

Agenda No. 1

File No. 8-01/2014-FC

1. Government of Odisha vide its letter dated 28th November 2013 submitted a proposal to obtain prior approval of Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 for diversion of 151.94 hectares of forest land for Four/Six laning, Widening and strengthening of existing two lane of National Highway-215 from 0.00 Km to 163.00 Km (Panikholi-Rimoli Section) within the jurisdiction of Cuttack, Keonjhar (WL) and Keonjhar Forest Division in Jajpur and Keonjhar districts of Odisha by National Highway Authority of India.
2. Details indicated in the proposal submitted by the Government of Odisha are as below:

FACT SHEET

1.	Name of the Proposal	Diversion of 151.94 hectares of forest land for Four/Six laning, Widening and strengthening of existing two lane of National Highway-215 from 0.00 Km to 163.00 Km (Panikholi-Rimoli Section) within the jurisdiction of Cuttack, Keonjhar (WL) and Keonjhar Forest Division in Jajpur and Keonjhar districts of Odisha by National Highway Authority of India.
2	Location:	
	State	Odisha.
	District	Jajpur and Keonjhar districts
3.	Particular of Forests	
(i)	Name of Forest Division	Cuttack, Keonjhar (WL) and Keonjhar Forest Divisions
(ii)	Area of Forest land for Diversion	151.940 ha.
(iii)	Legal Status of Forest land	Reserved Forest- 51.129 ha. Protected Forest- 7.040 ha. DPF- 0.514 ha. Revenue Forest- 93.257 ha. Total: 151.940 ha.
(iv)	Density of Vegetation	The density has been reported to be below 0.1 in Cuttack Division, 0.2 in Keonjhar (WL) Division, Anandapur and 0.4 in Keonjhar Division
(v)	Species-wise and diameter class wise enumeration of trees	Tree species which are commonly noticed in the area are <i>Shorea robusta</i> , <i>Pterocarpus marsupium</i> , <i>Gmelina arborea</i> , <i>Mitragyna parviflova</i> , <i>Tectona grandis</i> , <i>Dalbergia sisoo</i> , <i>Anogeissus latifolia</i> , <i>Syzygium cumini</i> , <i>Diospyros</i>

		<p><i>melanoxylon, Mangifera indica, Bridelia retusa, Terminalia tomentosa, Buchanania lanzan, Terminalia chebula, Terminalia belerica, Madhuca indica, Schleicheria oleosa</i> and other misc. species etc. Sal (<i>Shorea robusta</i>) is the predominant species</p> <p>Total enumeration has been carried out over entire forest area of 151.94 ha from 0.000 Km to 163.000 Km of Panikholi -Remuli Section of NH -215. In all, 31,054 nos. of above 30 cm girth and 18260 nos. of poles have been enumerated in the entire stretch. Out of enumerated trees, stretch of road within Keonjhar Forest Division has 30,854 Nos of trees and 18,111 Nos of poles under 30 Cm girth, Keonjhar wildlife division, has 195 Nos of trees and 149 Nos of Poles and Cuttack Division has 5 nos Misc. species trees and 2 Nos Misc. Species trees and 2 Nos. of poles. Hence, 49,316 nos of trees and poles may be felled during widening /strengthening work over the applied forest land.</p> <p>Apart from the above, it has also been reported that 15,048 trees, as detailed below, standing on non-forest government land and private land have also been enumerated. Out of the above trees, 13,094 trees standing on government non-forest land have been reportedly handed over to Odisha Forest Development Corporation, Keonjhar (C -KL) Division. As regards, 1954 Nos of trees standing on private lands, valuation of the same is under progress.</p>
4.	Vulnerability of area to vegetation	Nil
5	Approximate distance of proposed site for diversion from boundary of forest	The existing road passes through Salapada RF, Atei RF, Masinabila RF, Pipilia RF, Naranpur RF, Tangranui RF & Balibandh RF.
6.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	The project does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. The area is coming under Elephant Habitat Zone-2 as per ORSAC report. There is movement of wild elephants noticed in the area.
7.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	There is movement of wild elephants often noticed in and around the applied area.

