



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

No.5-ORC592/2023-BHU

23rd October, 2024

To

The Addl. Director General of Forests (FC),
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi - 110 003.

Sub: Proposal for seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 30.469 ha (Phulbani Division 19.563 ha + Boudh Division 10.906 ha) of forest land for construction of 132/33 KV DC line on DC tower from existing 132/33 KV Phulbani Grid Sub-station to 132/33 KV Grid Sub-station at Boudh by OPTCL, Angul, Odisha.

Ref: Ministry's letter No.5-ORC592/2023-BHU dated 24.04.2024.

Sir,

With reference to the subject cited above, I am to inform that the site inspection of the above project was carried out by the Dy. Inspector General of Forests (C) of this office and the site inspection report along with recommendation of the undersigned is enclosed herewith for kind information and necessary action.

Yours faithfully,

Encl: As state above.

(A.T. Mishra)

Dy. Director General of Forests (C)

RECOMMENDATION OF DEPUTY DIRECTOR GENERAL OF FORESTS (CENTRAL)

The instant proposal is for diversion of 30.469 ha of forest land for construction of transmission line in favour of Odisha Power Transmission Corporation Limited (OPTCL) a State Public Sector Undertaking. The proposal involves violation of FC Act, 1980.

The site inspection of the above project was carried out by Dr. Padma Mahanti, DIGF (Central). As per the site inspection report 18 towers in Phulbani Division and 9 towers in Boudh Division has been constructed without prior approval of Central Govt. The exact area where construction has been done need to be calculated by the DFO before raising demand for CA and Penal CA.

Three towers also have been constructed which is not in the proposed alignment. The DFO could not clearly explained about the legal status of the land where these 3 towers have been constructed. The DFO need to verify these construction and necessary action may be taken, if it is found in the forest land.

The State Govt. has reported that the concerned Tahasildars have initiated encroachment case against the erring OPTCL officials under OPLE Act, 1972.

The proposal is recommended with the condition that 5 times Penal NPV, Penal CA may be imposed for unauthorized use of forest land and action against erring officials may be initiated by the State Govt. besides the general standard conditions.

The DFO should calculate the exact area of violation as reported by DIGF before making demand for CA and Penal CA.

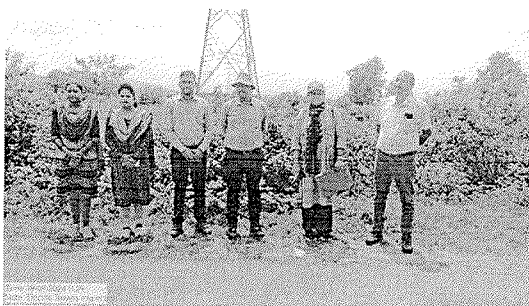


(A.T. Mishra)

Dy. Director General of Forests (Central)

SITE INSPECTION REPORT IN RESPECT DIVERSION OF 30.469 HA (PHULBANI DIVISION 19.563 HA + BOUDH FOREST DIVISION 10.906 HA) OF FOREST LAND FOR CONSTRUCTION OF 132/33 KV DC LINE ON DC TOWER FROM EXISTING 132/33 KV PHULBANI GRID SS TO 132/33 KV GRID SS AT BOUDH BY OPTCL, ANGUL, ODISHA

The site inspection of the above project was carried out by the undersigned on 19.09.2024 along with the Divisional Forest Officer, Boudh Forest Division and the Divisional Forest Officer, Phulbani Forest Division. Photograph of site visit is furnished below:



1. Legal status of the forest land proposed for diversion:

The legal status of the forest land is furnished below:

Forest Division	Forest area (in ha)			Non forest area (in ha)			Grand total (in ha)
	RF (in ha)	Revenue Forest (in ha)	Total (in ha)	Govt.	Private	Total	
Phulbani	5.476	14.087	19.563	29.227	52.938	82.165	101.728
Boudh	0	10.906	10.906	13.466	50.412	63.878	74.784
Total	5.476	24.993	30.469	42.693	103.350	146.043	176.512

2. Item-wise break-up details of the forest land proposed for diversion.

The item wise break up details of the forest land proposed for diversion is furnished below:

Under Phulbani Forest Division

Sl. No.	Purpose of utilization	Forest land		Non forest land		Total land	
		No of towers/leng th	Forest land (in ha)	No of towers/leng th	Non forest land (in ha)	No of towers/len gth	Total area (in ha)
1.	Towers	37 nos	0.277	108 nos	0.485	145 nos	0.765
2.	Transmissi on line	7.245 km	19.286	30.431 km	81.680	37.676 km	100.963
Total area (in ha)			19.563		82.165		101.728

Under Boudh Forest Division

Sl. No.	Purpose of utilization	Forest land		Non forest land		Total land	
		No of towers/length	Forest land (in ha)	No of towers/length	Non forest land (in ha)	No of towers/length	Total area (in ha)
1.	Towers	08 nos	0.040	95 nos	0.432	103 nos	0.472
2.	Transmission line	4.040 km	10.866	23.685 km	63.446	27.698 km	74.312
Total area (in ha)			10.906		63.878		74.784

3. Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof:

No.

