

Letter No. 6484 Date 19.12.19

To

Sri M.K.Josi, AVP Odisha Cement Plant (A Unit of Shree Cement Ltd.),
Chandrabalishyampur, Block-Athgarh, Dist- Cuttack, Pin- 754029

Sub: - Return of Incomplete Diversion Proposal bearing **On-Line Proposal**
No.FP/OR/TRANS/42103/2019 and State S.L.No.OR-073/2019
dt.15.10.2019 for re-submission after necessary Compliance point wise.

Ref: - Your Letter No.SCL/OGU/F-05 dt.22.10.2019 and this Office Memo No.5529
dt.28.10.2019

Sir,

With reference to the above cited letter on the captioned subject , the above Forest Diversion Proposal received in six sets along with all relevant documents are returned herewith for re-submission after due compliance as per check list point wise given below.

- 1) The document wise Index and check list (Annexure/page) of the diversion proposal has not been provided properly.
- 2) The Forest land applied for diversion should be jointly verified in the field by the concerned Tahasildar/Range officer and Project Authority as well as in presence of the Member President of concerned VSS after due demarcation & posting of pillars on geo-reference with forward & back bearing and distance from pillar to pillar and joint verification report be submitted after due signature of the all concerned.
- 3) The joint enumeration list of trees required for felling & removal for this project should be submitted separately for Reserve/ Revenue and Private Forests as would be involved in this project duly signed by Forest/ Revenue and Project Authority as well as the Member/president of concerned VSS .
- 4) The necessary VSS Resolution as per JFM guidelines 2011 against the total forest land proposed for diversion falling in the VSS area duly prepared and signed by the forest Officials /Project proponent and the Members/president of concerned VSS for this project should be submitted alongwith the tree enumeration list.
- 5) The soft copy in KML format of all DGPS Survey Maps prepared and certified by ORSAC of the total forest land involved in the project should be submitted after duly authenticated by Revenue and Forest authorities.
- 6) The soft copy in a PDF format of all documents of the DRP should be submitted to facilitate the online entry.
- 7) The geo-referenced distance map indicating the exact aerial distance of the proposed site from both boundaries of the Sanctuary and ESZ of Kapilash Wildlife Sanctuary should be submitted duly signed by all concerned.
- 8) The necessary Model Certificate of the concerned Collector as per Forest Right Act, 2006 for this project should be submitted.

- 9) The necessary status Certificate of Tahasildar, Athgarh on the total land (both forest & Non-forests) including C.A land involved in the project (Sabik/hall) as per Govt. records as on 25.10.1980 with reference to letter dt.12.02.2015 of Chief Secretary Odisha should be submitted in proper form.
- 10) An equal extend of non-forest land is required to be identified and verified jointly by the concerned Tahasildar /Range officer & Project Authority against the forest land to be diverted for raising Compensatory Afforestation. In this regard necessary under taking to bear the cost of the C.A fund in the revised wage structure as per the site specific scheme in requisite norm to be prepared and approved by the concerned authority should be submitted with soft copy in KML format with the C.A Scheme.
- 11) The necessary Clearance Certificate from the State Pollution Control Board as per EIA Notification amended as on 1st December,2009 for this project should be submitted.
- 12) Rehabilitation and Re-settlement Plan if any has to be submitted properly as per guidelines.

Further the Project authority has to submit the following under takings separately for inclusion in the diversion proposal as furnished below.

- A) Undertaking to pay NPV as per demand notice demand notice issued by DFO.
- B) Undertaking to pay additional NPV, if the present rate of NPV is escalated as per final decision of Supreme Court of India.
- C) Under taking to pay the cost of CA as per the approved scheme as well as the differential cost if any demanded time to time in revised rate.
- D) Undertaking to deposit all further payments (if any) to be demanded time to time.
- E) Undertaking not to construct any labour camp in the forest land proposed to be diverted in this proposal.
- F) Undertaking to provide alternate fuel to the labours and staff who will be working at the project site to avoid any damage and pressure to the adjacent forest area.
- G) Undertaking to demarcate both the boundary line of the project area and CA area on ground at the project cost by erecting 4 feet high re-enforced cement concrete pillars, each inscribed with SL No. forward and back ward bearing and distant to the next pillars.
- G) Undertaking not to use the forest land proposed to be diverted in this proposal for any purposes other than that specified in the proposal.
- I) Undertaking not to transfer the forest land involved in this proposal to any other agency, department or person without prior approval of the MoEF.
- j) Undertaking to execute tree felling with proper permission and strict supervision of the DFO.

- K) Undertaking not to cause any damage to the nearby Flora and Fauna due to execution of this project.
- L) Undertaking to execute any other condition subsequently by the Addl PCCF, Central, Bhubaneswar Region from time to time in the interest of conservation, protection and development of forest and wildlife.
- M) Undertaking not to use any other forest land and non-forest land for this project beyond the area now applied for in future without prior permission of the MoEF.
- N) Undertaking to comply the provisions of all Acts, Rules, Regulations and Guidelines for the time being in force, as would be applicable to this project.
- O) Undertaking to submit the Site Specific Conservation and Management Plan and necessary clearance from the NBWL, New Delhi, if the project will comes under the ESZ of any Sanctuary, Tiger Reserve, National Park or Elephant, Tiger Corridor.
- 13) The Project Authority has to submit all above required documents correctly/properly as per check list within the scheduled date line. Any wanting of documents or deviations found in the process, the DRP will be retuned for necessary further compliance.
- 14) The Project Authority will pursue the matter and render necessary cooperation to the concerned Revenue and Forest authorities regarding joint verification/Site inspection/ Tree enumeration etc in the field of the proposed diversion area for necessary recommendation of Part-II of the Divisional Forest Officer.

Hence you are requested to please comply the needful and depute your Authorized Officer to receive the diversion proposal from this office and re-submit the same after due compliance properly as per latest guidelines of F.C Act. for taking further action at this level. Besides you are requested not to take up any non-forestry activities both in forest and non-forest land till receipt of final approval order from Govt. of India MoEF and CC which attracts the para 4.4 of guidelines of F.C Act 1980.

Encl: - As above.

Yours faithfully,

Divisional Forest Officer,
Athgarh Division

Memo No. 6485 Date 19.12.19

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle, Angul for favour of your kind information and necessary action.

Divisional Forest Officer,
Athgarh Division

Memo No. 6486 Date 19.12.19

Copy forwarded to the Addl. Principal Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act, Office of the Principal Chief Conservator of Forest, Odisha, Bhubaneswar for favour of kind information and necessary action.

Divisional Forest Officer,
Athgarh Division