



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](mailto:nodal.pccfhoff@odisha.gov.in) / [nodal.pccfodisha@gmail.com](mailto:nodal.pccfodisha@gmail.com)

No. 20807 / 9F (Irrig) - 3/2021  
Dated, Bhubaneswar the 13<sup>th</sup> October '2022

From

Principal Chief Conservator of Forests & HoFF  
Odisha, Bhubaneswar

To

The Additional Chief Secretary to Government  
Forest, Environment & Climate Change Department  
Odisha, Kharavel Bhawan, Bhubaneswar

**Sub: Diversion of 310.110 ha of forest land for construction of Right Main Canal and Distributary of Kanpur Irrigation Canal System under Keonjhar Division in Keonjhar District by Executive Engineer, Kanpur Canal Division, Jhumpura of Water Resource Department of Odisha - Submission of compliance regarding.**

Ref: No.5-ORA472/2021-BHU dated 02.09.2022 of Dy. Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar.

Madam,

In reference to the above mentioned subject, this is to inform that the GoI, MoEF & CC, IRO, Bhubaneswar vide letter under reference has requested to furnish compliance to seven (7) nos. of observations. The point wise compliance basing on the reports of DFO, Keonjhar Division and RCCF, Rourkela Circle are as follows:-

***Condition No.(i):- Detailed report on violation of Forest (Conservation) Act, 1980 reported to be committed during the period of 2016 to 2018.***

**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that the total canal network is 466.21 km including main canal, distributaries, minor and sub-minor canal. The canal work was started in the 1990's in first phase when there were no technical tools like GPS / DSS/ DGPS etc. Accordingly, measurements were done by using traditional methods.

Moreover, canal network involves RF, PRF, Gramya jungle, Revenue Forest, Sabik Forest and non-forest land inter-mixed with each other making it very difficult to demarcate in every Khata & Plot No of Revenue land (**Copy enclosed as Annexure-I**).

Due to the above said reasons, canal work on Revenue Forest land over 28.15414 ha in 84 nos. plots (in Champua Tehsil 13.95247 ha + Jhumpura Tehsil 4.67241 ha + Keonjhar Tehsil 1.88251 ha + Barbil Tehsil 7.64675 ha) was carried out which was contiguous to non-forest land and was devoid of green cover. Therefore, the canal construction work in forest area was unintentional and circumstantial.

The canal work on non-forest land which later was found to be in Sabik Forest Kissam over 28.0573 ha in 376 nos. plots (in Champua Tehsil 8.8158 ha + Jhumpura Tehsil 17.6921 ha + Keonjhar Tehsil 1.5494 ha) were also executed. The same work was stopped over remaining Sabik Forest Kissam land once, detected.

Due to the above reasons and as it is a Govt. project for larger public interest the violation over revenue forest land may be condoned.

**Condition No.(ii):-** *Detail action taken by the State Govt. after taking cognizance of violation of Forest (Conservation) Act, 1980.*

**Compliance:** Show cause notices have been issued to those incumbents (Range officer, Asst conservator of Forest, Divisional Forest officer), when violation occurred vide this office order No.1054 dated 20.09.2022 which is enclosed as **Annexure-IIA**.

Show cause notices have also been issued to the CF/DCF who have not reported violation of Forest Conservation Act 1980 in their Site Inspection Reports including the accompanying forest officials vide this office order No.1055 dated 20.09.2022 which is enclosed as **Annexure-IIB**.

Besides, show cause notice has been issued by the DFO, Keonjhar Division against the Forest Guard vide his office O.O. No. 6316 dated 12.08.2022 which is enclosed as **Annexure-III A**.

Further, in this regard the Water Resources Department, Govt. of Odisha has initiated draft charges against the then Executive Engineer, Kanpur Canal Division, Jhumpura vide Memorandum No.550 dated 13.07.2022 which is enclosed as **Annexure-IIIB**.

**Condition No.(iii):-** *Authorities in the State Govt. as well DCF and CF/ CCF in their inspection reports dated 22.10.2020 and 30.12.2020 respectively have reported no violation of Forest (Conservation) Act, 1980. Given the fact that the violations have been committed during the year 2016 to 2018, non-reporting the same by DCF and CF/CCF concerned amount to concealing the information on violation of Forest (Conservation) Act, 1980. Justification in this regards needs to be provided by the State Govt.*

**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that the reasons for which the violations were not reported by the DCF/CF/CCF are as below:

1. Due to complex canal network (Main Canal, Sub-Canal, Minor Canal, Sub-minor Canal) & highly interspersed and intermingled forest, Sabik Forest kissam and non-forest land patches, it was very difficult to identify actual working and non-working area. The proposed forest land for diversion over 310.110 ha is cutting across 131.060 Km length of main canal, Sub-Canal (28.00 Km) and distributary minor & sub-minor canals (103.052 Km), involving 839 nos. forest patches. Due to this complexity, the same violation may have been overlooked.
2. Moreover, it was peak of 2<sup>nd</sup> wave of CORONA (October to Dec 2020) which further added to constraints at every level, for the purpose of the inspection. However, it was unintentional without any mala fide. The officers who did inspections hold highest respects and commitment to public service and have shown utmost honesty in their career.

Hence this act which has been done unintentionally may be condoned.

***Condition No.(iv):- IRO in its inspection report indicate that most of work has been already executed during the period 2016 to 2018. Considering the fact that most of the project work has already been executed, justification for proposing 59,931 project affected trees to be felled in the forest land.***

**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that as per field enquiry (Sample survey) by DFO, Keonjhar division, it is found that there are two sub-divisions in Kanpur Irrigation Project i.e. Jhumpura Sub-division and Remuli sub-division. Most of the work is pending in Remuli Sub-division except some work of main canal (38.00 Km to 78.00 Km) over non-forest land. The work of sub-minor and minor is not done in most of the area of both the sub-divisions.

So, for executing work in missing connecting link of main canal which is a forest area, felling of trees is essential.

As the distributaries, minor and sub-minor canals are the critical link for actual ayacut area coverage, of whose work mostly not yet started, needs felling of trees as enumerated.

***Condition No.(v):- Present status of violation of FC Act, 1980 i.e. whether the work in violation of Forest (Conservation) Act, 1980 has been stopped or still continuing.***

**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that no canal work going on at present in violation of FCA 1980 in the proposed forest diversion area in Kanpur Irrigation Project.

