

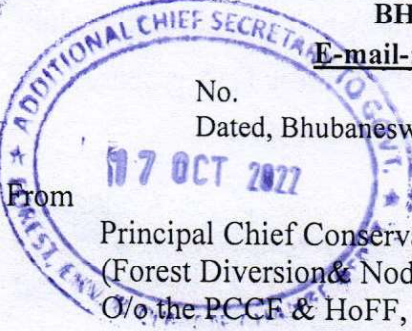


STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

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No.
Dated, Bhubaneswar the

/ 9F (Trans) – 317/ 2020
October' 2022



From

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 14.661 ha of forest land for construction of 132 KV 2 Phase transmission line from existing 220/132/33 KV Grid Sub-Station at Therubali to 132/25 KV switch yard of RTSS, Bhalumaska in Rayagada District of Odisha under Rayagada Forest Division by M/s Odisha Power Transmission Corporation Ltd. (OPTCL)- Submission of Stage-I compliance regarding.

Ref: F. No. 5-ORC426/2020-BHU dated 10.09.2020 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 have accorded '**in-principle**' approval vide F. No. 5-ORC426/2020-BHU dated 10.09.2020 for diversion of 14.661 ha of forest land for construction of 132 KV 2 Phase Transmission Line from existing 220/132/33 KV Grid Sub-Station at Therubali to 132/25 KV switch yard of RTSS, Bhalumaska in Rayagada District of Odisha under Rayagada Forest Division by M/s Odisha Power Transmission Corporation Ltd. (OPTCL) coming within the jurisdiction of Rayagada Forest Division in the State of Odisha subject to fulfilment 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, Rayagada Forest Division and RCCF, Koraput 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 User Agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that legal status of forest land proposed for diversion shall remain unchanged which is enclosed as **Annexure-I**.

Condition No.(ii):- *Compensatory afforestation shall be taken up by the State Forest Department over 30.00 ha degraded forest land identified in Rivalkona RF under Kalyansingpur Range of Rayagada 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: In compliance to the above, the RCCF, Koraput Circle has reported that Compensatory afforestation shall be raised over an area of 30.00 Ha Degraded Forest land identified in Rivalkona RF under Kalyansingpur Range of Rayagada Forest Division at the cost of User Agency. An undertaking by the User Agency duly signed by DFO, Rayagada is enclosed as **Annexure-II**.

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: In compliance to the above, the RCCF, Koraput Circle has reported that

- 1) The UA intimated regarding deposits made by them towards CA cost as **Annexure-III**.
- 2) The PCCF (Nodal) vide Memo No.18138 dt 15.10.2020 has approved CA scheme over 30.00 Ha Degraded forest land identified in Rivalkona RF under Kalyan Singhpur Range of Rayagada Forest Division for **Rs 54,57,400/-** at wage rate @Rs.303.40 which is enclosed as **-Annexure III (A)**.
- 3) Accordingly, the DFO has raised demand against user agency vide letter No.4355 dt.20.10.2020 and Letter No.2446 dt 18.05.2021 to deposit Rs 54,47,400/- and Rs 10,000/- respectively which are enclosed as **Annexure- III (B) and -III (C)**.
- 4) The CCF (Nodal) vide Memo No.10036 dt 13.05.2022 has approved CA Scheme for Rs 80,62,300/- at present wage rate @Rs 326/- per M.D as **Annexure-III (D)**.
- 5) Accordingly, the DFO has raised demand against user agency vide letter No.2712 dt 21.05.2022 has raised demand against user agency to deposit differential CA cost of Rs 26,04,900/- which is enclosed as **Annexure- III (E)**.
- 6) The User Agency has already deposited **total CA cost of Rs 80,62,300/-** as detailed below-

Description	Amount (in Rs)	UTR No.& date
CA cost at wage rate @ Rs 303.40 approved by CCF (Nodal)	54,47,400/-	ANDBH20307737520 dt 02.11.2020
	10,000/-	UBINK21342060662 dt 02.12.2021
Differential CA cost at wage rate @ Rs 326/-	26,04,900/-	No.0471120220602565976 dt.02.06.2022
TOTAL	80,62,300/-	-----

The copy of payment particulars, challans are enclosed as **Annexure - III (F), III (G) and III (H)**.

