



To

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

Sub:-

Diversion of 17.02 ha of revenue forest land for setting up of 4000 MW Ultra Mega Power Project (UMPP) near Bhedabahal in Sundargarh district by M/s Orissa Integrated Power Limited (a wholly owned subsidiary of Power Finance Corporation Ltd., a Govt. of India Undertaking).

Sir,

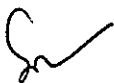
I am directed to refer to State Govt. letter No10F(Cons)82/2016-9643/F&E dated 20.05.2015 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest(Conservation) Act, 1980.

2. After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 14.06.2016, the Ministry of Environment, Forest & Climate Change hereby conveys 'in-principle' approval for diversion of 17.02 ha of revenue forest land for setting up of 4000 MW Ultra Mega Power Project (UMPP) near Bhedabahal in Sundargarh district by M/s Orissa Integrated Power Limited (a wholly owned subsidiary of Power Finance Corporation Ltd., a Govt. of India Undertaking), 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) Considering the fragmented nature of left out forest of 10.87 ha, Compensatory afforestation would be raised over an area of 27.89 ha in one compact block instead of 18.54 ha proposed by the State Govt. The left out area of 10.87 ha would also be maintained as forest. The green belt component as per EC provision would be over and above the proposed compensatory afforestation under Forest (Conservation) Act, 1980.
- (v) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation for 10 years, at the current wage rate, to the State Forest Department.
- (vi) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of Stage-II approval.

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- (vii) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record.
- (viii) All the funds received from the user agency under the project shall be transferred to concerned Saving Bank account of the Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road Branch, New Delhi-11003.
- (ix) The user agency shall also comply to the conditions stipulated by State Govt. vide letter No.10(Cons)82/2016-9643/F&E dated 20.05.2016.
- (x) The details of non-forest land as well as private land identified for compensatory afforestation shall be furnished along with RoR and non-encroachment certificate from the Tehsildar before issue of Stage-II approval.
- (xi) The revised FRA certificate for 17.02 ha as proposed by the State Govt. shall be furnished before issue of Stage-II approval.
- (xii) Status of Govt. non-forest land involved in the proposal as on 25.10.1980 shall be furnished duly authenticated by the competent Revenue Authority.
- (xiii) The State Govt. shall ensure that no non-forest/construction activity shall be carried out by the user agency within specified distance beyond HFL of Ib River.
- (xiv) 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, forward and back bearing and distance from adjoining pillars etc.
- (xv) The State Forest Department/UA shall submit the DGPS map of 27.89 ha of non-forest land as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them.
- (xvi) The user agency shall ensure that ash produced due to the unit shall not pollute the air and water of the nearby areas for which, green belt shall be maintained around the proposed unit and necessary plantation in the nearby villages/habitation should be carried out in consultation with the local people.
- (xvii) The user agency shall also utilize the ash generated by supplying for construction of road project within the 100 Km radius and also facilitate supply of ash to brick industries as per fly ash notification as amended in 2003 No.S.O.979 dated 27th August, 2003 as per the feasibility.
- (xviii) The user agency shall implement the special mitigative scheme prepared by State Forest Department to control pollution of Ib River, ensuring zero water discharge to the nearby natural water bodies, streams and river Ib. The user agency shall also install incinerators, STP in the township area along with their maintenance including regular cleaning of storm water drain at the project cost, carrying out other environmental/ forest conservation activities and awareness programmes.
- (xix) No additional or new path will be constructed inside the forest area for any activity related to the project work.



- (xx) No labour camp shall be allowed in the forest area.
- (xxi) The user agency shall provide fuel wood, preferably alternate fuel, to labourers working at the site to avoid damage/tree felling.
- (xxii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xxiii) 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.
- (xxiv) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
- (xxv) The user agency shall obtain the environmental clearance as per the provisions of Environment (Protection) Act, 1986. No acquisition within specified distance (as per MoEF&CC guidelines) beyond HFL of Ib River shall be permitted.
- (xxvi) 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.
- (xxvii) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, 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 should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forests & Climate Change.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi – 110 003.
3. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
5. The Divisional Forest Officer, Sundargarh Forest Division, Sundargarh, Odisha.
6. The Director & Project-in-Charge, M/s Orissa Integrated Power Ltd., URJANIDHI, 1, Barakhamba Lane, Cannought Place, New Delhi – 110 001.
7. Guard file.

Conservator of Forests (Central)