



No.5-ORA528/2022-BHU

13th January, 2025

To

The Addl. Chief Secretary,
Forest, Environment & CC Deptt.,
Government of Odisha,
Bhubaneswar – 751 001.

Sub:- Diversion of 594.618 ha (292.289 ha in Nayagarh Forest Division and 302.329 ha in Boudh Forest Division) of forest land in connection with Khurda-Bolangir New BG Rail Link Project 112 Km to 180 Km under Nayagarh and Boudh Forest Division by East Coast Railway.

Sir,

I am directed to refer to State Govt. letter No. FE-DIV-FLD-0071-2022-15657/FE&CC dated 05.09.2022 and PCCF&HoFF, Odisha's letter No.24041/9F(RLY)-413/2021 dated 28.11.2022, No.24486/9F (Fly)-413/2021 dated 03.12.2022 & No.26190/9F(Rly)-413/2021 dated 27.12.2022, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 594.618 ha (292.289 ha in Nayagarh Forest Division and 302.329 ha in Boudh Forest Division) of forest land in connection with Khurda-Bolangir New BG Rail Link Project 112 Km to 180 Km under Nayagarh and Boudh Forest Division by East Coast Railway, was sought in accordance with Section-2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of decision of Regional Empowered Committee meeting held on 09.02.2023, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 13.02.2023, subject to fulfillment of certain conditions. The State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the CCF & Nodal Officer (FCA), Odisha vide their letter No.18585/9F (RLY)-413/2021 dated 12.09.2024 and uploading of the compliance report by State Govt. in *Parivesh* web portal on 06.01.2025, **Stage-II/final** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 594.618 ha (292.289 ha in Nayagarh Forest Division and 302.329 ha in Boudh Forest Division) of forest land in connection with Khurda-Bolangir New BG Rail Link Project 112 Km to 180 Km under Nayagarh and Boudh Forest Division by East Coast Railway, subject to the fulfillment of the following conditions:-

A: Conditions which need to be complied prior to handing over of forest land.

- i) The State Govt. and the user agency shall ensure the compliance of order dated 16.01.2023 passed by the Hon'ble Supreme Court of India in IA No. 160201 of 2022
- ii) The State Govt. shall ensure the compliance on FRA, 2006 as per Forest (Conservation) Rules and guidelines issued from time to time.
- iii) The State Govt. shall ensure that NPV of the above proposal has been realized from user agency as per Ministry's direction from time to time.
- iv) The State Govt. shall ensure that the user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.

- v) The State Govt. shall ensure that the KML files of forest area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency.
- vi) The State Govt. shall ensure that the boundary of the diverted forest land 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.

B: Conditions which need to be complied after handing over of forest land to the user agency.

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) The State Govt. shall ensure that the State Forest Department will raise the Compensatory afforestation over 1192 ha degraded forest land identified in Nayagarh Forest Division (586.00 ha) and Boudh Forest Division (606.00 ha) within two years from the issue of Stage-II approval as per approved plan/scheme and maintained thereafter, from the funds deposited by the user agency in CAMPA account. The species to be planted under the CA scheme shall be of native species of the area. At least 18 month old seedlings should be planted. 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.
- iii) The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- iv) The State Govt. shall ensure that the approved Site Specific Wildlife Conservation Plan shall be implemented by the State Govt. from the funds deposited by the user agency.
- v) The State Govt. shall ensure that as the proposed railway line is in the elephant impact zone and elephant corridor, so elephant overpasses, underpasses and viaducts at appropriate positions as identified by the local Divisional Forest Officer should be constructed, fencing of the railway line towards the sanctuary side should be done so that elephant will not enter the track and will use the under passes and overpasses.
- vi) The State Govt. and the user agency shall ensure that speed of the train should be less than 20 KM per hour in the stretch and Forest Department/ Railway Authority should regularly inform each other regarding the movement of elephant so that the train can be stopped without harm to elephants as and when required.
- vii) The State Govt. and user agency shall ensure that speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/Forest Areas.
- viii) The State Govt. shall ensure that the user agency shall take up Avenue Plantation on either side alignment of the track at the project cost in consultation with the DFO.
- ix) The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- x) The State Govt. and user agency shall ensure that no additional or new path will be constructed inside the forest area for any activity related to the project work.
- xi) The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency.
- xii) The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xiii) The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused.

- xiv) The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area.
- xv) The State Govt. shall ensure that 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.
- xvi) The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change.
- xvii) The State Govt. shall ensure that 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 prior approval of the Ministry of Environment, Forest & Climate Change.
- xviii) The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Integrated Regional Office of this Ministry by the end of March every year regularly.
- xix) The State Govt. shall ensure 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, which shall be complied by the user agency.
- xx) 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.
- xxi) Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Chapter-1 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023.

Yours faithfully,

Padma Mahanti

(Dr. Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:-

1. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003.
2. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharapur, Bhubaneswar.
3. The Deputy Chief Engineer (Cons-II), East Coast Railway, West Annex Building, Railway Vihar, Chandrasekharapur, Bhubaneswar-751023.

Dy. Inspector General of Forests (C)

