



No.5-ORB327/2017-BHU

12<sup>th</sup> June, 2018

To

The Addl. Chief Secretary,  
Forest & Environment Deptt.,  
Govt. of Odisha,  
Bhubaneswar.

Sub:-

Diversion of 0.95 ha of forest land for construction of intake water pump house at Samal, Talcher in Angul district, Odisha by NTPC Ltd. for proposed expansion of their Talcher Thermal Power Station.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)39/2017-22951/F&E dated 09.11.2017, on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest(Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment, Forest & Climate Change hereby conveys '*Stage-I/in-principle*' approval for diversion of 0.95 ha of forest land for construction of intake water pump house at Samal, Talcher in Angul district, Odisha by NTPC Ltd. for proposed expansion of their Talcher Thermal Power Station, subject to the fulfillment of the following conditions.

- (i) Legal status of forest land proposed for diversion shall remain unchanged.
- (ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency 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 in this regard. While conveying the compliance of this condition, mention be made of the Eco-class and density of forest for which NPV has been charged.
- (iii) At the time of payment of the Net Present Value (NPV) at the present 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.
- (iv) The user agency shall comply with the conditions stipulated by State Govt. vide letter No.10(Cons)39/2017-22951/F&E dated 09.11.2017.
- (v) All the funds received from the user agency under the project shall be transferred through e-portal to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned.

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- (vi) The user agency should ensure that the compensatory levies (C.A. cost, NPV etc.) are deposited through challan generated online on web portal and deposited in appropriate bank **online only**. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- (vii) The State Govt. shall furnish the detail status (kisam) of non-forest land of pipeline route before issue of Stage-II approval.
- (viii) The user agency shall plant trees of native species in available vacant spaces, as per feasibility, around the project site at their own cost, in consultation with State Forest Department.
- (ix) The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, distance from adjoining pillars etc. The cost of expenditure like RCC/ stone pillars, demarcation charges, charges for felling of trees and their transportation to depots shall be deposited with DFOs concerned and the work should be undertaken departmentally as per directions of Ministry's letter No.13-20/2015-CAMPA dated 09.06.2016.
- (x) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- (xi) No labour camp shall be allowed in the forest area.
- (xii) The user agency shall provide LPG or alternate fuel, to labourers working at the site to avoid damage/tree felling and ensure no fuelwood use.
- (xiii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xiv) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change.
- (xv) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
- (xvi) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with letter No.11-9/1998-FC (pt.) dated 05.02.2013 and 05.07.2013, in support thereof.
- (xvii) 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, which shall be complied by the user agency.

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- (xviii) 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.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of forest land to user agency shall not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.

Yours faithfully,




(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Director, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
3. The Addl. Principal Chief Conservator of Forests & Nodal Officer, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Addl. General Manager (P&S), M/s NTPC Limited, Talcher Thermal Power Station, P.O:- Talcher Thermal, Dist:- Angul-759101, Odisha.
5. Guard file.



Conservator of Forests (Central)