



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.

/9F (Others) – 303/2021

Dated, Bhubaneswar the

May'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 13.233 ha of forest land for construction of Air Strip at Malkangiri by Executive Engineer, Malkangiri (R&B) Division, Malkangiri, Odisha – Stage-I Compliance regarding.

Ref: Letter No. 5-ORC470/2021-BHU dated 02.12.2021 of Deputy Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar-751023.

Sir,

In inviting a reference to the above mentioned subject, this is to inform that Government of India, Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Bhubaneswar has accorded Stage-I/In-principle approval vide letter No. 5-ORC470/2021-BHU dated 02.12.2021 in respect of diversion of 13.233 ha of forest land for construction of Air Strip at Malkangiri by Executive Engineer, Malkangiri (R&B) Division, Malkangiri, Odisha subject to fulfillment of 12 nos. of conditions prior to handing over of forest land by the State Forest Department and 15 nos. of conditions after handing over of forest land to the User Agency by the State Forest Department. The point wise compliance basing on the reports of the DFO, Malkangiri Forest Division and RCCF, Koraput Circle are as follows:-

Compliance for conditions which need to be complied prior to handing over of forest land by the State Forest Department.

Condition No.(i) -The user agency shall transfer online, the Net Present Value (NPV) of 13.233 ha forest land being diverted under this proposal, as per the Orders of Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No 202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05.02.2009. The requisite finds shall be transferred through online portal in CAMPA account of the State concerned.

Compliance:- The RCCF, Koraput Circle has reported that the DFO, Malkangiri Division has demanded NPV amount of Rs.57,96,054/- against the user agency vide his Letter No.5024 dt 21.12.2021. Accordingly, NPV amount of Rs.57,96,054/- has been deposited by the user agency through e-portal (<https://parivesh.nic.in/>) in CAMPA account of the State of Odisha vide UTR No.SBINR52022022569016096 Dated 25.02.2022. (Total Rs.97,54,654/- being NPV Rs.57,96,054/- and CA cost Rs.39,58,600/-).

The copy of demand letter No.5024 dt 21.12.2021 of DFO, Malkangiri division is enclosed as **Annexure-A1** and the payment particulars (Receipt) along with intimation Letter No.1038 dt 28.02.2022 of the user agency is enclosed as **Annexure-A2**.

The detail of funds deposited by the user agency has been shown in 12-point CAMPA format.

Condition No.(ii)-The identified non-forest land of 13.350 ha for raising compensatory afforestation shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval.

Compliance:- The RCCF, Koraput Circle has reported that CA Land i.e. Khata No. 30 (AAA), Plot No. 1/159 & 5/160 over an area 13.350 ha at Phulagandhi village under Chitrakunda Tahasil has already been mutated in favour of Odisha Forest Department. The copy of ROR/ Khatiyani No.32/1 along with related documents is enclosed here with as **Annexure-B1**.

The CA land over 13.350 Ha at Phulagandhi village under Chitrakunda Tahasil has already been notified as "**Phulagandhi PF**" vide Notification No.FE-DIV-FLD-0089-2021-10F(Cons)-45/2021-21693/FE& CC dt 06.12.2022 of State Govt. of Odisha, FE & CC Deptt., Bhubaneswar. The copy of said PF Notification is enclosed as **Annexure-B2**.

Condition No.(iii) -The CA Scheme shall be technically approved by the competent authority of State Government.

Compliance-The CA scheme for 13.350 ha identified in Phulagandhi village under Chitrakunda Tahasil has been technically approved by the competent authority for Rs.39,58,600/- at wage rate @ Rs.315/- per MD and subsequently has been revised for Rs.45,09,700/- at wage rate @Rs 326 per manday due to enhancement of wage rate. Once again the CA scheme @333/MD has been revised for Rs.45,91,300/-. The copies of technical approvals of CA cost are enclosed as **Annexure-C1**, **Annexure-C2** and **Annexure-C3**.

Condition No.(iv) -The species to be planted in the CA scheme shall be of native species of the area avoiding Teak.

Compliance:- The RCCF, Koraput Circle has reported that species like Khair, Bamboo, Sahaja, Mahula, Acacia, Asana etc. have been proposed for planting in the CA area which are native species.

Condition No.(v) -The land identified for the purpose of Compensatory Afforestation shall be clearly depicted on a Survey of India Topo sheet of 1:50,000 scale.

