



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
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No. 6274 / 9F (ET) – 399/ 2019
Dated, Bhubaneswar the 28th 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 22.253 ha (Nabarangpur Division 21.087 ha + Kalahandi (South) Division 1.166 ha) of forest land for construction of 132 KV transmission line from 132/133 KV Grid Sub-Station at Dabugaon of Nabarangpur district to 220/132/33 KV Grid Sub-station at Jaipatna of Kalahandi district by M/s OPTCL, Rayagada -Submission of Stage-I compliance regarding.

Ref: Letter No. 5-ORC415/2020-BHU dated 02.06.2020 of Deputy Inspector General of Forests (C), Govt. of India, MoEF& CC, ERO, Bhubaneswar.

Sir,

In 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-ORC415/2020-BHU dated 02.06.2020 for diversion of 22.253 ha (Nabarangpur Division 21.087 ha + Kalahandi (South) Division 1.166 ha) of forest land for construction of 132 KV transmission line from 132/133 KV Grid Sub-Station at Dabugaon of Nabarangpur district to 220/132/33 KV Grid Sub-station at Jaipatna of Kalahandi district by M/s OPTCL, Rayagada subject to fulfillment of twenty four (24) nos. of conditions and four (4) nos. of additional conditions imposed by the State Government stipulated therein. The point wise compliance basing on the reports of the DFO, Nabarangpur Forest Division, DFO, Kalahandi (South) Forest division and RCCF, Koraput Circle are as follows:-

Compliance on the conditions of Stage-I approval of GoI, MoEF& CC, ERO, Bhubaneswar issued vide their Letter No.5-ORC-415/2020-BHUdt 03.06.2020.

Condition No.(i)-Legal status of the diverted forest land shall remain unchanged.

O/C

Compliance-The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an Undertaking that, the legal status of the forest land proposed for diversion shall remain unchanged. The copy of undertaking submitted by the User Agency duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division is enclosed as **Annexure- 1 and 1A respectively**.

Condition No.(ii)-Compensatory afforestation shall taken up by the State Forest Department over 53.60 Ha degraded forest land identified inBatasar PRF under Dabugaon Range of Nabarangpur Forest Division at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the Compensatory Afforestation shall be raised over an area of 53.60 Ha degraded forest land identified in Batasar PRF under Dabugaon Range of Nabarangpur Forest Division at the cost of the User Agency. Necessary Financial outlay of CA scheme for Rs.1,36,06,200/- at wage rate of Rs 298/- per M.D has been approved by the PCCF(FD and Nodal Officer, FC Act. The Undertaking by UA, Topo sheet showing CA area, DGPS surveyed map and copy of approved financial outlay are enclosed as **Annexure-2, 2(A), 2(B) and 2(C) respectively**.

On revision of wage rate, the Financial outlay of CA scheme for Rs 1,94,72,200/- at wage rate @Rs 333/- per M.D has been approved by the PCCF(FD and Nodal Officer, FC Act which is marked as **Annexure-2(D)**.

Condition No.(iii)-The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and at the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has deposited the cost of CA of Rs 1,94,72,200/- at wage rate @ Rs 333/- per M.D. in two phases which has been technically approved by the PCCF (Forest Diversion & Nodal Officer, FC Act) as detailed below-

Component	Payment particulars	Deposited Amount in Rs.
Demand letter of DFO, Nabarangpur Division vide Memo No.2987 dt 25.07.2020 towards the cost of CA at wage rate @ Rs 298/- per MD	UTR No. ANDBH 20233080637 dt 20.08.2020	Rs 1,36,06,200/- out of total deposited amount of Rs.2,68,06,662.00
Demand letter of DFO, Nabarangpur Division Vide letter no.5845 dated 11.11.2022 towards the differential cost of CA @ Rs 333/- per MD.	Bank transaction No. S/9519459 dt 21.12.2022	Rs 58,66,000/- out of total deposited amount of Rs.65,18,404.00
Total		Rs 1,94,72,200/-

The copy of demand letter No.2987 dated 25.07.2020, 5845 dated 11.11.2022 of DFO, Nabarangpur Division, Copy of Challan dated 20.08.2020 and 21.12.2022 duly countersigned by DFO, Nabarangpur Division are enclosed as **Annexure-3(A),3(B),3(C) and 3(D)** respectively.

