

**OFFICE OF THE EXECUTIVE ENGINEER,
NATIONAL HIGHWAY DIVISION, PALLAHARA**Letter No. 2190
WBDated 20/12/2023

To

The Divisional Forest Officer,
Deogarh, Forest Division

Sub: "Rehabilitation and Up gradation of NH-149 from Pallahara to Pitri Section to two lane with paved shoulder under NHDP-IV in the State of Odisha on EPC mode" under Deogarh Forest Division in Angul District." :- **Submission of compliance for the observations regarding.**

Ref: (i) Your office letter no.4021/4F(Misc) dated 12.07.2023 addressed to this office
(ii) This office letter no-1444/we dated 16.08.2023 addressed to your office.

Sir,

In continuation to above referred letter in sl no-(ii), the Pointwise Compliance to the observations during examination of Stage-I Point wise Compliance of stipulated conditions by Govt. of India, MoEF&CC, IRO, Bhubaneswar is given below:-

Sl No.	Observations	Compliance
1	The State Govt. has submitted stage-I compliance report on 12.05.2023 after laps of more than 5 years. As per Rule 8(3)(d) of forest (Conservation) Rules, 2003 valid and cogent reasons for delay in submission of compliance of stipulated conditions of in-principle approval has not been furnished.	The lapse of more than 5 year for submission for Stage-I compliance report for approval of stage-II is due to (i) Multiple times revision of wage rate which to multiple times revision of CA Scheme, Avenue Plantation Scheme and Site specific Wildlife Conservation Plan. (chronological report of correspondence as per records available in this office is hereby enclosed for reference) (ii) Multiple times transfer/posting of concerned officers handling the stage-I compliance matter and User Id/Password of Parivesh Portal which delayed uploading of relevant documents for generating challans to deposit the required funds.
2	In compliance to condition No.2(iv)(d), the Sub-Collector, Pallahara vide letter No.1311 dated 30.04.2023 has mentioned that "as the work has been completed and open to traffic for public use since August-2019 at present no action can be taken under	With regards to violation of Forest Conservation Act 1980, the disciplinary action had already been initiated by Chief Engineer, N.Hs. Odisha, Bhubaneswar against concerned officials for violating FC Act 1980 vide CE, NHs, Odisha,

	local Act of the State against the user agency for unauthorized use of forest land after duly approval by the MoEF&CC department and the matter also has already delayed". Thus the Revenue Authority have not initiated any action against the user agency under local Act of the State for unauthorized use of Revenue forest land. Detail action taken under local Act against the user agency may be furnished.	Bhubaneswar letter no-9890 dt 01.10.2022. In this regard, your good office has also requested Collector & District Magistrate, Angul for taking appropriate action under local act against concerned officials for violating FC Act 1980 vide letter no - 4286/4F dated 27/07.2023.
3	The State Govt./userf agency has not uploaded/submitted the Stage-I compliance report through Parivesh web portal of the Ministry.	The Stage-I compliance report had been already uploaded in Parivesh portal on 15.08.2023

In view of above, it is requested to kindly do the needful for onward transmission to higher authorities for Stage-2 approval.

This is for favour of your information and necessary action.

Encl:-As above.

Yours faithfully,

H. K. Sahoo
20.12.23
Executive Engineer,
N.H. Division, Pallahara

Memo No. 2191 Dt. 20/12/2023

Copy submitted to the P.C.C.F. (Forest Diversion & Nodal Officer, F.C. Act) Office of the P.C.C.F. & HoFF, Odisha, Bhubaneswar for favour of kind information and necessary action.

H. K. Sahoo
20.12.23
Executive Engineer,
N.H. Division, Pallahara

Memo No. 2192-94 Dt. 20/12/2023

Copy submitted to the Chief Engineer, N.Hs. Odisha, Bhubaneswar/ADG-Cum-R.O., Bhubaneswar/ Chief Construction Engineer, Northern N.H. Circle, Bhubaneswar for favour of kind information and necessary action.

H. K. Sahoo
20.12.23
Executive Engineer,
N.H. Division, Pallahara

Memo No. 2195 Dt. 20/12/2023

Copy submitted to the R.C.C.F., Rourkela Circle, Rourkela for favour of kind information and necessary action.