**Condition No.(vi):-** *As per DSS analysis of the area proposed for CA in degraded forest land (to afforeste balance trees) an area of 28 ha in Barabanka and 1 ha in Raghunathpur is observed under MDF category, therefore suitability of the same needs to be reconfirmed by the IRO in consultation with the State authorities.*

**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that 86.280 ha degraded forest land has been identified in Raghunathpur RF for additional CA to plant balance seedlings to fulfil the criteria of “tree by tree” concept over and above the non-forest Govt. land identified in Lungajhar village. The Addl. CA scheme over 86.280 ha has been prepared @600 nos. seedlings per ha in 85.280 ha. As per the field reality 51,168 nos. seedlings can be accommodated in the identified area as per the approved scheme. One ha forest land in Raghunathpur RF out of 86.280 ha land is shown as MDF category within the identified area which is proposed to be treated under ANR without Gap Plantation mode. But actually, it comes under open forest category (**Annexure-IV**). Copy of the approved Addl CA scheme is enclosed as **Annexure- IVA**.

110.749 ha degraded forest land has been identified in Barabanka RF for Addl CA to plant balance seedlings to fulfil the criteria of “tree by tree” concept over and above the non-forest Govt. land identified in Lungajhar village. The Addl CA scheme over 110.749 ha has been prepared @600 nos. seedlings per ha over 85.00 ha in the identified area and balance 25.749 ha area is proposed to be treated under ANR without Gap Plantation mode as found MDF in DSS analysis report. As per stipulation made, 28.00 ha forest land out of 110.749 ha in Barabanka RF comes under MDF category has been verified in the field by DFO Keonjhar Division which is enclosed as **Annexure-V**. Though it is MDF, patches 1, 2, 3 & 5 are adjacent to human habitation and hence, need protection and therefore included in CA scheme. Patches 4 & 6 are shown as MDF in DSS but are actually open forest patches as per photographs attached (**Annexure-VI**). Hence, whole land may be taken for CA to ensure its management as compact patch. Copy of the approved Addl. CA scheme is enclosed as **Annexure- VIA**.

**Condition No.(vii):-** *Monitoring report on the status of compliance of conditions stipulated in the approval granted vide letter No.8-261/1988-FC dated 04.07.1989 for diversion of 235.269 ha of forest land for construction of Kanpur Irrigation Project.*


**Compliance:** In compliance to the above, the RCCF, Rourkela Circle has reported that monitoring report of the status of compliance of conditions stipulated in the approval granted vide letter No.8-261/1988-FC dated 04.07.1989 for diversion of 235.269 ha of forest land for construction of Kanpur Irrigation Project is enclosed herewith for kind reference vide **Annexure-VII**.

As the canal construction work is incomplete for want of forest clearance, compliance of condition stipulated in approval granted vide No.8-261/88-FC dt.04.07.1989 of MoEF, GoI, New Delhi could not be done. However, in this regard the User Agency has furnished an undertaking for further compliance which is enclosed as **Annexure-A**.

In view of the above, the compliance to the observations dated 02.09.2022 of the GoI, MoEF & CC, IRO, Bhubaneswar is sent herewith for kind information and necessary action.

**Encl: Compliance in <sup>two</sup> sets**

Yours faithfully

  
Principal Chief Conservator of Forests & HoFF  
Odisha

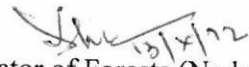
Memo No. **20808** /Dt. **13.10.2022**

Copy forwarded to the RCCF, Rourkela Circle for information and necessary action with reference to his Memo No.3410 dated 30.09.2022.

  
Conservator of Forests (Nodal)

Memo No. **20809** /Dt. **13.10.2022**

Copy forwarded to the DFO, Keonjhar Forest Division for information and necessary action with reference to memo No. 3411 dated 30.09.2022 of RCCF, Rourkela Circle.

  
Conservator of Forests (Nodal)

Memo No. **20810** /Dt. **13.10.2022**

Copy forwarded to the Executive Engineer, Kanpur Canal Division, Jhumpura, Keonjhar for information and necessary action.

  
Conservator of Forests (Nodal)

Divisional Forest Officer  
Moolnarayan Division

70



Google Earth

Image © 2022 Airbus

21°54'38.32" N 85°39'34.29" E elev 415 m eye alt 3.86 km




- CANAL BOUNDARY
- SABIK FOREST LAND
- REVENUE FOREST LAND

ANNEXURE - 1

Annexure - I


(28)



	CANAL BOUNDARY
	SABIK FOREST LAND
	REVENUE FOREST LAND

Amreasure - I

121

  
 Divisional Forest Officer  
 Keonjhar Division



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

Office Order No 1054 /9F(IRRIG)-3/2021 dated 20<sup>th</sup> September, 2022

To

Sri Sarat Kumar Mohanty, IFS (Retd) (Ex-DFO, Keonjhar Division)

Sri Samyak Samantaray, OFS-I (SB) (Ex-ACF in-charge Keonjhar Division),  
at present Dy.CF, O/o the PCCF (WL), Odisha

Sri SRA Mishra, OFS-I(JB), Ex-(Range Officer, Champua)  
at present ACF, O/o the PCCF (WL), Odisha

Sri P.C. Gogineni, IFS, (Ex-ACF(P) I/c Range, Champua Range)  
at present DFO, Dhenkanal (T) Division

Sri Bijoy Kumar Mahanta ( Ex-Forester, Champua)  
at present RO, Keonjhar Range

(Through DFO, Keonjhar Forest Division)

**Sub:-** Show-cause notice on violation of Forest (Conservation) Act, 1980 in connection with the diversion of 310.11 ha forest land for construction of Right Main Canal and distributary etc. in Kanpur Irrigation Canal System in Keonjhar Forest Division.

Govt. of Odisha in Forest, Environment & Climate Change Department vide letter No.15887 dated 06.09.2021 forwarded the proposal for diversion of 310.110 ha forest land for construction of Right Main Canal and distributary etc in Kanpur Irrigation Canal System under Keonjhar Forest Division on the basis of the diversion proposal submitted by the DFO, Keonjhar Forest Division wherein Site Inspection Report of the DFO is a vital document (Annexure-1).

Dy. Inspector General of Forests (Central), O/o the IRO, Bhubaneswar vide letter no 5-ORA472/2021-BHU dated 20.10.2021 reported that "*the user agency has already constructed canal in Kalikaprasad RF & some Revenue Forest in violation of FC Act, 1980*" (Annexure-2). It is further insisted upon to report the details and extent of violations, including the name & designation of officials prima-facie found guilty alongwith names of DFOs/CF/RCCF posted in the project Forest Division / Circle from 2016-2021 & ATR be submitted to IRO.

O/c



The report of D.I.G Forests (C), O/o the IRO, Bhubaneswar envisage that there is violation in the instant case of diversion proposal. The violation has been committed during 2012-16.

In compliance to observation of Dy. Inspector General of Forests (Central), O/o the IRO, Bhubaneswar, the DFO Keonjhar Forest Division vide his Letter No.6350 dated 20.08.2022 (Annexure-3) addressed to Nodal Officer has reported that the violation has been done in the instant diversion proposal for construction of canal over 8.00 ha without prior approval of the Central Govt. He also reported the name & designation of the DFO/ACF/RO in charge of the Division during the period of which violation has been committed.