8.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No monuments of any archaeological significance found in the area.
9.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	User agency has applied for diversion of 151.940 hectares of forest land for the purpose of Four/ Six laning, widening and strengthening of existing two lane of NH 215 from 0 Km to 163.0 Km. Stretching from Panikholi to Remuli section. The area applied for is the minimum required for the project.
10.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No.
11.	Details of Compensatory Afforestation Scheme:	The Project involves an area of 151.940 ha of forest land. The user Agency <i>i.e.</i> National Highway Authority of India is a Central PSU. As per guidelines of Ministry of Environment & Forests, Govt. of India, twice the above Forest land of 151.94 ha proposed for diversion for this project <i>i.e.</i> 303.88 ha of degraded forest land has been identified in Bandhanjhari Reserve Forest under Telkoi Range of Keonjhar Forest Division. The site is reported to be suitable for Compensatory Afforestation as per report of Division Forest Officer, Keonjhar Forest Division. The CA Scheme has been prepared for RDF plantation for planting 300 nos. of plants per hectare for the entire area. The scheme has provision for planting species like <i>Phasi (Anogeissus acuminta)</i> , <i>Amla (Embellica officinalis)</i> , <i>Gambhari (Gmelina arborea)</i> , <i>Sissoo (Dalbergia sisoo)</i> , <i>Chakunda (Cassia seamia)</i> , <i>Acacia auriculiformis</i> , <i>Simaruba glauca</i> and <i>Teak (Tectona grandis)</i> etc. with a financial forecast of Rs. 1,14,01,000/- at current wage rate of Rs. 150/- per manday. The CA scheme has been technically approved by the

		Addl. Pr. CCF (Forest Diversion) & Nodal Officer, FC Act. The copy of approved CA scheme is at page 122-136 A/DP. The User Agency has furnished and undertaking to bear the cost of the Compensatory Afforestation Scheme
12.	Recommendation	
	DFO	Recommended.
	Regional CCF	Recommended.
	PCCF	Recommended
	State Govt.	Recommended

3. Government of Odisha in their said letter dated 11th September 2013 submitted following additional information pertaining to the above proposal:

- (i) The Ministry of Shipping, Road Transport and Highways, Government of India has decided to development various National Highways corridors, where the traffic intensity has increased significant by augmenting the capacity of such road projects for safe and efficient movement of traffic, The National Highways Authority of India (NHAI) is entrusted with the development, maintenance and management of National Highways under National Highways Development Programme (NHDP). In Phase -III A programme of NHDP, it has been decided to develop NH -215 from Panikoili to Rajamunda which consists of two phase, i.e. Panikholi to Remuli (0.00 KM to 163.00 Km) and from Remuli to Rajamunda (163 Km to 269 KM) in the State of Odisha from the existing two lane to four /six laning as per requirement. The proposed improvement .widening of existing NH-215 also traverses through the mineral bearing districts of Keonjhar and Sundargarh of Odisha. The instant proposal is regarding diversion of forest land for widening /strengthening of the stretch from Panikoili to Remuli (0.00 KM to 163.00 Km) of NH -215 by NHAI.
- (ii) The work of conducting Feasibility Studies and preparation of Detailed Project Report (DPR) for Four laning from Panikholi -Keonjhar -Remuli Section of NH-215, as referred to above, was entrusted to the M/s Aarvee Associates, Hyderabad. As informed in the Part -I of the application form, the existing RoW of NH- 215 is about 30 mts. The RoW required now by NHAI for the proposed widening /strengthening of the NH -215 is about 60 mts.
- (iii) The project area spreads over three Forest Divisions namely, Cuttack Forest Division, Keonjhar (WL) Division, and Keonjhar Forest Division coming within the jurisdiction of Revenue district of Jajpur and Keonjhar Forest Keonjhar. The Divisional Forest Officer, Keonjhar Forest Division is designated as the Nodal Divisional Forest Officer to compile, consolidate and process the present diversion proposal.
- (iv) The total land required for the project is 979.121 ha which comprises of 151.94 ha of forest land (51.129 ha of Reserve Forest, 7.04 ha of Protected Forest, 0.514 ha of