Compliance-The RCCF, Koraput Circle has reported that the land identified for the purpose of Compensatory Afforestation has been clearly depicted on a Survey of India Topo sheet of 1:50,000 scale. The Topo sheet bearing No. E44K4 is enclosed herewith as **Plate-1.**

Condition No.(vi) -The KML files of the area to be diverted and the CA areas shall be uploaded on the e-Green Watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be.

Compliance-The KML files of the diverted area and the CA area have been uploaded on the e-green watch portal with all requisite details.

Condition No.(vii)-The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The Scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance-The User Agency has deposited total CA cost of **Rs.45,91,300/-** as below-

Component	Payment particulars	Amount in Rs.
CA cost of Rs 39,58,600/- @ Rs 315/- per MD (CA scheme over 13.350 ha technically approved for Rs 39,58,600/- by the CCF (Nodal) at wage rate @Rs 315/- per MD vide Memo No. 21876 dt 18.12.2021.	UTR No. SBINR 52022022569016096 Dated 25.02.2022	Rs.39,58,600/-
Differential CA cost of Rs 5,51,100/- (Technically approved for Rs 45,09,700/- by the CCF (Nodal) at wage rate @Rs 326/- per MD. Vide Memo No.17803 dt 12.09.2022). (Rs 45,09,700 – 39,58,600 = Rs 5,51,100/-)	UTR No. SBIN322321599427 dated 17.11.2022	Rs.5,51,100/-
Differential cost of CA as per wage rate @333/MD	UTR No. 1508219930494453 dt.20.03.2023	Rs.81,600/-
Total		Rs.45,91,300/-

The copy of both technical approvals of CA cost of Rs.39,58,600/-, Rs.45,09,700/- and Rs.45,91,300/- are enclosed as **Annexure-C1 , C2 & C3.**

The copy of demand raised by DFO for CA cost of Rs.39,58,600/- vide Letter No.5024 dt 21.12.2021, differential CA cost of Rs.5,51,100/- vide Letter No.4474 dt 13.09.2022 and differential CA cost of Rs.81,600/- vide Letter no.875 dt. 22.02.2023 are enclosed as **Annexure-A1 , D1 and C4** respectively.

The copy of payment receipts for Rs.39,58,600/- , for Rs.5,51,100/- and Rs.81,600/- are enclosed as **Annexure- A2 , Annexure-D2 and Annexure-C5** respectively.

The detail of funds deposited by the user agency has been shown in 12-point CAMPA format enclosed as **Annexure –D3.**

Condition No.(viii)-All the funds received from the user agency under the project shall be transferred deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.

Compliance:-The RCCF, Koraput Circle has reported that all the funds under this project have been deposited online in Odisha CAMPA account only through Parivesh e-portal. The statement of funds deposited by the user agency duly signed by the DFO, Malkangiri division and countersigned by the PCCF(FD & Nodal Officer, FC Act) is enclosed as **Annexure-D3**.

Condition No.(ix) -The cost of felling of trees shall be deposited by the user agency with the State Forest Department. The user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.

Compliance:- The RCCF, Koraput Circle has reported that an amount of Rs.6,24,976/- has been deposited in favour of DM, OFDC Ltd in Ac No.391301010030028 of OFDC Ltd. for felling of 302 Nos. of trees from Forest Land on dated 04.05.2022. Moreover, an amount of Rs.79,70,156/- has been deposited in Ac No.391301010030028 of OFDC Ltd. for felling of 1950 Nos. of Trees from Non-forest land on dated 23.09.2022. The said copy of money receipts are enclosed as **Annexure-E1 and annexure- E2**.

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

Compliance-The point-wise compliance report of the Stage-I approval has been uploaded on e-portal by the user agency.

Condition No.(xi) -The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

Compliance- The certificate issued by the Collector, Malkangiri under FRA, 2006 along with connected documents, reports etc are enclosed as **Annexure-F**.

Condition No.(xii) -The boundary of the proposed forest land for diversion, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.

Compliance- The RCCF, Koraput Circle has reported that the User Agency has erected four feet high reinforced cement concrete pillars in the forest area proposed to be diverted and the same has been checked by the forest officials. The list of pillars with information like Serial number, distance from pillar to pillar, Geo Co-ordinates etc. is enclosed as **Annexure-G**.

- B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval.**

Condition No.(i)-Legal status of forest land proposed for diversion shall remain unchanged.