You being the responsible field functionary have the legitimate duty to protect the forest within the ambit of the prevailing laws of the land. Without prior approval of the Central Govt. the user agency has constructed canal on Kalikaprasad Reserved Forest and other Revenue Forest. It is a clearcut violation of the section-2 of Forest (Conservation) Act, 1980. For construction of canal, the user agency has also felled a number of trees. You have not taken any action against such forest offence under the provision of Odisha Forest Act, 1972 and Forest (Conservation) Act, 1980.

Govt. in F&E Deptt. Letter No.16805 dated 19.09.2022 has asked the undersigned to call for show cause for the lapses done by the Officers in-charge during the period of violation (Annexure-4).

Therefore, you are hereby called upon to explain within 15 days of receipt of this memo as to why disciplinary action shall not be initiated against you for the lapses done on your part while discharging the Govt. duty.

Encl:-

- Annexure-1:- Copy of the Site Inspection report of DFO, Keonjhar
- Annexure-2:- Copy of the Observation of IRO dated 20.10.2021.
- Annexure-3:- Copy of the Letter No.6350 date 20.08.2022 of DFO, Keonjhar
- Annexure-4:- Copy of the Letter No.16805 dated 19.09.2022 of FE & CC Deptt., Govt. of Odisha

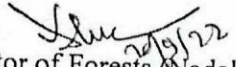
  
Principal Chief Conservator of Forests & HoFF  
Odisha

Memo No. 18493

Dated. 20.09.2022

Copy in duplicate with its enclosures forwarded to Divisional Forest Officer, Keonjhar Forest Division for information. He is requested to serve a copy of the Show Cause Notice to concerned officials and submit the dated acknowledgement receipt to the undersigned immediately for record and reference.

Encl:-As above

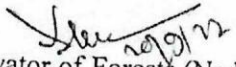
  
Conservator of Forests (Nodal)

Memo No. 18494

Dated. 20.09.2022

Copy with its enclosures forwarded to the Regional Chief Conservator of forests, Rourkela Circle for information and necessary action.

Encl:-As above

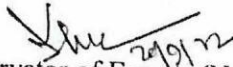
  
Conservator of Forests (Nodal)

Memo No. 18495

Dated. 20.09.2022

Copy with its enclosures submitted to the Chief Conservator of Forests, P&A, O/o the PCCF & HoFF, Odisha, Bhubaneswar for information and necessary action.

Encl:-As above

  
Conservator of Forests (Nodal)



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

Office Order No. 1055/9F(IRRIG)-3/2021 dated 20<sup>th</sup> September, 2022

To

Sri Bhanja Kishore Swain, IFS (Retd.)(Ex-CF, Rourkela Circle)

Sri Swayam Mallick, IFS, Silviculturist, Ghatikia, Bhubaneswar  
(Ex-DFO Keonjhar Division)

Sri Ghasinath Patra, FR

Sri Arabinda Naik, FR

Sri Pabitra Mohan Naik, FR

( Through DFO, Keonjhar Forest Division)

**Sub:- Show-cause notice on violation of Forest (Conservation) Act, 1980 in connection with the diversion of 310.11 ha forest land for construction of Right Main Canal and distributary etc. in Kanpur Irrigation Canal System in Keonjhar Forest Division.**

Govt. of Odisha in Forest, Environment & Climate Change Department vide letter No.15887 dated 06.09.2021 forwarded the proposal for diversion of 310.110 ha forest land for construction of Right Main Canal and distributary etc in Kanpur Irrigation Canal System under Keonjhar Forest Division on the basis of the diversion proposal submitted by the DFO, Keonjhar Forest Division wherein Site Inspection Report of the DFO is a vital document (Annexure-1).

The then DFO, Keonjhar Forest Division namely Sri Swayam Mallick conducted Site Inspection alongwith the above mentioned three nos. of Range Officers and the representatives of the User Agency on 22.10.20 & 27.10.2020. In item No.18 of the prescribed format of Site Inspection Report, DFO has categorically mentioned that "*no violation has been observed in respect of the forest land involved in the instant diversion proposal for construction of Right Main Canal and distributary etc. in Kanpur Irrigation Canal System*". As the project involves 310.10 ha forest land, the RCCF, Rourkela has made the site inspection on 30.12.2020 as envisaged in Sub rule 3(d) of Rule-6 of Forest (Conservation) Rules, 2003. In the Site Inspection Report of the RCCF, it is mentioned that "*no violation under FC Act, 1980 is noticed*" (Annexure-2).

Dy. Inspector General of Forests (Central), O/o the IRO, Bhubaneswar vide letter no 5-ORA472/2021-BHU dated 20.10.2021 reported that "the user agency has already constructed canal in Kalikaprasad RF & some Revenue Forest in violation of FC Act, 1980" (Annexure-3). The Site Inspection Report contradicts this observation of IRO.

In compliance to observation of Dy. Inspector General of Forests (Central), O/o the IRO, Bhubaneswar, the DFO Keonjhar Forest Division vide his Letter No.6350 dated 20.08.2022 (Annexure-4) addressed to Nodal, Officer has reported that the violation has been done in the instant diversion proposal for construction of canal over 8.00 ha without prior approval of the Central Govt.

Govt. of Odisha in Forest, Environment & Climate Change Department vide letter No.16805 dated 19.09.2022 (Annexure-5) has requested the undersigned to issue show cause to the officers reported "no violation of FC Act,1980 in their Site Inspection Report and the accompanying forest officials".

Therefore, you are called upon to explain within 15 days of receipt of this letter as to why disciplinary action shall not be initiated against you for the lapses done while submitting the Site Inspection Report for the diversion of 310.110 ha of forest land for construction of Right Main Canal and distributary etc in Kanpur Irrigation Canal System.

Encl:-

- Annexure-1:- Site Inspection Report of DFO, Keonjhar.**
- Annexure-2:- Site Inspection Report of RCCF, Rourkela**
- Annexure-3:- Observation of D.I.G Forests (C), IRO, Bhubaneswar.**
- Annexure-4:- Letter No.6350 dated 20.08.2022 of DFO, Keonjhar**
- Annexure-5:- Letter No.16805 dated 19.09.2022 of FE&CC Deptt. Govt. of Odisha**

 20.09.2022  
Principal Chief Conservator of Forests & HoFF  
Odisha

Memo No. 18496 Dated . 20.09.2022

Copy in duplicate with its enclosures forwarded to Divisional Forest Officer, Keonjhar Forest Division for information. He is requested to serve a copy of the Show Cause Notice to concerned officials and submit the dated acknowledgement receipt to the undersigned immediately for record and reference.

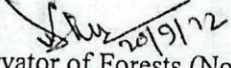
Encl:-As above

Conservator of Forests (Nodal)

Memo No. 18497 Dated. 20.09.2022

Copy with its enclosures forwarded to the Regional Chief Conservator of forests, Rourkela Circle for information and necessary action.

