned by the DFO, Angul 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 - XV**.

Condition No.(xvi):- *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: In compliance to the above, the RCCF, Angul Circle has reported that the FRA Certificate issued by the Collector, Angul vide his Letter No.1778 dt. 14.10.2016 over Ac. 2.337 (0.95 ha) of forest land which is enclosed as **Annexure -XVI**.

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Condition No.(xvii):- Any other conditions that the Ministry of 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, which shall be complied by the user agency.

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, Angul Division that any other conditions that the Ministry of 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, which shall be complied by the user agency which is enclosed as **Annexure – XVII.**

Condition No.(xviii):- 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 furnished an undertaking duly countersigned by the DFO, Angul Division that 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 which is enclosed as **Annexure – XVIII.**

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF & CC, Eastern Regional office, Bhubaneswar are sent herewith for according final approval for diversion of 0.95 ha of forest land for construction of intake water pump house at Samal, Talcher in Angul District, Odisha by NTPC Ltd. for proposed expansion of their Talcher Thermal Power Station.

Encl: Compliance in one set

Yours faithfully

S-727
Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

Dt. 21/03/2023

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-ORB327/2017-BHU dated 12.06.2018 of Conservator of Forests (Central), Govt. of India, MoEF & CC, ERO, Bhubaneswar and No. 13688/F&E dated 21.06.2018 of Special Secretary to Govt., F&E Department.

Encl: Compliance in one set


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

Memo No.

S-728

/Dt. 21/03/2023

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for information and necessary action with reference to his Memo No. 630 dated 21.02.2023.

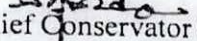

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

S-729

/Dt. 21/03/2023

Copy forwarded to the Divisional Forest Officer, Angul Forest Division for information and necessary action with reference to Memo No. 631 dated 21.02.2023 of RCCF, Angul Circle.

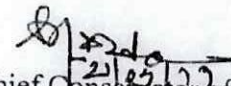

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No.

S-730

/Dt. 21/03/2023

Copy forwarded to the Asst. General Manager(TS), NTPC Limited, Talcher Thermal Power Station, At/Po-Talcher Thermal of Angul District, Pin-759001 for information and necessary action.


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