



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

E-mail:- nodal.pccfhoff@odisha.gov.in / nodal.pccfodisha@gmail.com

No. 11428 /9F (Others) – 429/2021
Dated, Bhubaneswar the 03rd June' 2024

To

The Deputy Director General of Forests (Central)
Government of India, Ministry of Environment, Forest & Climate Change
Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

Sub-: Diversion of 0.248 ha of Revenue Forest Land in favour of M/s Mayfair Hotels & Resorts Ltd. under Bhubaneswar Tahasil of Khordha District under Chandaka Wildlife Division – GoI observations regarding

Ref:- Letter No.5-ORB510/2022-BHU dated 28.02.2024 of Dy. Inspector General of Forests (C), GoI, MoEF & CC, Regional Office, Bhubaneswar

Sir,

In inviting reference to GoI, MoEF & CC, Regional Office. Bhubaneswar letter cited above on the captioned subject, the DFO Chandaka (WL) Division and RCCF, Bhubaneswar Circle have furnished the required compliance as stated below:-

The RCCF, Bhubaneswar Circle has reported that the Government of Odisha, GA & PG Department vide his Letter No.13754/CA dated 06.05.2024 (copy enclosed) addressed to the DFO, Chandaka (WL) Division has informed that Govt. of Odisha has constituted a Site Selection Committee / Land Allotment Committee to assess the requirement and recommend the Government for land. GA & PG Department was following the provisions of the Government Grant Act, 1985 and after repeal of Government Grants Act, GA Department is now following the provisions of the Odisha Government Land Settlement (Second Amendment) Rules, 2020.

In response to the letter of Regional Office, Bhubaneswar with regard to submission of the names of the erring officials responsible for violation of FC Act, 1980, the GA & PG Department has informed that despite repeated search, the relevant Site Selection proceeding has not been traced out by them. Hence, any individual member may not be named from the Site Selection Committee/Land Allotment Committee who took the decision as per the then available revenue records where the status of the land was non-forest land.

Later after the Land Settlement process, it was known that status of the land was "Buda Jungle". Accordingly, the User Agency has been intimated to apply for diversion of the Forest Land for non-forest use and not take any further construction without the forest diversion to non-forestry purpose. Hence, it can neither be attributed to the User Agency nor the Committee Members who have taken the decision based on available revenue records.

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Further, the National Green Tribunal, Eastern Zone Bench, Kolkata in OA Case No. 29/2019/EZ and MA No.29/2022/ EZ have directed to regularize the matter on realization of Net Present Value / Penal Net Present Value from the User Agency while granting clearance under FC Act, 1980. Hence, the GA & PG Department has requested to condone the action against the erring officials responsible for violation of FC Act, 1980.

In view of the above, the information/compliance is sent herewith for favour of kind information and further course of action.

Encl: As above

Yours faithfully

Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. 11429 /Dt. 03.06.2024

Copy forwarded to the Additional Chief Secretary to Government, Forest, Environment & Climate Change Department, Odisha, Bhubaneswar for information and necessary action with reference to letter No. 5-ORB510/2022-BHU dated 28.02.2024 of Dy. Inspector General of Forests (C), GoI, MoEF & CC, Regional Office, Bhubaneswar and Memo No.4273/FE&CC dated 11.03.2024 of OSD-cum-Special Secretary to Government FE&CC Department.

3/6/2024
Chief Conservator of Forests (Nodal)

Memo No. 11430 /Dt. 03.06.2024

Copy forwarded to the RCCF, Bhubaneswar Circle for information and necessary action with reference to his Memo No.1671 dated 17.05.2024.

3/6/2024
Chief Conservator of Forests (Nodal)

Memo No. 11431 /Dt. 03.06.2024

Copy forwarded to the Divisional Forest Officer, Chandaka (WL) Division for information and necessary action with reference to Memo No.1672 dated 17.05.2024 of RCCF, Bhubaneswar Circle.

3/6/2024
Chief Conservator of Forests (Nodal)

Memo No. 11432 /Dt. 03.06.2024

Copy forwarded to the Director of Estates & Ex-officio, Additional Secretary to Government, Government of Odisha, GA & PG Department for information and necessary action.

3/6/2024
Chief Conservator of Forests (Nodal)

Memo No. 11433 /Dt. 03.06.2024

Copy forwarded to the General Manager (L&E), Mayfair Hotels & Resorts Ltd., 8-B, Jaydev Vihar, Bhubaneswar-751013 for information and necessary action with reference to letter No.5-ORB-510/2022-BHU dated 28.02.2024 of the Deputy Inspector General of Forests (C), GoI, MoEF & CC, Regional Office, Bhubaneswar and Memo No.4277/FE&CC dated 11.03.2024 of the OSD-cum-Special Secretary to Government, FE&CC Department.

3/6/2024
Chief Conservator of Forests (Nodal)

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Government of Odisha
General Administration & Public Grievance Department

No 13754 /CA, Bhubaneswar, Date 06/05/2024
GAD-CA4-MISC-0038-2022

From
Sri Manoj Kumar Mohanty
Director of Estates & Ex-Officio
Addl. Secretary to Government

To
The Divisional Forest Officer
Chandaka Wild Life Division
Bhubaneswar

1707
07.05.24

Subject: Proposal for Diversion of 0.247 Ha (0.612Ac.) of Forest land in favour of M/s Mayfair Hotels & Resorts Ltd, Proposal No. FP/OR/Others/145339/2021 with State Serial No. OR/062/2021 dtd 03-08-2021.

Ref: 2. Letter No. 1798 dtd 18-03-2024 received from DFO, Chandaka
1. This Department letter No. 37218 dtd 15-12-2023

Sir,

In inviting a reference to the subject cited above, I am directed to say that, Govt. of Odisha has constituted a Site Selection Committee / Land Allotment Committee to access the requirement and recommend the Government for land. GA & PG Deptt. was following the provisions of the Government Grant Act, 1985 and after repeal of Government Grants Act, GA Department is now following the provisions of the Odisha Government Land Settlement (Second Amendment) Rules, 2020.

In response to the letter of Regional Office, Bhubaneswar with regard to submission of the names of the erring officials responsible for violation of FC Act, 1980, we would like to intimate you that despite repeated search the relevant Site Selection proceeding has not been traced out. Hence any individual member may not be named from the Site Selection Committee/Land Allotment Committee who took the decision as per the then available revenue records where the status of the land was non-forest land.

Later after the Land Settlement process it was known that status of the land was "Buda Jungle". Accordingly, the User Agency has been intimated to go for diversion of the Forest Land for non-Forest use and not to take any further construction without the forest diversion to non-forest use. So it can neither be

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attributed to the User Agency nor the Committee Members who have taken the decision based on available revenue records.

Further The National Green Tribunal, Eastern Zone Bench, Kolkata in OA Case No. 29/2019/EZ and MA No. 29/2022/ EZ have directed to regularize the matter on realization of Net Present Value / Penal Net Present Value from the User Agency while granting clearance under FC Act, 1980.

In view of the above, and in light of this peculiar situation the action against the erring officials responsible for violation of FC Act, 1980 may be condoned and the proposal of MAYFAIR Hotels & Resorts Limited may be approved for use of forest land for non-forest purpose and may be considered for grant of Stage -I approval.

Yours faithfully,

[Signature]
Director of Estates & Ex-Officio
Addl. Secretary to Government

and
1.20
18/9/24