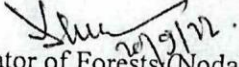
Encl:-As above

  
20/9/22  
Conservator of Forests (Nodal)

Memo No. 18498 Dated. 20.09.2022

Copy with its enclosures submitted to the Chief Conservator of Forests, P&A, O/o the PCCF & HoFF, Odisha, Bhubaneswar for information and necessary action.

Encl:-As above

  
20/9/22  
Conservator of Forests (Nodal)



**OFFICE OF THE DIVISIONAL FOREST OFFICER, KEONJHAR DIVISION**

Phone No- 06766-254315, email ID- [dfo.keonjhar@odishagov.in](mailto:dfo.keonjhar@odishagov.in)

Memo No. 6316 / 6F-Mining - 05/2017  
Dated, Keonjhar the 12<sup>th</sup> August, 2022

To

Sri Mitrabhanu Naik,  
Ex- Forest Guard, Kalikaprasad Beat, Champua Range  
(Through the Forest Range Officer, Keonjhar Range)

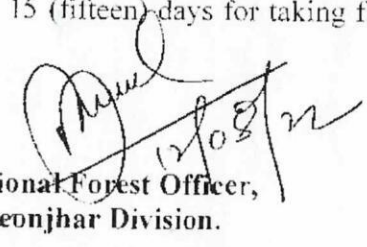
**Sub: Diversion of 310.110 ha forest land for construction of Right Main Canal and distributary etc. in Kanpur Irrigation Canal System under Keonjhar Forest Division in Keonjhar District by Executive Engineer, Kanpur Canal Division Jhumpura of Water Resource Department, Govt. of Odisha- GoI observations regarding.**

Ref: Memo No 15834 dtd 12.08.2022 of Chief Conservator of Forests (FD&NO. FC Act), O/o- the PCCF, Odisha, Bhubaneswar (**copy enclosed**).

With reference to the letter cited above on the captioned subject, the MoEF&CC, IRO, Bhubaneswar has intimated that an area of 8.00 ha forest land has already been broken in Kalikaprasad RF and the main canal has been constructed without approval from the competent authority during your incumbency (i.e. from 06.12.2010 to 29.06.2019).

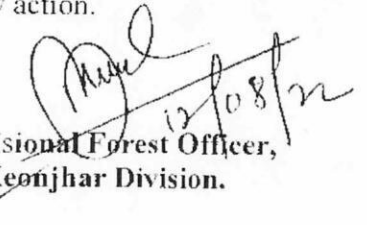
In this context, no any report for such violation in Kalikaprasad RF had been communicated to this office or no any action taken report was intimated to this office. For such negligence, why necessary legal action will not be taken against you? In this regard your show cause reply should reach to this office within 15 (fifteen) days for taking further action at this end.

**Encl:-As above.**

  
Divisional Forest Officer,  
Keonjhar Division.

Memo No. 6317 / Dated 12-08-2022

Copy submitted to the Regional Chief Conservator of Forest, Rourkela Circle, Rourkela / Chief Conservator of Forests, FD&NO. FC Act, O/o- the PCCF& HoFF, Odisha, Bhubaneswar for favour of kind information and necessary action.  
Copy to P.C. file.

  
Divisional Forest Officer,  
Keonjhar Division.

Annexure - III B

GOVERNMENT OF ODISHA  
DEPARTMENT OF WATER RESOURCES

MEMORANDUM

No. WR-CON-CASEDP-0029-2022 550 WR(C) date 13.07.2022

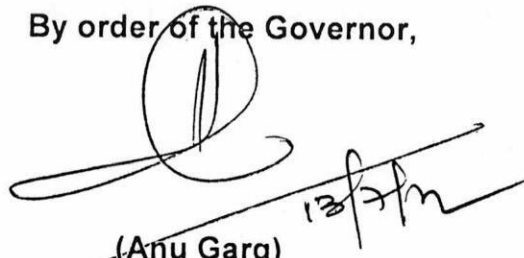
**Sri Rohit Kumar Sethy, Ex-Executive Engineer, Kanupur Canal Division, Jhumpura now Chief Engineer & Basin Manager, Tel Basin, Bhawanipatna.**

You are hereby informed that Government in Department of Water Resources propose to take action against you under Rule-16 of the O.C.S (C.C. & A) Rules, 1962. A Statement of Imputation of misconduct on which action is proposed to be taken as mentioned above is annexed to this order and marked as "Annexure-I".

You are hereby required to submit your representation/ written statement of defence as you may wish against the charges within 30 (thirty) days from the date of receipt of this Memorandum failing which it will be presumed that you have no explanation to offer and action will be taken as deemed proper ex-parte.

You are allowed to peruse the records and take extract of these, if you so require, for preparation of representation/ written statement of defence by making prior appointment with the concerned officers with whom the records relating to the charges / allegations are available.

By order of the Governor,



(Anu Garg)

**Addl. Chief Secretary to Government.**

Memo. No. 551 WR(C).

Date. 13.07.2022

3(three) copies of the Memorandum forwarded to the Engineer-in-Chief, Water Resources, Odisha, Bhubaneswar for information and necessary action.

He is requested to serve one copy on Sri Rohit Kumar Sethy, Ex-Executive Engineer, Kanupur Canal Division, Jhumpura now Chief Engineer & Basin Manager, Tel Basin, Bhawanipatna and return the second served copy to this Department with his dated signature on it as a token of acknowledgement.

The 3<sup>rd</sup> copy is meant for his office use.

**Addl. Secretary to Government**

Memo. No. 552 WR(C).

Date. 13.07.2022

Copy forwarded to the Special Secretary to Govt., Forest, Environment & CC Department for information and necessary action.


**Addl. Secretary to Government.**

P.T.O.

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Memo. No. 553 /WR(C). Date. 13.07.2022

Copy forwarded to the F.E-I Branch, Deptt. of Water Resources/  
Guard file (with two spare copies) for information and necessary action.

  
Addl. Secretary to Government.



Statement of Imputation

**Sri Rohit Kumar Sethy, Ex-Executive Engineer, Kanupur Canal Division, Jhumpura now Chief Engineer & Basin Manager, Tel Basin, Bhawanipatna.**

During his incumbency as Executive Engineer, Kanupur Canal Division, Jhumpura during 2012-13, he has made negligence in Govt. duties in excavation of Kanupur Main Canal from RD 10268 m to RD 11140 m for a length of 872 m which was excavated without obtaining approval for diversion proposal of 8.907 Ha coming under Kalikaprasad Reserved Forest.