H. K. Sahoo
20.12.23
Executive Engineer,
N.H. Division, Pallahara

The State Govt. has submitted Stage-I compliance report on 12.05.2023 after lapse of more than 5 years. As per Rule 8(3) of forest (Conservation) Rules, 2003, valid and cogent reasons for delay in submission of compliance of stipulated conditions of in-principle approval has not been furnished.

Ministry of Environment, forest & climate Change, Govt. of India has in-principle approval for diversion of 4.545 Ha. Revenue forest land for construction of Pallahara Bypass road coming within the stretches of km 0.000 to km 68.280 under the project "Rehabilitation and up-gradation of N.H-149 from Pallahara to Pitri Section to two lanes with paved shoulders under NHDP-IV in the state of Odisha or EPC Mode vide Letter No 5-ORB317/2017-BHU Dated 13th March 2018.

1. Letter No 2181 dt 11.04.2018 of District Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Dhenkna to comply the condition no (I) to condition no (XXV) to deposit an amount of Rs 51,70,336.00 through e-portal of Ministry of Environment, forest & climate Change Govt. of India
2. Letter No 1309 Dt.09.05.2018 of Executive Engineer, NH Division, Dhenkna addressed to Divisional Forest Officer Deogarh inform that compliance for the forest diversion proposal for EPC project is being processed with respect to the stipulations/conditions of MoEF&CC, Govt. of India. As per DFO, Deogarh letter, EE has applied for necessary payment through e-portal in the web site <http://forestclearance.nic.in>. After the detailed enter, this has been rejected citing incorrect Data Entry as to the penal NPV demanded by DFO, Deogarh for violation of forest land.
3. Letter No -1348/WE Date 17.05.2018 of Executive Engineer, NH Division, Dhenkna addressed to Chief Engineer, NHs, Odisha, Bhubaneswar inform that the process of generating Challan Ministry of Environment, forest & climate Change, Govt. of India web site for necessary payment towards forest diversion has been delayed due to uploading of incorrect Demand letter of DFO, Deogarh with incorrect value of penal NPV (missing 20% interest Rate)
4. The User Agency has deposited the following amount

NPV Amount	Rs 33,17,850.00
Penal NPV	Rs 3,277.00
CA Plantation	Rs 18,36,100.00
Total	Rs 51,57,227.00
5. Through UTR No. 618156593425 Date 05.06.2018 ORISSA CAMP A/C No 150826117128125
6. Letter No 1715/WE dated 23.06.2018 of O/o the Executive Engineer, NH Division, Pallahara addressed to Divisional Forest Officer, Deogarh regarding submission of Stage-I compliance to the condition set by MoEF & CC vide their letter no-5-ORB317/217-BHU Dated 13.03.2018

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14/8/23
Asst. Executive Engineer (Estt)
NH Division, Pallahara (V)

[Signature]
16.08.23
Executive Engineer
NH Division

7. Letter No 9110/IWL -FC-ROAD-SSP-90/2018 Date 09.10.2018 of O/o the PCCF(Wildlife) and Chief wildlife warden, Odisha addressed to the Executive Engineer, NH Division, Dhenkhal to intimate that the approval of Site Specific Wildlife Conservation Plan in respect of the project diversion of 4.545 Ha. Revenue forest land for construction of Pallahara Bypass road coming within the stretches of km 0.000 to km 68.280 under the project "Rehabilitation and up-gradation of N.H-149 from Pallahara to Pitri Section to two lanes with paved shoulders under NHDP-IV in the state of Odisha on EPC Mode with financial forecast of **146.20 lakhs**

For activities to be implemented by the U/A in project Area **10.20 lakhs**

For activities to be implemented in project impact area **136.00 lakhs**

146.20 lakhs

8. Letter No 2686 Date 10.10.2018 of Executive Engineer, NH Division, Dhenkhal addressed to Chief Engineer, NHs, Odisha, Bhubaneswar to intimate that the SSWC Plan for the diversion of 4.545 Ha. Revenue forest land for construction of Pallahara Bypass road coming within the stretches of km 0.000 to km 68.280 under the project "Rehabilitation and up-gradation of N.H-149 from Pallahara to Pitri Section to two lanes with paved shoulders under NHDP-IV in the state of Odisha on EPC Mode has been approved by the PCCF (Wildlife) Chief wildlife warden, Odisha. It is also requested to process of obtaining necessary approval of R.O MoRT&H, Bhubaneswar so as to enable this office to deposit the required Amount.