The details of deposits made by user agency are furnished in 12-point CAMPA Format.

Condition No.(iv):- *The State Govt. shall charge the Net Present Value (NPV) for 14.661 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: In compliance to the above, the RCCF, Koraput Circle has reported that the UA intimated regarding deposits made by them towards NPV as **Annexure-IV**.

The DFO vide Letter No.4355 dt 20.10.2020 has raised demand against User Agency to deposit **Rs.91,77,786/-** (@ Rs 6,26,000 X 14.661 ha) towards NPV which is enclosed as **Annexure-III (B)**.

The user agency vide UTR No.ANDBH20307737520 dt.02.11.2020 has deposited said amount of Rs **91,77,786/-**. Copy of payment particulars / challan is enclosed as **Annexure-III (F)**.

The details of deposits made by user agency are furnished in 12-point CAMPA Format.

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: In compliance to the above, the User Agency has furnished an undertaking duly countersigned by DFO, Rayagada Forest Division that 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 which is enclosed as **Annexure-V**.

Condition No.(vi):- *The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees 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: In compliance to the above, the RCCF, Koraput Circle has reported that the UA has intimated that they have deposited Rs.13,71,499/- towards cost of felling of trees in Account No. 11674132064 dt. 12.01.2021 in UBI, Rayagada in favour of D.M., OFDC Ltd., Muniguda. The Intimation of UA and payment particular thereof are enclosed as ***Annexure-VI and Annexure-VI (A).***

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: In compliance to the above, the RCCF, Koraput Circle has reported that all the funds under the project has been deposited by the U.A. in State CAMPA fund. An undertaking submitted by the U.A. is enclosed as ***Annexure-VII.***

The statement of funds for deposit of compensatory levies deposited by the user agency duly signed by the DFO, Rayagada Forest Division and countersigned by the PCCF(FD & NO, FC Act) is enclosed as ***Annexure-XXV.***

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: In compliance to the above, the RCCF, Koraput Circle has reported that FRA certificate has already been obtained from the Collector & District Magistrate, Rayagada by the U.A. The UA has intimated the facts which is enclosed as ***Annexure-VIII.*** The FRA certificate with documents is enclosed herewith as ***Annexure-VIII(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 Department.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the UA intimated regarding deposits made by them towards plantation of dwarf species (preferably medicinal species) as ***Annexure-IX.***

The scheme for plantation of dwarf species (preferably medicinal species) in right of way under the transmission line has been approved for Rs 95,43,328/- at wage rate @ Rs 308/- per MD by the RCCF, Koraput Circle vide Memo No.3279 dt 14.12.2020 copy of which is enclosed as ***Annexure-IX (A).***

Accordingly, the DFO vide Letter No. 5332 dt 14.12.2020 has raised demand against UA to deposit Rs 95,43,328/- copy of which is enclosed as **Annexure-IX (B)**.

Further DFO vide Letter No.2712 dt 21.05.2022 has raised differential cost of Rs.5,66,272/- towards dwarf plantation due to enhancement of wage rate @ Rs 326/- per MD copy of which is enclosed as **Annexure-III (E)**.

The UA deposited total **Rs.1,01,09,600/-** towards cost of Dwarf Plantation as detailed below-

Description	Amount in Rs	UTR No.& dt.
Approved cost of Dwarf plantation at wage rate @Rs 308/-	95,43,328/-	UBINA20359981333 dt 24.12.2020
Differential cost of Dwarf plantation at wage rate @Rs 326/-	5,66,272/-	No.0471120220602565976 dt.02.06.2022
TOTAL	1,01,09,600/-	-----

The payment particulars of Rs 95,43,328/- is enclosed as - **Annexure-IX (C)**.

The payment particulars of Rs 5,66,272/- is enclosed as - **Annexure-III (H)**.

The details of deposits made by user agency are furnished in 12-point CAMPA Format.

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: In compliance to the above, the RCCF, Koraput Circle has reported that the DFO, Rayagada Division reports that necessary bird deflectors have been provided on the upper conductor of the transmission line. An intimation by user agency is submitted as **Annexure-X**.