Dy. Inspector General of Forests, Integrated Regional Office, Ministry of Environment and Forests, Bhubaneswar vide letter No.5-ORA 472/2021-BHU dated 20.10.2021 addressed to the Addl. Chief Secretary, Forest, Environment and CC Deptt., Govt. of Odisha, Bhubaneswar has stated that the user agency has already excavated the canal in Kalikaprasad R.F. and some revenue forest land in violation of FC Act, 1980 which was corroborated during the site inspection.

As per instruction of D.F.O., Keonjhar, Superintending Engineer, Kanupur Canal Division No.I, Jhumpura in his letter No.3228 dt.29.11.2021 addressed to D.F.O., Keonjhar has submitted information regarding name of the work, agreement details and name of the Engineers during the period of execution of the said work. The highest executant authority is Sri Rohit Kumar Sethy, the then Executive Engineer and name of the work is "Excavation of Kanupur Main Canal from RD 9180 m to 11850 m including construction of structures of Kanupur Irrigation Project" bearing Agmt. No.07 F2/2010-2011 and name of the agency is M/s Sri Durga Condev Pvt. Ltd and period of work is 04.10.2010 to 03.12.2014.

Subsequently letter No.5-ORA 472/2021-BHU dtd.31.05.2022 of IRO, MoEF, Bhubaneswar requested the Addl. Chief Secretary, Forest & Environment Deptt., Govt. of Odisha, Bhubaneswar to initiate action against the erring officials for violation as well as negligence shown in discharging duties as construction work was found in the forest land without prior approval from the competent authority.

Superintending Engineer, Kanupur Canal Division No.I, Jhumpura in his letter No.;961 dt.29.06.2022 addressed to CCE, Kanupur Irrigation Project,

// 2 //

Basudevpur has submitted a report that total diversion proposal required for the aforesaid Kanupur Main Canal Excavation was 14.891 Ha under Kalikaprasad reserved forest out of which 5.984 Ha was already diverted during diversion of 235.269 Ha of forest land for reservoir and canal system in 1989 and balance 8.907 Ha diversion proposal was under process. Hence, out of total canal length of 1470 m, although canal excavation for a length of 598 m canal (RD 9670 m to RD 10268 m) was passing through the already diverted portion, 872 m canal (RD 10268 m to RD 11140 m) passing through 8.907 Ha of Kalikaprasad R.F. was not diverted but canal excavation was done violating the F.C. Act, 1980.

Therefore, he has shown negligence in Govt. duty and violated Forest Conservation Act, 1980 during the excavation work of the canal.

Thus, he is charged with,

1. Gross misconduct.
2. Negligence in Govt. duty
3. Violation of Forest Conservation Act, 1980.

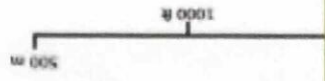
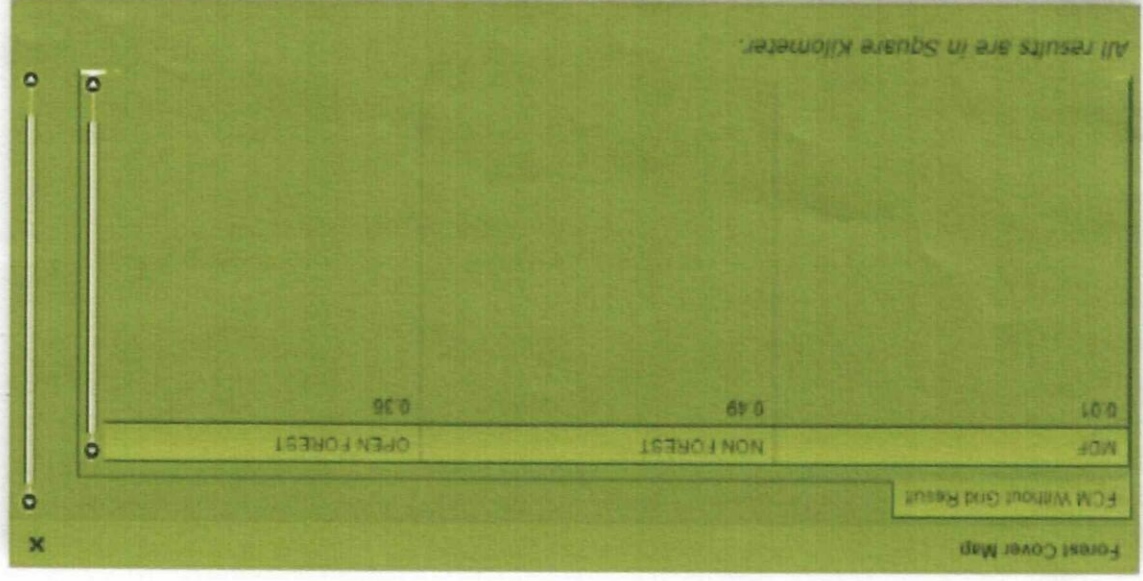
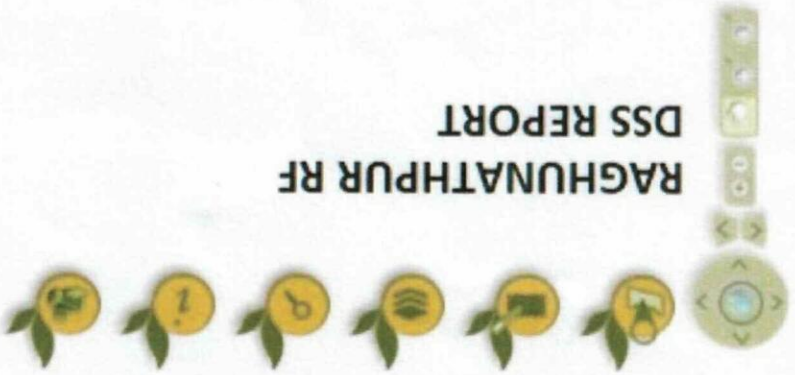
A handwritten signature in black ink, consisting of a large, stylized 'S' or 'L' shape, followed by the date '12/9/72' written in a cursive style.

**Addl. Chief Secretary to Government**

...