Demarcated Protected Forest, 93.257 ha of Village Forest (including Sabik Kisam Jungle land), 470.462 ha of Govt. Non-Forest, land and 356.719 ha of private land. The instant Diversion Proposal has been filed for diversion of 151.94 ha of forest land spread over Cuttack Forest Division, Keonjhar (WL) Division, and Keonjhar Forest Division. While 11.892 ha forest land (7.04ha. of PF and 4.852 ha. Revenue forest) of the project exists in Cuttack division, the Keonjhar (WL) Division has 7.353 ha forest land of the project (2.4 ha RF and 4.953 ha of Revenue forest). Similarly, the Keonjhar forest division has 132.695 ha of forest land which includes 48.729 ha of RF land, 0.514 ha of DPF and 83.452 ha of Revenue forest land. As reported by the Pr. CCF, Odisha, out of 51.129 ha of RF land, 2.4 ha and 48.729 ha of forest land come within the jurisdiction of Salapada RF of Keonjhar (WL) and Keonjhar forest Division (Atei RF, Masinabila RF, Pipilia RF, Naranpur RF, Tangrami RF and Balibandh RF) respectively. PF land of 7.04 ha lies within Ragadi PF of Cuttack Forest Division. Similarly, DPF of 0.514 ha comes within purview of Keonjhar forest division.

- (v) The land schedule of the Revenue Forest area including sabik kisam jungle land within the stretch of 0.00 Km to 163.00 km i.e. (Panikoili-Remuli Section) of HN-215 has been furnished. The forest area proposed for diversion has been delineated in Survey of India Toposheet No. 73L/9, 73L/1, 73K/ 4,73K/ 3,73G/ 15,73G/ 14,73G/ 10 and finds place within latitude 20° 54' 00" to 21° 57' 00" (North) and longitude 86° 13' 00" to 85° 36' 00" (North) and longitude 86° 13' 00" to 85°36' 00" (North). The applied areas do not form part of any national Park/Wildlife / Wildlife and Sanctuary / Biosphere Reserve /Tiger Reserve. There is no archaeological monument / heritage site /defence establishment within the applied area. Movement of wild elephants is often noticed in and around the applied area. The total cost of this project is about is Rs. 1129.00 Crores. This project will generate employment for 2400 persons in three years. Besides, on completion of road infrastructure project, it will indirectly generate employment opportunity for local populations.
- (vi) In view of the fact that diversion of forest land is now necessitate for widening /strengthening of existing NH 215 of Remuli - Panikhohli Section, the requirement of three feasible alternative alignments for this road project may not be insisted upon.
- (vii) The purpose -wise break up of the total land required for the project is furnished below.

Forest Division	Forest land (in ha)					Non - forest land (in ha)			Grant Total
	RF	RF	DP F	Revenue forests land	Total	Govt.	Pvt. Land	Total	
Cuttack Division	-	7.04	-	4.852	11.892	25.265	71.628	96.893	108.785
Keonjhar (WL)	2.4	-	-	4.953	7.353	146.99	76.3	223.29	230.643

Division, Anandpur									
Keonjhar Division	48.7 29	-	0.5 14	8.452	132.695	298.207	208.791	506.998	639.693
Total	51.1 29	7.04	0.5 14	93.257	151.940	470.462	356.719	827.181	979.121