4. Total cost of the project at present rates:

The cost of the project is Rs.3532.167 lakhs.

5. Wildlife:

The common fauna found in the applied area (under Phulbani Forest Division) are Leopard, Wild Boar, Sloth Bear, Fox, Pangolin, Sambar, Barking Deer, Elephant only. Wild Boars were seen during site inspection.

The common fauna found in the applied area (under Boudh Forest Division) are Leopard (Panthera pardus), Leopard cat (Felis bengalensis), Pangolin (Manis crassicaudata), Sloth bear (Melursus ursinus), Ratel (Mellivora capensis), Elephant (Elephas maximus), Grey mongoose (Herpestes edwardsi), Small India civet (Viverricula indica), Monkey (Semnopithecus entellus), etc. A small Indian civet was sighted during site inspection.

Whether forest area proposed for diversion is important from wildlife point of view or not:

Not reported.

6. Vegetation:

The canopy density of existing vegetation of the applied area in respect of Phulbani Division varies from 0.4-0.7 and comes under Eco Class-I. The applied forest land comes under Tropical moist deciduous forest. This was observed in field. The vegetation was thick and ocularly appeared to be of Eco Class-I. The canopy density of existing vegetation of the applied area in Boudh Forest Division is 0.01 and comes under Eco Class-III. The same was observed on field.

Total number of trees to be felled.

Total 3538 number of trees have been enumerated over the proposed forest land. 3749 number of trees have been enumerated over the non forest land involved in this project.

During site inspection the existing vegetation was seen to comprise of Arjuna (*Terminalia arjuna*), Bahada (*Terminalia belerica*), Bara (*Ficus bengalensis*), Chara (*Buchanania lanzen*), Dhaura (*Anogeissus latifolia*), Harida (*Terminalia chebula*), Karanj (*Pongamia pinnata*), etc.

Effect of removal of trees on the general ecosystem in the area:

Removal of trees has natural impact on environment and ecosystem and the wildlife of the area.

7. Background note on the proposal:

Odisha Power Transmission Corporation Limited (A Government of Odisha undertaking) is primarily entrusted to construct, successful operation and maintenance of EHT transmission lines and Grid-substations with a mission to facilitate effective transfer of power, to improve voltage profile, to minimize interruption of power supply, to enhance security/reliability of power system, for strengthening of power system and to avail alternate power supply within and across the districts through villages of the Odisha state.

Odisha predominantly being an agricultural state and one of the rich in mineral resources, expansion in the lift irrigation system and of different industries became essential. The power system of the state has some low voltage pockets in certain remote zones fed as tail end, causing high system loss. Therefore, it is proposed to improve in the system by way of installation new sub-stations in the transmission sector of the state.

The proposed 132 KV Boudh-Phulbani DC line (65.374 km) can be connected to the system from existing 132/33 KV sub station at Boudh to 132/33 KV grid sub-station at Phulbani for system strengthening purpose. The proposed 132 KV transmission line project will provide evacuation path from 132/33 KV Grid sub-station at Phulbani to 132/33 Grid sub-station at Boudh.

In order to eradicate low voltage problem in the southern parts of the state, it is felt essential to construct 132 DC line tower from existing 132/33 KV Phulbani Grid sub-station & 2 numbers of 132 KV feeder bay extension at Boudh Grid sub-station to fulfill the requirement of Phulbani district.

Phulbani is one of the strategic towns in the district of Kandhamal. It is situated at the most backward area. The area adjoining to this strategic town is one of the Maoist affected areas. The inhabitants are mostly of Adivasi communities and especially the Kondhs. Yet there is no electricity access for a majority of its rural and tribal habitats. The surrounding area is extremely fertile and rich in agricultural products like paddy, oilseeds and vegetables. This

will also improve the socio-economic condition of the inhabitants. The consumers under rural electrification schemes like Rajiv Gandhi Grameen Vidyut Yojana and Biju Gram Jyoti are likely to be benefited by the proposed project. The implementation of the project is required for eradication of low voltage profile.

Presently, Phulbani area is drawing power from 132 KV sub station at Bhanjanagar in single circuit. There is no alternate power supply to Phulbani. Commissioning of proposed 132 KV Boudh-Phulbani DC line will ensure steady reliable power supply and eradicate low voltage problem not only at Phulbani but also nearby area of Phulbani town.