Compliance- In this regard the user agency has furnished an undertaking as **Annexure – H.**

Condition No.(ii)-Compensatory afforestation shall be raised over 13.350 ha non-forest land identified in Plot No.1 & 5 of Khata No.30(AAA) of village Phulagandhi under Chitrakonda Tahasil under Malkangiri District within three years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. The species to be planted in the CA scheme shall be of native species of the area avoiding Teak. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals.

Compliance- The RCCF, Koraput Circle has reported that the Compensatory afforestation shall be raised over 13.350 ha of non-forest land identified in Plot No.1/159& 5/160 of Khata No.30 (AAA) of village Phulagandhi under Chitrakonda Tahasil under Malkangiri District at the cost of User Agency after release of funds. Range level and Divisional level monitoring shall be ensured both physically and GIS based platforms. In this regard the DFO has furnished an undertaking as **Annexure- I.**

Condition No.(iii) -At the time of payment of Net Present Value (NPV) at the then prevailing rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.

Compliance- The User Agency has furnished an undertaking duly countersigned by DFO, Malkangiri to pay the additional amount of NPV if so, determined which is enclosed as **Annexure- J.**

Condition No.(iv)-The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.

Compliance- Not applicable for this project.

Condition No.(v) -No labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.

Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - K.**

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

Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - L**

Condition No.(vii)-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 this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - M.**

Condition No.(viii) -*The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - N.**

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

Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - O.**

Condition No.(x) -*The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change.*

Compliance-In this regardan undertaking duly countersigned by DFO, Malkangiri submitted by the User Agency is enclosed as **Annexure- P.**

Condition No.(xi)-*No damage to the flora and fauna of the adjoining area shall be caused.*

Compliance- In this regardan undertaking duly countersigned by DFO, Malkangiri submitted by the User Agency is enclosed as **Annexure- Q.**

Condition No.(xii) -*The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.*

Compliance-In this regard, undertakings duly countersigned by DFO, Malkangiri submitted by the DFO and the User Agency are enclosed as **Annexure-R.**

Condition No.(xiii) -*The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Integrated Regional Office of this Ministry by the end of March every year.*

Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - S.**

Condition No.(xiv) -*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 this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - T.**

Condition No.(xv)-*The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.*

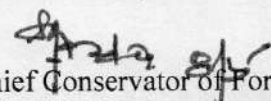
Compliance- In this regard the user agency has furnished an undertaking duly countersigned by DFO, Malkangiri as **Annexure - U.**

Moreover, the DFO, Malkangiri Forest Division has furnished **12-point CAMPA format** mentioning detail of funds deposited by the user agency as CAMPA levies.

In view of the above, the compliance to the conditions imposed by the Government of India, MoEF & CC, Integrated Regional office, Bhubaneswar is sent herewith for according final approval for diversion of 13.233 ha of forest land for construction of Air Strip at Malkangiri by Executive Engineer, Malkangiri (R&B) Division, Malkangiri, Odisha.

Encl: Compliance in one set

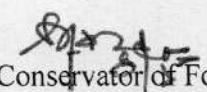
Yours faithfully


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

Memo No. **9106** /Dt. **10.05.2023**

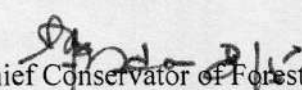
Copy alongwith the compliance report forwarded to the Additional Chief Secretary to Government, Forest, Environment and Climate Change Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Letter No. 5-ORC470/2021-BHU dated 02.12.2021 of Deputy Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar-751023 and No.22157 / FE&CC dated 16.12.2021 of Special Secretary to Govt., FE&CC Department.

Encl: Compliance in one set


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

Memo No. /Dt.

Copy forwarded to the Regional Chief Conservator of Forests, Koraput Circle for information and necessary action with reference to his Memo No.491 dated 06.02.2023.


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

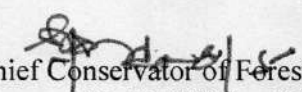
Memo No. /Dt.

Copy forwarded to the Divisional Forest Officer, Malkangiri Forest Division for information and necessary action with reference to Memo No.492 dated 06.02.2023 of RCCF, Koraput Circle.


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

Memo No. /Dt.

Copy forwarded to the Executive Engineer, Malkangiri (R&B) Division, Malkangiri, Odisha, Pin-764045 for information and necessary action.


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