- (viii) The applied area of forest diversion in Cuttack Forest Division, Keonjhar (WL) Division and Keonjhar Forest Division does not form part of any National Park/Sanctuary /Biosphere reserve; It also does not come under any wild life corridor. No rare/endangered or unique Species are noticed in the applied area of diversion of forest land. This area is coming under Elephant habitat zone -2 per report of ORSAC and movement of wildlife elephants is often noticed in the area.
- (ix) Though the area does not form a part of National Park/Wildlife Sanctuary /Elephant Corridor, yet the area is coming within the Keonjhar –Bonai region. Hence due care is to be taken for conservation of wildlife available in the region. Taking this aspect into consideration, the Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden has indicated his views with comments with regard to the essential safeguards/ mitigative measure to be adopted at project cost. In this regard, the user agency has furnished an undertaking to implement the measures suggested by the Principal Chief Conservator of Forest (WL) & Chief Wildlife Warden. Therefore, a comprehensive wildlife Management Plan is required to be prepared taking note of suggestion /observation of PCCF (WL) for execution of the same at project cost as per approval of the Plan by CWLW, Odisha.
- (x) In order to replenish the loss of forest over non-forest land due to execution of the road project, trees equivalent to 10 times the number of trees required to be cut from non - forest land i.e. 1,50,480 trees are to be planted at the project cost by the user agency.
- (xi) The total benefit of this proposal comes to Rs. 1129.00 Crore per annum. The loss on account of forests including environment loss, N.P.V. cost and other mandatory payments comes to Rs. 25.16 crore; hence, the cost benefit ratio comes to 1:44.86 per annum.
- (xii) The user agency has furnished Environment Clearance for the project granted by Ministry of Environment and Forests, Government of India vide their letter No 5-20/2007-IA-III dt. 16.5.2007. As informed by the user agency, the State Pollution Control Board, Odisha has granted Consent to establish in favour of the project vide their Office memorandum No.28814 dt. 25.11.2006, which was valid for five years. Therefore, the project proponent needs to produce fresh consent order of SPCB, Odisha, if not obtained in the meantime.
- (xiii) Certificates regarding Forest rights Act for linear project issued by Collectors of Jajpur and Keonjhar districts are enclosed.
- (xiv) In compliance to the circular No.F.No.11-9/98-FC dated 08.07.2011 of Ministry of environment and Forests, Government of India to ensure delineation of the forest area proposed to be diverted for non-forestry purpose under section-2 of Forest (Conservation), Act, 1980, the user agency has submitted the required Digital Geo-

referenced maps duly authenticated by ORSAC and Divisional Forest Officer, Keonjhar Forest Division which are enclosed in separate volume along with the soft copy.

- (xv) No violation under Forest (Conservation) Act, 1980 has been reported from field by Divisional Forest Officer of Keonjhar Forest Division, Keonjhar (WL) Division and Cuttack Forest Division. As reported by the Pr.CCF, Odisha, the user agency has commenced work in some portion of the non-forest area i.e. from 0.00 Km to 163.00 Km (Panikoili-Remuli Section) without obtaining permission of the State government required as per guidelines under Forest (Conservation) Act, 1980 vide F.No.11-63/2012-FC dated 07.01.2013 of Ministry of Environment and Forests, Government of India.
 - (xvi) The expropriation of land necessitates the eviction of squatters and encroachers from within the Right of way and acquisition of land from the titleholders. Rehabilitation and Resettlement Plan has been undertaken for this project to minimize its adverse social impacts. The total number of structures affected across the project is found to be 2364. the total number of Project Affected Households from the Private land acquired across the project area is 6596 (including homestead land).
 - (xvii) It has been informed that owing to this Project, 210 Nos. of Schedule Caste families and 126 Nos of Schedule Tribes and 1055 nos of General category families have been affected and required to be displaced. The project involves total displacement of 1391 Nos. of families in Cuttack, Keonjhar (WL) division and Keonjhar Division. The user agency has submitted the Rehabilitation and Resettlement Plan which is annexed.
4. The State Government has finally recommended that in view of the above position, the Ministry of Environment and Forests, Government of India may examine the diversion proposal and convey their approval for diversion of diversion of 151.94 ha forest land for four/six laning, widening and strengthening of existing two lane of National Highway-215 from 0.00 Km to 163.00 Km (Panikoili-Remuli Section) within the jurisdiction of Cuttack, Keonjhar(WL) and Keonjhar forest division in Jajpur and Keonjhar district of Odisha by National Highway authority of India and convey their approval under section-2 of forest (Conservation) Act, 1980 subject to the following conditions:
- (i) The user agency shall pay the evaluated royalty of enumerated trees before commencement of work on final forest clearance.
 - (ii) The site specific wildlife conservation plan shall be prepared taking note of suggestion / observation of CWLW, Odisha for protection and conservation of Wildlife in the area. The plan shall be approved by the Chief Wildlife warden, Odisha and implemented at project cost.
 - (iii) Felling of trees from the forest areas shall be taken up after obtaining final forest clearance strictly as per the requirement and as per the permission to be accorded by the Divisional Forest Officers, concerned.
 - (iv) Consent to establish of SPCB, Odisha shall be obtained by the user agency as applicable.