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: In compliance to the above, the RCCF, Koraput Circle has reported that the User Agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-XI**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the Environmental Clearance is not necessary for the projects of Transmission Line, because transmission is not coming in any categories of project under EIA notification, 2006. In this regard the UA has furnished an intimation which is enclosed as **Annexure-XII**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the layout plan of the proposed forest land shall not be changed without the prior approval of Central Government which is enclosed as **Annexure-XIII**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that no Labour camp shall be allowed in the forest area which is enclosed as **Annexure-XIV**.

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: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-XV**.

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: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada 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-XVI**.

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: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-XVII**.

Condition No.(xviii):- *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, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada 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-XVIII.**

Condition No.(xix):- *The period of diversion under this approval shall be co-terminus with the period of lease granted in favour or user agency of the project life, whichever is less.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the period of diversion under this approval shall be co-terminus with the period of lease granted in favour of user agency of the project life, whichever is less which is enclosed as **Annexure-XIX.**

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the forest land shall not be used for any purpose other than that specified in the project proposal which is enclosed as **Annexure-XX.**

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-XXI.**

Condition No.2(xxii):- *The State Government and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT orders (s) and 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, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the State Government and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT orders (s) and 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-XXII.**

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: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-XXIII**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the stage-I compliance has been uploaded by UA on Parivesh portal on 24.08.2022. In this regard the UA has furnished an intimation which is enclosed as **Annexure-XXIV**.

Compliance for conditions imposed by Govt. of Odisha, Forest, Environment & Climate Change Bhubaneswar vide their Letter No. 10F(Cons) 121/2020-15456/F&E dt 07.10.2020.

Condition No.(i):- 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 DFO, for their reference.

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the U.A. has submitted an intimation duly signed by DFO, Rayagada for submission of monthly reports as **Annexure-A**.

Condition No.(ii):- 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: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that 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 which is enclosed as **Annexure-B**.

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

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that in the case of transmission lines to be constructed in hilly areas, where adequate clearance is already available, trees will not be cut which is enclosed as *Annexure-C*.


Condition No.(iv):- *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 shall comply with any other conditions as may be imposed by Chief Wildlife Warden, Odisha so as to ensure that no death of wild animals occur due to electrocution.*

Compliance: In compliance to the above, the RCCF, Koraput Circle has reported that the User agency has furnished an undertaking duly countersigned by the DFO, Rayagada Division that the 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 shall comply with any other conditions as may be imposed by Chief Wildlife Warden, Odisha so as to ensure that no death of wild animals occur due to electrocution which is enclosed as *Annexure-D*.

In view of the above, the compliance to the conditions imposed by Government of India, MoEF& CC, ERO, Bhubaneswar is sent herewith for according final approval for diversion of 14.661 ha of forest land for construction of 132 KV 2 Phase Transmission Line from existing 220/132/33 KV Grid Sub-Station at Therubali to 132/25 KV switch yard of RTSS, Bhalumaska in Rayagada District of Odisha under Rayagada Forest Division by M/s Odisha Power Transmission Corporation Ltd. (OPTCL) coming within the jurisdiction of Rayagada Forest Division in the State of Odisha under Section 2 of Forest (Conservation) Act, 1980.

Encl: Stage-I Compliance in one set

Yours faithfully

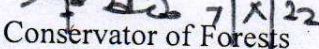

Principal Chief Conservator of Forests
(Forest Diversion and Nodal Officer, FC Act)

Memo No. **21004**

/ Dt. **15.10.2022**

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) 121/2020/15456/F&E dated 07.10.2020.

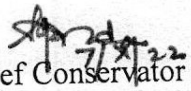
Encl: Stage-I Compliance in one set


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

Memo No.

/Dt.

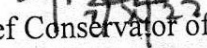
Copy forwarded to the RCCF, Koraput Circle for information and necessary action with reference to his Memo No.3026 dated 21.09.2022.


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

Memo No.

/Dt.

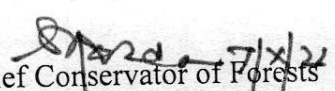
Copy forwarded to the DFO, Rayagada Forest Division for information and necessary action with reference to memo No. 3027 dated 21.09.2022 of RCCF, Koraput Circle.


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

Memo No.

/Dt.

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


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