# ANNEXURE :- IV

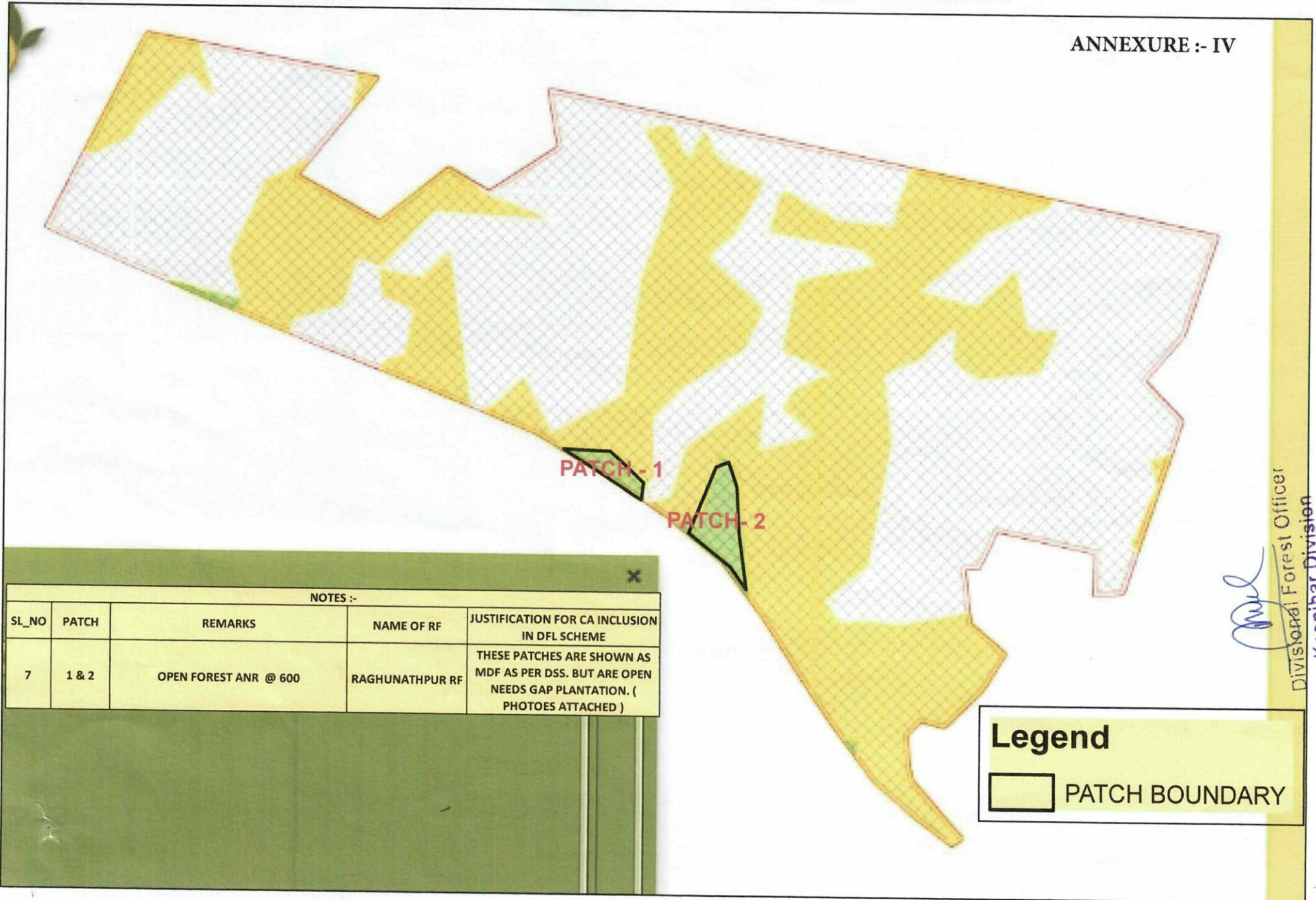
## RAGHUNATHPUR RF DSS REPORT



Lat: 21.615 Long: 85.730  
Scale: 1:8213

Divisional Forest Officer  
Keonjhar Division





NOTES :-				
SL_NO	PATCH	REMARKS	NAME OF RF	JUSTIFICATION FOR CA INCLUSION IN DFL SCHEME
7	1 & 2	OPEN FOREST ANR @ 600	RAGHUNATHPUR RF	THESE PATCHES ARE SHOWN AS MDF AS PER DSS. BUT ARE OPEN NEEDS GAP PLANTATION. ( PHOTOOES ATTACHED )

**Legend**  
 PATCH BOUNDARY

*[Signature]*  
 Divisional Forest Officer  
 Keonjhar Division

RAGHUNATHPUR RF CA LAND , PATCH - 1 & 2

ANNEXURE- IV



  
Divisional Forest Officer  
Keonjhar Division

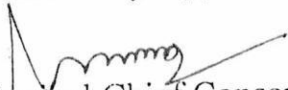
Financial Outlay for Additional Compensatory Afforestation Scheme over an area of 86.280 ha of degraded forest land identified in Raghunathpur RF of Keonjhar Range in Keonjhar Forest Division to accommodate for raising of balance seedlings against Kanpur-(Canal System) Irrigation Project

(Wage Rate @ Rs.311/- per MD)

Sl. No.	Description	Amount (Rs.)
1.	Cost of ANR plantation @ 600 plants per ha with 18 months old seedlings over 85.280 ha @ Rs.94,602.52 per ha with 10 years maintenance	80,67,703.00
2.	Cost of ANR without gap plantation over 1.00 ha @ Rs.33,565.35 per ha with 10 years maintenance	33,565.00
3.	SMC Measures:-	
	(i) Cost of LBCD structure of 3 mtrs span @ Rs.16,342.53 per structure for 86 nos.	14,05,458.00
4.	Cost of vegetative fencing over 5.613 km @ Rs.1,38,000/- per Km	7,74,594.00
	<b>Total</b>	<b>1,02,81,320.00</b>
5.	Add Escalation Cost (20%)	20,56,264.00
	<b>Total</b>	<b>1,23,37,584.00</b> <b>Or rounded off to</b> <b>1,23,37,600.00</b>

(Rupees One crore twenty three lakhs thirty seven thousand six hundred) only

Technically Approved

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

Add. Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act)  
O/c the P.C.C.F., Odisha, Bhubaneswar



सर्वेक्षण विभाग  
राजस्थान सरकार



- Load Polygon
- Select Polygon
- Decision Rule 1
- Get Land Forest Cover
- MIS Application
- Get Time Series
- Get Result Table
- FTM Result
- BR Result
- LI Result
- DSS Result
- FCM Without Grid Result
- FTM Without Grid Result
- BR Without Grid Result
- Save Result Table