- (v) A scheme duly approved by the competent authority for planting 1, 50,580 trees No of trees in lieu of 15048 No of trees required to be felled from non-forest land of the project, shall be executed at project cost.
 - (vi) R & R Plan shall be implemented before displacing the affected persons on final forest clearance.
5. Forest land proposed to be diverted has been inspected by the Regional Office (Eastern Zone), Bhubaneswar. Important additional information given in the Site Inspection Report (SIR) received from the Regional Office, Eastern Zone, Bhubaneswar vide their letter dated 27th January 2014 are as below:
- (i) As reported by the State Government, the applied area of forest diversion in Cuttack Forest Division, Keonjhar (WL) Division and Keonjhar Forest Division does not form part of any National Park/Sanctuary /Biosphere reserve. It also does not come under any wild life corridor. No rare/endangered or unique Species are noticed in the applied area of diversion of forest land. This area is coming under Elephant habitat zone -2 per report of ORSAC and movement of wildlife elephants is often noticed in the area.
 - (ii) As reported by the State Government, though the area does not form a part of National Park/Wildlife Sanctuary /Elephant Corridor, yet the area is coming within the Keonjhar -Bonai region. Hence due care is to be taken for conservation of wildlife available in the region. Taking this aspect in to consideration, the Principal Chief Conservator of Forests (WL) & Chief wildlife Warden has indicated his views with comments with regard to the essential safeguards/ mitigative measure to be adopted at project cost. In this regard, the user agency has furnished an undertaking to implement the measures suggested by the Principal Chief Conservator of Forest (WL) & Chief Wildlife Warden. Therefore, a comprehensive wildlife Management Plan is required to be prepared taking note of suggestion /observation of PCCF (WL) for execution of the same at project cost as per approval of the Plan by CWLW, Odisha.
 - (iii) The State Govt. has reported that 49,316 no. of trees and poles may be felled during widening /strengthening work over the applied forest area. As there is a large number of trees to be felled, it will naturally adversely affect the general eco-system in the area. Forest land proposed to be diverted 33,324 trees of below 60 cm girth and 15,992 trees of above 60 cm girth.
 - (iv) As reported by the State Government, the Project involves an area of 151.940 ha of forest land. The user Agency i.e. National Highway Authority of India is a Central PSU. As per guidelines of Ministry of Environment & Forests, Govt. of India, twice the above Forest land of 151.94 ha proposed for diversion for this project i.e. 303.88 ha of degraded forest land has been identified in Bandhanjhari Reserve Forest under Telkoi Range of Keonjhar Forest Division. The site is reported to be suitable for Compensatory Afforestation as per report of Division Forest Officer, Keonjhar Forest Division, The CA Scheme has been prepared for RDF plantation for planting species like *Phasi (Anogeissus acuminata)* , *Amla (Embellica officinalis)*, *Gambhari (Gmelina arborea)*, *Sissoo (Dalbergia sisoo)*, *Chakunda (Cassia seameia)*, *Acacia auriculiformis*, *Simaruba glauca* and *Teak (Tectona grandis)* etc. with a financial

forecast of Rs. 1,14,01,000/- at current wage rate of Rs. 150/- per manday. The CA scheme has been technically approved by the Addl. Pr. CCF (Forest Diversion) & Nodal Officer, FC Act. The User Agency has undertaken to bear the cost of Compensatory Afforestation Scheme. A copy of the scheme for Compensatory afforestation is enclosed.