Condition No.(iv)-*The State Govt. shall charge the Net Present Value (NPV) for 22.253 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- The RCCF, Koraput and Bhawanipatna Circle have reported that the project of transmission line involves 22.253 ha of forest area i.e. **21.087 ha under Nabarangpur Forest Division and 1.166 ha under Kalahandi (South) Division.** Accordingly the DFO, Nabarangpur Division vide his Letter No. 2987/4F (Misc) dated 25.07.2020 has demanded NPV amount of Rs. 1, 32, 00, 462/- (@Rs 6,26,000 X 21.087 ha) being the Eco class-III and density 0.3 of the forest land. The User Agency has deposited NPV amount of Rs. 1, 32, 00, 462/- in Adhoc CAMPA vide UTR No. ANDBH 20233080637 dt 20.08.2020. The copy of demand letter of DFO, Nabarangpur vide Letter No. 2987/4F (Misc) dated 25.07.2020 and the payment particulars of deposit Rs 1, 32, 00, 462/- duly countersigned by DFO, Nabarangpur Division is enclosed as **Annexure-3(A) and Annexure-3(C)** respectively.

As per demand note issued by Bhawanipatna (South) division, NPV amount of the forest land over 1.166 ha. being diverted under this proposal, an amount of Rs. 7.29.916/-has been deposited to Adhoc CAMPA, New Delhi vide Challan / Pay to Account No. 150826434271307 dated 05.08.2020. The Copy of the Challan, Counterfoil with UTR No. ANDBH20218754387 dated 05.08.2020 duly countersigned by DFO, Kalahandi (S) Division is enclosed as **Annexure-4(A) and 4(B)** respectively.

Condition No.(v)-*Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on 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- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has furnished an undertaking duly countersigned by DFO, Nabarangpur and Bhawanipatna (S) Division to deposit the additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee which are enclosed as **Annexure-5(A) and 5(B).**

Condition No.(vi)-*The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the tress shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user agency with the State Forest Department.*

Compliance-The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has furnished an undertaking to this effect duly countersigned by DFO, Nabarangpur and Kolahandi (S)division which is enclosed as **Annexure-6** and **6(A)** respectively.

Moreover, the User Agency has deposited an amount of Rs 5,85,065/- vide UTR No.ANDBR52020092200377043 dt. 22.09.2020 in favour of DM, OFDC Ltd.(C-KL) Division, Nabarangpur towards the cost of felling of trees. The copy of Counterfoil of Challan dated 23.09.2020 and payment receipt duly countersigned by DFO, Nabarangpur Division is enclosed as **Annexure-6(B)** and **6(C)** respectively.

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

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that all the funds received from the User Agency under the project has been transferred / deposited to State CAMPA fund only through (<https://parivesh.nic.in>). Details of deposit has been furnished in 12 point CAMPA format duly signed by DFO, Nabarangpur and Kalahandi (S) Division and countersigned by PCCF,FD& Nodal, FC Act. which are enclosed as **Annexure-7(A)** and **7(B)** respectively.

Condition No.(viii)-*The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. The user agency shall submit FRA certificate before issue of Stage-II approval.*

Compliance- The RCCF, Koraput Circle have reported that the User Agency has submitted FRA certificate issued by the Collector, Nabarangpur district vide No.877 dt 22.03.2021 along with copy of proceedings of DLC and SDLC meetings which is enclosed here with as **Annexure-8**.

The Collector, Kalahandi has furnished the Certificate on FRA for Diversion of 1.166 ha of Forest land under FC Act.1980 vide No.1251 date 30.06.2021 in favour of DGM (Elect.) EHT (C) Division Raygada. The copy of the said certificate along with proceeding of SDLC and DLC is enclosed in **Annexure-8(A)**.