9. The User Agency has deposited an amount of Rs.1,36,00,000.00 towards the cost of Site Specific wildlife conservation plan in ORRISA CAMP A/C No-150826117128820 (through UTR No SBINR 118319590758 Dt.15.11.2018) Vide T.O Letter no 2963 dt.15.11.2018

10. Letter No 1075/WE dt.01.07.2020 of Executive Engineer, NH Division, Pallahara addressed to Divisional Forest Officer, Deogarh regarding non-processing of Stage-I Compliance report to conditions set in stage-I in-principle approval submitted by this office

11. Memo No 5834 dated 04.09.2020 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding shortcomings/deficiency observed in compliance report submitted by Executive Engineer, NH Division, Pallahara, vide letter no 1715 dated 23.06.2018

12. Letter no 1642 Date 08.09.2020 of Executive Engineer, NH Division, Pallahara addressed to Divisional Forest Officer, Deogarh regarding submission of Stage-I compliance to the observation made by DFO, Deogarh vide his letter no 5834 date 08.09.2020

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14/8/23
Asst. Executive Engineer (Estt.)
NH Division Pallahara (C)

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16.08.23
Executive Engineer
Pallahara N.H. Division

13. Tahasildar, Pallahara has intimated that sanctioned has been accorded for alienation of Ac. 11.26 non-forest Govt. land in village Sandhouragotha under PallaharaTahsil in favour of Forest Department, Govt. of Odisha through the DFO, Deogarh for CA in lieu of diversion of Ha.4.545 of forest land. Also he has intimated that the settlement formalities are complete and the ROR will be issued after necessary online updation in 02 days vide his letter no 3047 dt.08.09.2020
14. Regional Chief Conservator of forest, Rourkela Circle submit the Stage-1 compliance to the Principal Conservator of forest (Forest Diversion & nodal Officer, FC Act.) O/o the Principal Chief Conservator of forests, Odisha, Bhubaneswar vide letter no 3776/3F-409/2020 date 09.10.2020
15. Principal Conservator of forest (Forest Diversion & nodal Officer, FC Act.) O/o the Principal Chief Conservator of forests, Odisha, Bhubaneswar returned the stage-1 compliance to Regional Chief Conservator of forest, Rourkela Circle for necessary clarification in respect of the area of the CA land furnished. (CA land furnished-4.56 ha. DGPS survey area 4.57ha.) vide memo no 23066 dt. 30.12.2020, DFO, Divisional Forest Officer, Deogarh sought necessary clarify the discrepancy in area of CA land to EE NH Division. Pallahara vide letter no 674 dt.20.01.2021. EE, NH Division, Pallahara submit the necessary compliance vide letter no 1151 dt.09.07.2021. DFO, Deogarh has intimated to the RCCF, Rourkela Circle that the EE, NH Division, Pallahara furnished the Compliance under intimation vide his memo no 6077 dt.03.08.2021.
16. Letter No 7105/ dt 27.09.2021 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit the revised financial outlay of CA Scheme over 4.56 ha. @ Rs 311/- per MD (23,56,700.00 - 18,36,100.00) = 5,20,600.00
17. The User Agency has deposited differential cost of CA of Rs. 5,20,600.00 (UCBAH21365311614 dt.31.12.2021)
18. Letter no 134 dated 10.01.2022 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding re-submission of P.F Notification proposal of village Sandhouragotha with Cadastral Map in tracing cloth.
19. Letter No 178/WE date. 25.01.2022 of Executive Engineer N.H Division, Pallahara submitted the draft P.F Notification under section 33 of Orissa Forest Act, 1972 of 4.56 Ha. of Non-Forest land identified in village Sandhouragotha under pallahara Tahasil along with Cadastral Map (DGPS Survey) in tracing cloth, land schedule, GPS Co-ordinate, Forward and back word bearing, pillar to pillar distance to the Divisional Forest Officer, Deogarh.
20. The Cadastral Map (DGPS Survey) in tracing cloth, land schedule, GPS Co-ordinate, Forward and back word bearing, and pillar to pillar distance once again submitted to the Divisional Forest Officer, Deogarh. Vide letter no 333/WE date 28.02.2022