- (v) The DFO, Keonjhar Forest Division has certified that the area identified is suitable for C.A. The DFO, Keonjhar Forest Division has also certified that the area identified is free from all sorts of encumbrances and encroachment. Land identified for raising compensatory afforestation is in one patch. As reported by the DFO, Keonjhar Forest Division, the total financial outlay for C.A. will be Rs. 2,48,90,000/-
- (vi) As reported by the State Government, no violation under Forest (Conservation) Act, 1980 has been reported from the field by Divisional Forest Officers of Keonjhar Forest Division, Keonjhar (WL) Division and Cuttack Forest Division. As reported by the Pr. CCF, Odisha the User Agency has commenced work in some portion of the non-forest area i.e. from 0.00 Km to 163.00 Km (Panikholi – Remuli Section).
- (vii) As per Ministry of Environment & Forest guidelines issued vide letter No. 11-63/2012 –FC dated 07.01.2013, the user agency must submit and undertake that execution of work on non-forest land shall not be cited as a reason for grant of approval under the Act and in case approval under the Act for diversion of forest land is declined, width of the portion of the road falling in the forest land will be maintained at its existing level.
- (viii) As reported by the State Government, the expropriation of land necessitates the eviction of squatters and encroachers from within the Right of Way and acquisition of land from the titleholders. Rehabilitation and Resettlement Plan has been undertaken for this project to minimize its adverse social impacts. The total number of structures affected across the project stretches belonging to both private and community users this package is found to be 2364. The total number of Project Affected Households from the Private land acquired across the project area is 6596 (including homestead land) It has been informed that owing to this Project, 210 Nos. of Schedule Caste families and 126 Nos, of Scheduled Tribe and 1055 nos of General category families have been affected and required to be displaced. The project involves total displacement of 1391 Nos. of families in Cuttack, Keonjhar (WL) division and Keonjhar Division. The user Agency has submitted the Rehabilitation and Resettlement Plan.
- (ix) Since it is the proposal for widening and strengthening of National Highway, consideration of alternatives does not arise.
- (x) As reported by the State Government, This project will generate employment for 2400 persons in three years. Besides, on completion of road infrastructure project, it will indirectly generate employment opportunity for local populations.
- (xi) Forest land proposed to be diverted does not reported to have any socio-cultural /religious value:
- (xii) No sacred grove or very old growth trees/forests exist in the areas proposed for diversion are reported.

- (xiii) As reported by the DFO, Keonjhar Forest Division, the project area does not form part of any National Park, wildlife Sanctuary , Biosphere Reserve, Elephant Corridor etc. The area is coming under Elephant Habitat Zone -2 as per ORSAC report. There is movement of wild elephants noticed in the area.
 - (xiv) As reported by the User Agency, the Wildlife sanctuary is Hadagarh, which is at a distance of 14 Km from the project
6. Specific recommendations of Additional Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar on the along with detailed reasons:
- (i) Greening plan and maintenance: The user agency should ensure plantation of adequate number of trees as well as their maintenance as per advice of the Forest Department and guidelines of NHAI so that a continuous long green belt can be maintained. Preference should be given to local indigenous tree species like *Ber*, *Peepal*, *Imli*, *Jamun*, etc. so that food is available to the wild animals and birds apart from these trees being shelter to the birds.
 - (ii) An adequate number of bus bays may be constructed at suitable places on the road side. Parking bays, toilets, especially for women, should be provided along the road at appropriate places.
 - (iii) For construction of road, digging of soil should not be carried out within 100 m from the road.
 - (iv) As high speed vehicles may prove to be hazardous for the wildlife while crossing the road, speed breakers at regular intervals should be constructed at such sensitive zones. Appropriate signboards should also be displayed along the road passing through such area.
7. Add. Principal Chief Conservator of Forests (Central), Regional Office (Eastern Zone), Bhubaneswar finally recommended diversion of the said forest land for consideration of this Ministry.
8. The proposal along with the site inspection report (SIR) received from the Regional Office (Eastern Zone), Bhubaneswar is placed before the Forest Advisory Committee (FAC) for their examination and appropriate recommendations.