Condition No.(ix)-*The User Agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Government.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that a scheme has been prepared for creation and maintenance of plantation of dwarf species (preferably medicinal species) in right of way under the transmission line which has been approved by the RCCF, Koraput Circle vide Memo No.3355 dt 16.12.2020 for Rs.1,42,51,805/- at wage rate @ Rs.308/-. Subsequently the DFO vide his letter No. 5845/4F (Misc) dated 11.11.2022 has demanded Rs.6,52,404/- at wage rate @ Rs.333/- being the differential cost for such plantation due to enhancement of wage rate from Rs.308/- to Rs.333/- per M.D. The User Agency has deposited **total amount of Rs.1,49,04,209/-** towards such plantation cost in two phases as below-

Component	Payment particulars	Deposited Amount in Rs.
Cost for creation and maintenance of plantation of dwarf species at wage rate @Rs 308/- per MD.	UTR No.UBINA20359981531 dt 24.12.2020.	Rs.1,42,51,805/-
Differential cost due to enhancement of wage rate from Rs 308/- to Rs 333/- per MD.	Bank transaction number S/9519459 dt 21.12.2022.	Rs 6,52,404/-
Total		Rs 1,49,04,209/-

The copy of approval letter of RCCF, Koraput Circle vide Memo No.3355 dt 16.12.2020 is enclosed as **Annexure-9**. The copy of demand letter of DFO, Nabarangpur Division vide his Letter No. 5006 dt 17.12.2020 for Rs.1,42,51,805/- is enclosed as **Annexure-9(A)**. The copy of payment particular for Rs.1,42,51,805/- is enclosed as **Annexure- 9(B)** . The copy of demand Letter of DFO, Nabarangpur Division vide his Letter No.5845/4F (Misc), dated 11.11.2022 for Rs.6,52,404/- is enclosed as **Annexure-9(C)** and payment particular for Rs.6,52,404/- out of total amount of Rs.65,18,404.00 deposited is enclosed as **Annexure 9(E)**.

Condition No.(x)-The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division to provide bird deflectors on the upper conductor of transmission line which is enclosed as **Annexure-10 and 10 (A)**

Condition No.(xi)-The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. 7-25/2012-FC dated 05.05.2014 and 19.11.2014.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division to comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No. 7-25/2012-FC dated 05.05.2014 and 19.11.2014 which is enclosed as **Annexure- 11 and 11(A)**.

Condition No.(xii)-*The user agency shall obtain Environmental Clearance as per the provisions of Environment (Protection) Act, 1980, if applicable.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the Environmental Clearance is not necessary under EIA notification, 2006. Related document submitted by user agency duly countersigned by DFO, Nabarangpur and Kalahandi(S) Division is enclosed as **Annexure- 12 and 12 (A)**.

Condition No.(xiii)-*The Layout plan of the proposed forest land shall not be changed without the prior approval of Central Government.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the necessary undertaking to this effect submitted by User Agency duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division is enclosed as **Annexure-13 and 13(A)**.

Condition No.(xiv)-*No Labour camp shall be allowed in the forest area.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the necessary undertaking to this effect submitted by User Agency duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division is enclosed as **Annexure-14 and 14(A)**.

Condition No.(xv)-*Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or Forest Development Corporation or any other legal source of alternate fuel.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the necessary undertaking to this effect submitted by User Agency duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division is enclosed as **Annexure-15 and 15(A)**.

Condition No.(xvi)-*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 and Bhawanipatna Circle have reported that the necessary undertaking to this effect submitted by User Agency duly countersigned by DFO, Nabarangpur and Kalahandi (S) Division is enclosed as **Annexure-16 and 16(A)**.

Condition No.(xvii)-*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- The RCCF, Koraput and Bhawanipatna Circle have reported that the boundary of the forest land to be diverted has been demarcated in the field by posting 4 feet RCC pillars with serial number, distance from pillar to pillar, GPS co-ordinates etc. The list of pillars with related information of Nabrangpur and Kolahandi (S) Division are enclosed as **Annexure-17 and 17(A)** respectively.

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

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division are enclosed as **Annexure-18 and 18(A)** respectively.

Condition No.(xix)-*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- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division which are enclosed as **Annexure-19 and 19(A)** respectively.

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

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-20 and 20(A)** respectively.

Condition No.(xxi)-*The forest land proposed to be diverted shall under no circumstances be transferred to other agencies, department or person without the prior approval of Government of India.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-21 and 21(A)** respectively.