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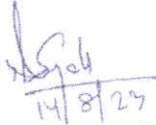
[Signature]
16.02.22
Executive Engineer
Pallahara N.H. Division

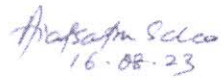
21. Letter No 922/4F(Misc.) dated 03.03.2022 Divisional Forest Officer, Deogarh to RCCF,Rourkela regarding submission of Draft Notification along with The Cadastral Map (DGPS Survey) in tracing cloth
22. Letter No 940/ dt 04.03.2022 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit differential amount against CA Scheme @ Rs 315/- per MD(27,34,520.00 - 23,56,700.00) = **3,77,820.00**
23. Letter no 603/WE dated 19.04.23 of Executive Engineer N.H Division, Pallahara addressed to Divisional Forest Officer, Deogarh regarding submission of Revised Avenue Plantation of Rs 3,18,977.00 @ 315.00 per Man Day.
24. Letter No 3016/4F (Misc.) dt 17.05.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit differential amount against CA Scheme Rs 326/- per MD (42,72,800.00 - 23,56,700.00) = **19,16,100.00**
25. The User Agency has deposited differential cost of CA-1 of Rs. **19, 16,100.00** (UCBAH22171010308 dt.18.06.2022) vide this office letter no 1058 date, 21.06.2022
26. Letter No 4354/4F (Misc.) dt 03.08.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit of cost Avenue Plantation Scheme Rs 326/- per MDof Rs **4,28,800.00**
27. Letter No 5045/4F (Misc.) dt 17.09.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit of cost Revised Avenue Plantation Scheme Rs 326/- per MDof Rs **5,43,359.00**
28. Letter No 1931 Date 10.10.2022 of Executive Engineer, NH Division, Pallahara addressed to D.M OFDC, Deogarh (C-KI) Division to intimate that deposited Amount of Rs 5, 43,359.00 towards Avenue plantation of cost for diversion of 4.515 ha. Revenue land.
29. Letter No 6011/4F (Misc.) dt 29.11.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit differential cost for Avenue Plantation Scheme at current wage rate of Rs 333/- per MD(7,62,041.00 - 5,43,359.00) = **2,18,682.00**
30. Letter No 6008/4F (Misc.) dt 29.11.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit differential cost CA Scheme at the revised Wage rate @ Rs 333/- per MD (43,61,100 - 42,72,800.00) = **88,300.00**
31. Letter No 6004/4F (Misc.) dt 29.11.2022 of Divisional Forest Officer,Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit differential cost of Site-Specific Wildlife Conservation at the current wage rate of Rs 333/- per MD (1,52,46,780.00 - 1,36,00,000.00) = **16,46,780.00**
32. The User Agency has deposited differential cost of Avenue plantation of Rs. **2,18,682.00** (UCBAH2381680271 dt.16.01.2023)

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19/8/23
A. C. Engineer

[Signature]
16.08.23
Executive Engineer
Pallahara N.H. Division

	33. Letter No 125/4F (Misc.) dt 12.01.2023 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit of differential cost CA Scheme at the revised Wage rate @ Rs 333/- per MD ($42,99,300.00 - 42,72,800.00$) = 26,500.00
	34. The User Agency has deposited differential cost of CA of Rs. 26,500.00 ORRISA CAMP A/C No-150826117128055 vide T.O Letter no-276/we dt. 27.01.2023.
	35. Letter No 658/4F (Misc.) dt 17.02.2023 of Divisional Forest Officer, Deogarh addressed to Executive Engineer, NH Division, Pallahara regarding deposit of revised differential cost of Site-Specific Wildlife Conservation at the current wage rate of Rs 333/- per MD ($1,64,03,375.00 - 1,36,00,000.00$) = 28,03,375.00 .
	36. The User Agency has deposited an amount of Rs. 28,03,375.00 towards the differential cost of Site Specific wildlife conservation plan (UCBAH23087419653 date.28.03.2023)
	37. Letter no-722 Dated 28.03.2023 of Executive Engineer N.H Division, Pallahara addressed to Divisional Forest Officer, Deogarh regarding submission of final approval of forest diversion proposal.


 14/8/23
 Asst. Executive Engineer (Estr.)
 N.H. Division, Pallahara (K)


 16.08.23
 Executive Engineer
 Pallahara N.H. Division