**FOREST COVER MAP**

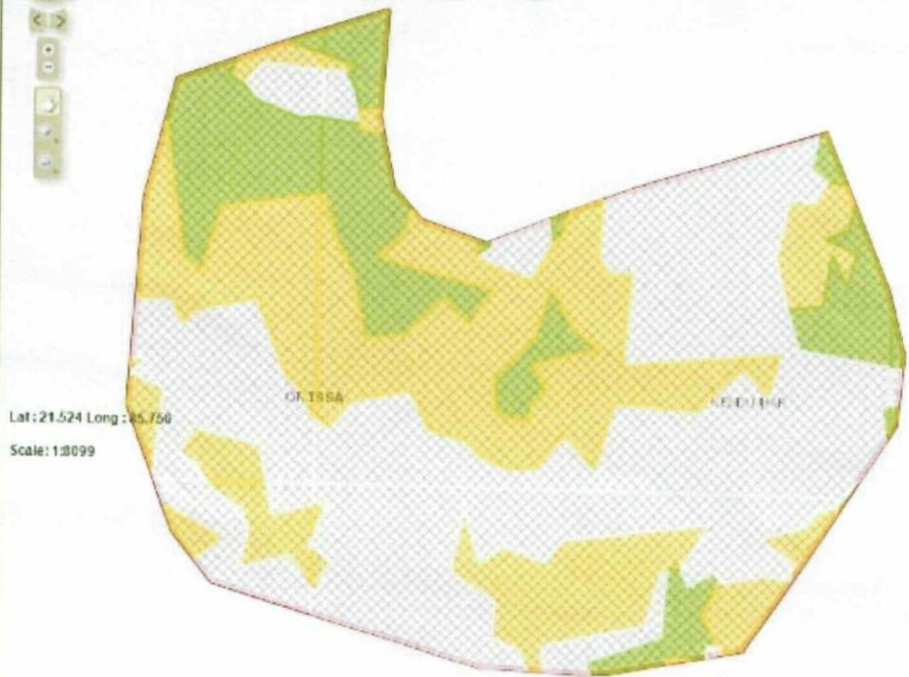
FCM LEGEND

- VERY DENSE FOREST
- MODERATELY DENSE FOR
- OPEN FOREST
- SCRUB
- NON FOREST
- WATER



## BARABANKA RF DSS REPORT

## ANNEXURE :- V



Forest Cover Map

FCM Without Grid Result

MDF	NON FOREST	OPEN FOREST
0.20	0.55	0.39

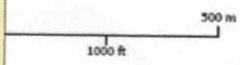
All results are in Square Kilometer.

Beta Version  
Welcome DFO Keonjhar

Change Password

Logout

Help



*[Signature]*  
Divisional Forest Officer  
Keonjhar Division

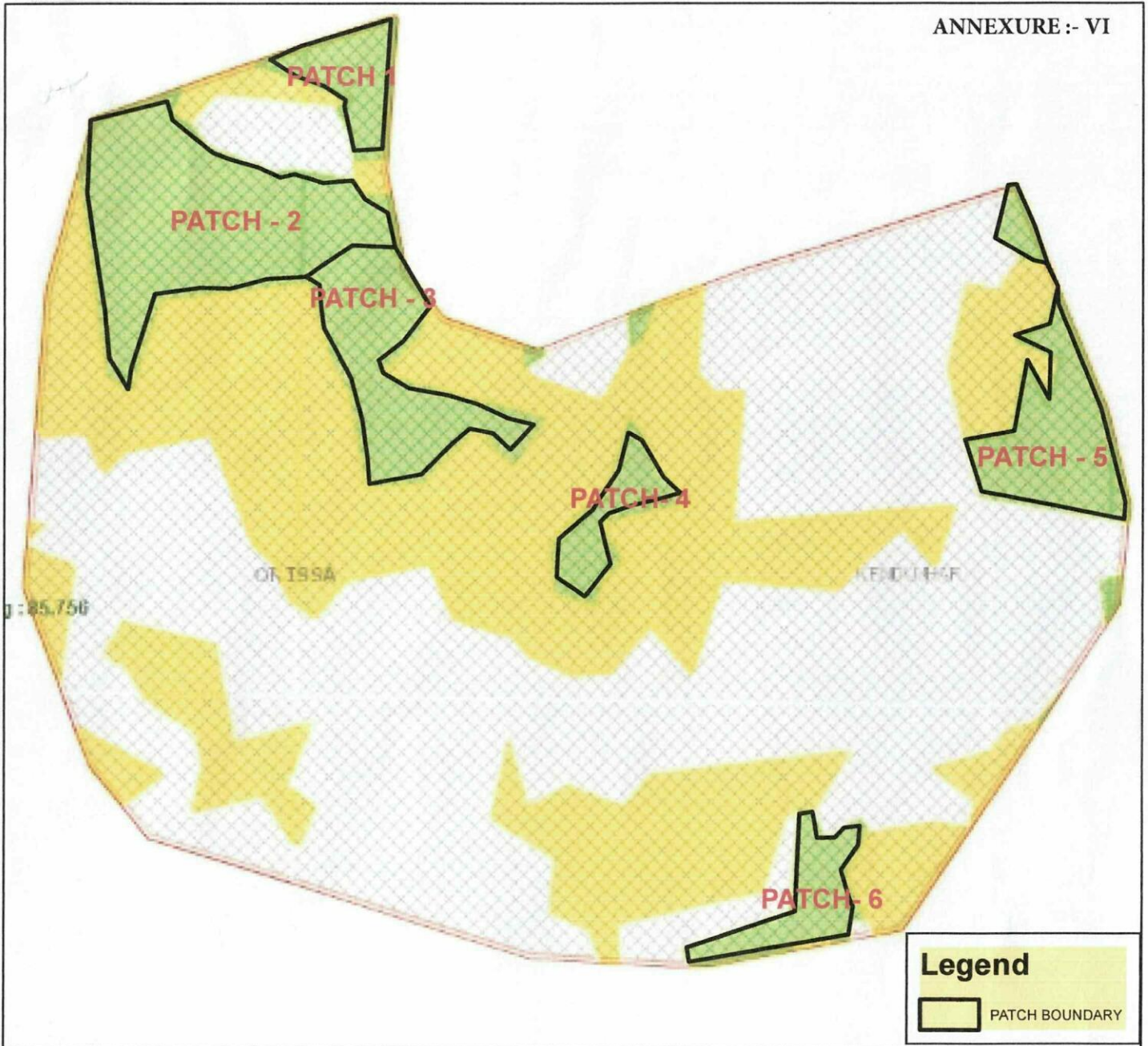





# CA LAND AT BARABANKA RF SUPERIMPOSED WITH DSS MAP

SCALE :- 1 : 7000

ANNEXURE :- VI



## Legend

 PATCH BOUNDARY

### NOTES :-

SL_NO	PATCH	REMARKS	NAME OF RF	JUSTIFICATION FOR CA INCLUSION IN DFL SCHEME
1	1	GOOD REGENERATION MDF BUT HIGH BIOTIC PRESSURE, NEEDS PROTECTION	BARABANKA RF	THESE PATCHES HAVE GOOD REGENERATION BUT HAVE HIGH BIOTIC PRESSURE. THEY ARE LOCATED ADJOINING TO HUMAN HABITATION . INCLUSION IN CA PLANTATION WILL HELP IN PROTECTION, REGENERATION CLEANING & FOR BETTER CONSERVATION.( MOREOVER BEING MDF, CONTIGUOUS PATCH CAN NOT BE LEFT AS IT WILL CREATE PROBLEM IN FOREST BLOCK MANAGEMENT. THESE PATCHES MAY BE INCLUDED IN CA SCHEME. THE SAID DFL LAND IS ALREADY FULFILLING CRITERIA FOR PLANTING OF SEEDLINGS ON 'TREE BY TREE' PRINCIPAL.
2	2	GOOD REGENERATION MDF & SOME PART OF PATCH ARE OPEN FOREST BUT STONY & HIGH BIOTIC PRESSURE, NEEDS PROTECTION	BARABANKA RF	
3	3	GOOD REGENERATION MDF NEEDS CLEANING BUT SOME PART OF PATCH STONY & BUT HIGH BIOTIC PRESSURE, NEEDS PROTECTION	BARABANKA RF	
4	5	MDF & SOME PART OF PATCH ARE OPEN FOREST BUT STONY & BUT HIGH BIOTIC PRESSURE, NEEDS PROTECTION	BARABANKA RF	
5	4	OPEN DEGRADED @ 600 PLANTS CAN BE PLANTED	BARABANKA RF	
6	6	OPEN DEGRADED @ 600 PLANTS CAN BE PLANTED	BARABANKA RF	