Condition No.(xxii)-*The State Government and user agency shall ensure compliance to provisions of the all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.*

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-22 and 22(A)** 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 shall be complied by the user agency.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-23 and 23(A)** respectively.

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

Compliance- The RCCF, Bhawanipatna Circle has reported that the User Agency has submitted an undertaking to upload the compliance report of the Stage-I approval on e-portal. (<http://parivesh.nic.in>) which is enclosed as **Annexure- 24.**

Compliance on the conditions of State Govt. of Odisha,F&E Deptt. Imposed vide their Letter No.10F(Cons)-78/2020-10167 / F&E dt 30.06.2020

Condition No.(a)-No sagging of transmission line is allowed. The User Agency shall certify in the month of March of every year that sagging, If any, has been corrected and further monthly report will be submitted by them till November of each year in the forest area to the DFOs, for their reference.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-25 and 25(A)** respectively.

Condition No.(b)-The User Agency shall be allowed to fell the trees on strips for the tension stringing work and the natural regeneration will be allowed to come up. Felling/ pollarding/pruning of trees will be done with the permission of the local DFO, whenever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division which are enclosed as **Annexure-26 and 26(A).**

Condition No.(c)-In the case of transmission lines to be constructed in hilly areas, where adequate clearance is already available, trees will not be cut.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-27 and 27(A).**

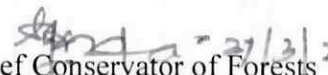
Condition No.(d)-User Agency shall take all measures for strengthening/maintaining the transmission tower and transmission line to be erected/laid on forest/non-forest land as per CEA norms for elephant corridor and any other conditions as may be imposed by CWLW, Odisha so as to ensure that no death of wild animals occur due to electrocution.

Compliance- The RCCF, Koraput and Bhawanipatna Circle have reported that the User Agency has submitted an undertaking to this effect duly countersigned by DFO Nabrangpur and Kolahandi (S) Division is enclosed as **Annexure-28 and 28(A)**.

In view of the above, the compliance to the conditions imposed by Government of India, MoEF& CC, ERO, Bhubaneswar as well as additional conditions imposed by the State Government is sent herewith for according final approval for diversion of 22.253 ha (Nabarangpur Division 21.087 ha and Kalahandi (South) Division 1.166 ha) of forest land for construction of 132 KV transmission line from 132/133 KV Grid Sub-Station at Dabugaon of Nabarangpur district to 220/132/33 KV Grid Sub-station at Jaipatna of Kalahandi district by M/s OPTCL, Rayagada under Section 2 of Forest (Conservation) Act, 1980.

Encl: Stage-I Compliance in one set

Yours faithfully


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

Memo No.


6275

/Dt.

28.03.2023

Copy alongwith one set of Stage-I compliance forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to F&E Department Letter No. 10F(Cons) 78/2020/10167/F&E dated 30.06.2020.

Encl: Stage-I Compliance in one set


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


Memo No.

6276

/Dt.

28.03.2023

Copy forwarded to the RCCF, Koraput Circle for information and necessary action with reference to his Memo No.450 dated 02.02.2023.


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


Memo No.

6277

/Dt.

28.03.2023

Copy forwarded to the RCCF, Bhawanipatna Circle for information and necessary action with reference to his Memo No.5513 dated 02.11.2021.


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

Memo No. 6278 /Dt. 28.03.2023

Copy forwarded to the DFO, Nabarangpur Forest Division for information and necessary action with reference to his Memo No. 1014 dt.17.02.2023 and 451 dated 02.02.2023 of RCCF, Koraput Circle.

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

Memo No. 6279 /Dt. 28.03.2023

Copy forwarded to the DFO, Kalahandi (South) Forest Division for information and necessary action with reference to his Memo No. 1643 dated 20.03.2023 and 5514 dated 02.11.2021 of RCCF, Bhawanipatna Circle.

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

Memo No. 6280 /Dt. 28.03.2023

Copy forwarded to the Deputy General Manager (Electricals), EHT Construction Division, Odisha Power Transmission Corporation Ltd. (OPTCL), Rayagada, Odisha for information and necessary action.

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

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