In the present proposal, for construction of 132 KV DC Transmission line from existing 132/33 KV Grid sub-station at Phulbani under Kandhamal Tahsil, Kandhamal along with its associated transmission line of 65.374 km (approximately) to 132/33 KV Grid sub station at Boudh . In order to achieve stability and to cater qualitative power in the transmission system of the state as well as to meet the increasing load demand, this line shall pass through Kandhamal and Khajuripada tahsils of Kandhamal district and Boudh and Harbhanga Tahsils of Boudh districts.

This system shall also fulfill the requirement of additional power to these areas. Therefore, the power transmitted through this line will boost the small scale industries and agricultural growth of the area.

The proposed 132 KV transmission line is passing through Forest Division of Boudh, Phulbani and Kandhamal districts respectively.

The project involves 176.512 ha of land, out of which forest land is 30.469 ha and non forest land is 146.043 ha. Total towers to be erected in both forest and non forest land are 248 nos. Out of which 45 numbers of towers are proposed to be erected in forest land.

8. Compensatory afforestation:

In lieu of 30.469 ha forest land proposed for diversion for this project, State Government has identified twice degraded forest land over 61 ha in Bankud RF under Patnagarh Forest Range of Bolangir Forest Division for raising compensatory afforestation.

The compensatory afforestation scheme has been prepared by the DFO, Bolangir. It is proposed to take up ANR @500 seedlings/ha. Since the CA site is in a difficult forest division, i.e. Bolangir and with a Degraded Reserve Forest, the CA site was viewed in DSS and found to be free from any encroachment or encumbrances.

(a) Whether land for compensatory afforestation is suitable from plantation and management point of view or not:

Land suitability certificate for compensatory afforestation has been submitted bt DFO, Bolangir Forest Division.

(b) Whether land for compensatory afforestation is free from encroachment/other encumbrances:

Certificate regarding land for compensatory afforestation is free from encroachment/other encumbrances have been submitted.

(c) Whether land for compensatory afforestation is important from Religious/Archaeological point of view:

Not reported.

(d) Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not:

Land identified for raising compensatory afforestation is 61 ha in Bankud RF under Patnagarh Forest Range of Bolangir Forest Division.

(e) Map with details:

Submitted.

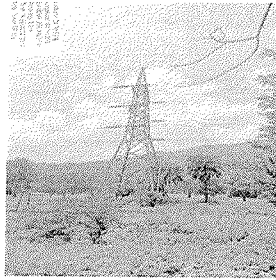
(f) Total financial outlay:

CA scheme has been approved by PCCF (FD & NO, FC Act) on 07.07.2023 for Rs.1,88,02,100/-.

9. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:

It was reported that no violation has been committed by the user agency under FC Act, 1980 under Phulbani Forest Division and DFO, Boudh had reported construction of 10 number of towers on revenue forest land. However, in DSS, 12 towers were seen in Boudh Forest Division and 18 towers were in revenue forest land of Phulbani Forest Division. During site inspection 9 number of towers were found to be constructed on revenue forest land in Boudh Forest Division for the 10th tower constructed, the DFO, Boudh, furnished a letter of Tahsildar, stating that this tower has been erected on non forest land (copy enclosed). The Sabik status of all the 9 locations of construction of transmission towers were verified during site inspection and were found to be on forest land. 3 towers which were erected in Boudh Forest Division in addition to the 9 towers on forest land were found away from the proposed site of diversion and away from the alignment. This deviation from proposed alignment and status of land where these 3 towers are constructed needs to be clarified and the exact area of violation of all the towers on forest land (Sabik Status) needs to be re-calculated by the State Government. In Phulbani Forest Division, all the 18 towers were inspected on field. The total area calculated of these violations needs to be done by the State Government before deciding on the penalty for violation.

Photograph is furnished below:



It was informed during site inspection that Show Cause Notice has been issued to Shri Prafulla Kumar Pati, Ex-DGM (Elect), EHT (Const.) Division vide letter No.6996 dated 19.11.2023 for violation of Forest Conservation Act, 1980. The Collector and District Magistrate, Boudh has been requested by DFO, Boudh Forest Division vide his letter No.7000 dated 19.11.2023 to initiate action against the erring official responsible for violation as per the local prevailing laws. Subsequently, the Tahasildar, Boudh Tahsil and Tahsildar, Harbhanga Tahsil have initiated encroachment cases against the erring official i.e. Shri Prafull Kumar Pati, Ex-DGM (Elect), EHT (Const) Division, Angul under Odisha Prevention of Land Encroachment Act, 1972 . In the letter dated 12.01.2024 of Collector, Kandhamal, wherein it has been reported that encroachment cases have been booked by Tahasildar, Phulbani and Khajuripada against unauthorized construction of electric towers by OPTCL on Forest land under Khajuripada and Phulbani Tahsil.

- 10. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:**

The project does not involve displacement of people. Hence, R&R plan is not required for the instant project.

- 11. Reclamation plan:**

Not applicable.

Details and financial allocation:

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- 12. Details on catchment and command area under the project:**

Not applicable.

Catchment area treatment plan to prevent siltation of reservoir:

Not applicable.

- 13. Cost benefit ratio:**

The cost benefit ratio comes to 1:4.261.

14. Recommendations of the Principal Chief Conservator of Forests/State Government:

Recommended.

15. Recommendations of the Deputy Director General of Forests (Central) along with detailed reasons:

Enclosed.

16. Conservator of Forests (Central) shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:

As per the discussion held with the DFO Boudh and Phulbani Forest Division and the officials of the user agency, it was informed that this route is technically feasible for drawing transmission line and it involves less forest area.

17. Utility of the project:

The power transmitted through this line may boost the small scale industries and agricultural growth of the area.

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

Not reported.

18.

(a) Whether land being diverted has any socio-cultural/ religious value:

Not reported.

(b) Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion:

Not reported.

(c) Whether the land under diversion forms part of any unique eco-system:

Not reported.

19. Situation with respect to any Protected Area:

During field visit, it was reported that the proposed area is inside Donga RF (0-3 km) and the proposed site for diversion is at 500 meters distance from Gouddei and Bankamundi RF.

20. Recommendation:

Since the user agency is a perpetual violator;

- i. The exact area of violation of all 18 towers in Phulbani Forest Division and 9 towers in Boudh Forest Division needs to be calculated by State Government.

- ii. The construction of 3 towers, deviating from proposed alignment needs to be clarified along with the status of land where they are erected needs to be clarified by the State Government.
- iii. Penal CA over non forest/revenue forest land five (5) times to the extent of forest land used for non forest activities for violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 shall be carried out by the State Government at the project cost.
- iv. State Government shall realize Penal NPV of five (5) times of NPV plus 12% simple interest from the user agency for violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.
- v. Action against erring officials needs to be completed.

The proposal being a public utility project is recommended with aforesaid conditions.

Padma Mahanti

(Dr. PADMA MAHANTI)
DIGF (CENTRAL)

Joint Site Inspection Report of Location of Towers existing on the forest land proposed for Diversion of Forest Land 10.906 Ha. for Construction of 132KV DC Line on DC tower from existing 132/33 KV Phulbani Grid Sub-Station in Kandhamal Dist. to 132/33 KV Grid Sub-station at Boudh by Deputy General Manager (Elect.) EHT Construction Division, OPTCL, Angul held on dt. 26.07.2023

Sl. No.	Village Name	Khata No.	Plot No.	Area occupied by tower in Sq. Feet	GPS Co-ordinate of towers		Remarks
					Latitude	Longitude	
1	Basant Bahal	106	501	724.471	20° 47' 8.5"	84° 15' 32.6"	Forest Land
2	Durga Prasad	131	110	1332.931	20° 44' 16.5"	84° 14' 18.2"	Forest Land
3	Durga Prasad	131	143	724.471	20° 47' 5.9"	84° 14' 21"	Forest Land
4	Durga Prasad	131	185	1196.243	20° 43' 55.7"	84° 14' 23.7"	Forest Land
5	Durga Prasad	131	232	724.471	20° 43' 47.1"	84° 14' 24.8"	Forest Land
6	Durga Prasad	131	265	724.471	20° 43' 38.6"	84° 14' 25.9"	Forest Land
7	Durga Prasad	3	42	1647.606	20° 41' 28.9"	84° 14' 59.6"	Forest Land
8	Bhuktapada	6	55	724.471	20° 41' 7.6"	84° 15' 21.6"	Forest Land
9	Bhuktapada	30/49	4	1196.243	20° 41' 0.3"	84° 15' 29"	Forest Land
10	Samapaju	15	81	966.956	20.658834	84.275392	Non-forest Land

[Signature]
27/07/23
Asst. Manager (Elect.)
E.H.T.(C) S/D Kikate
OPTCL

[Signature]
26/07/23
Revenue Inspector
Banharpada
Revenue Supervisor
Tahasil Office, Boudh

[Signature]
26/07/23
Revenue Inspector
Devgarh

[Signature]
26/07/23
EHT (C) Sub Division
OPTCL, Angul.

[Signature]
26/07/2023
Deputy General Manager (Elect)
EHT Construction Division
OPTCL, Angul