  
 Divisional Forest Officer  
 Keonjhar Division



BARABANKA RF , CA LAND , PATCH - 4



  
Divisional Forest Officer  
Keonjhar Division

BARABANKA RF , CA LAND , PATCH - 6



  
Divisional Forest Officer  
Keonjhar Division

Annexure-  
171 VIA

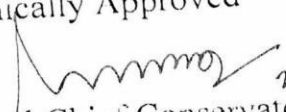
Financial Outlay for Additional Compensatory Afforestation Scheme over an area of 110.749 ha of degraded forest land identified in Barabanka RF of Keonjhar Range in Keonjhar Forest Division to accommodate for raising of balance seedlings against Kanpur (Canal System) Irrigation Project

(Wage Rate @ Rs.311/- per MD)

Sl. No.	Description	Amount (Rs.)
1.	Cost of ANR plantation @ 600 plants per ha with 18 months old seedlings over 85.00 ha @ Rs.94,602.52 per ha with 10 years maintenance	80,41,214.00
2.	Cost of ANR without gap plantation over 25.749 ha @ Rs.33,565.35 per ha with 10 years maintenance	8,64,274.00
3.	SMC Measures:- (i) Cost of IBCD structure of 3 mtrs span @ Rs.16,342.53 per structure for 110 nos.	17,97,678.00
4.	Cost of vegetative fencing over 4.554 km @ Rs.1,38,000/- per Km	6,28,452.00
	<b>Total</b>	<b>1,13,31,618.00</b>
5.	Add Escalation Cost (20%)	22,66,324.00
	<b>Total</b>	<b>1,35,97,942.00</b> <b>Or rounded off to</b> <b>1,35,98,000.00</b>

(Rupees One crore thirty five lakhs ninety eight thousand) only

Technically Approved

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

Addl. Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act)  
O/c the P.C.C.F., Odisha, Bhubaneswar

## ANNEXURE-VII.

**Compliance Report of the conditions stipulated in Forest Clearance granted vide letter No.8-261/88-FC dt.04.07.1989 of Govt. of India, Ministry of Environment and Forests (Deptt. of Environment Forests and Wildlife) Paryavaran Bhavan, New Delhi , in favour of Kanpur Irrigation Project over 235.269 ha forest land. in Barbil Tahsil, under Keonjhar Forest Division of Keonjhar District, Odisha.**

**1. Legal Status of the Forest Land shall remain unchanged.**

The legal status of the diverted forest land will remains unchanged.

**2. Tree felling will not be permitted between FTL/FRL and 2/4 metre below FTL/FRL .**

There is no impounding of water in dam as work is incomplete. The Executive Engineer, Kanpur Irrigation Project has intimated that, no tree felling will be done between FTL/FRL and 2/4 below FTL/FRL. In this regards the user agency has submitted an undertaking which is enclosed at **Annexure-A**.

**3. Compensatory plantations should be raised on equivalent non-forest areas at the cost of the project. The non-forest lands, identified for this purpose should be handed over to the Forest and notified as protected forests before the releases of forest lands being diverted by these orders.**

Compensatory afforestation proposed over 235.269 ha and as per the scheme approved, the user agency has deposited Rs. 29,54,979/- with OFDC Ltd. The plantation was already completed over the entire area by OFDC Ltd and handed over the same to territorial division, Keonjhar. The details of plantation has undertaken by OFDC Ltd is furnished hereunder-

Bhaliadal	12.000 ha	in	1991-92
Badektali	24.427 ha	in	1992-93
Basantapur	51.040 ha	in	1992-93
Jhinkipita	147.802 ha	in	1992-93

Non-forest area identified for the purpose for compensatory afforestation has been mutated in the name of forest department and the said land has been declared as PF under section 33 of Odisha Forest Act, 1972. The details are as follow.

Sl No.	Name of the PF	Area in ha	Notification No / date of Govt. of Odisha in FE&CC, Department
1	Bhaliadal PF	11.998 8	FE-DIV-FLD-0032-2022-8865/FE&CC dated 12.05.2022
2	Badektali PF	24.42	FE-DIV-FLD-0032-2022-8828/FE&CC dated 04.05.2022
3	Basantapur PF	51.04	FE-DIV-FLD-0032-2022-8821/FE&CC dated 04.05.2022
4	Jhinkipita PF	147.71	FE-DIV-FLD-0032-2022-8872/FE&CC dated 12.05.2022

**4. Tree plantation to be done on either side of the canal, road and fore shore of the reservoir and in the wasteland / vacant lands under the control of the irrigation Department.**

The canal work is not completed yet. Hence plantation is not initiated yet. In this regards the user agency has submitted an undertaking which is enclosed at **Annexure-A**.

**5. Water to be supplied free of cost to the forest Deptt. for raising nursery and irrigation of forestry plantations in the command area.**

In compliance to the above the user agency has submitted an undertaking which is enclosed as Annexure-A.

6. **In order that the construction labour and staff while working on the projects in the forest area may not cause destruction to the forest area for meeting their fuelwood needs, the user agency will establish fuel wood depots, and will provide the fuelwood to them free of cost or its cost deducted from their salary and wages.**

In compliance to the above the user agency has submitted an undertaking which is enclosed as Annexure-A..

7. **For artificial regeneration under irrigated conditions in the forest areas, water from the canal should be made available on priority basis.**

In compliance to the above the user agency has submitted an undertaking which is enclosed as Annexure-A.

8. **An artificial regeneration should be carried out on both the banks of the canal.**


In compliance to the above the user agency has submitted an undertaking which is enclosed as Annexure-A.

9. **In the catchment area and in the area through which the canal is aligned soil conversion measures should be taken up.**

In compliance to the above the user agency has submitted an undertaking which is enclosed as Annexure-A.

10. **In the forest area falling under the submergence area, the artificial regeneration (Aeuriculiformis) has done in the past and its should be properly be evaluated. After such evaluation its out turn should be added to the timber and fire wood arrived at initially at the time of submission of the proposal for the realisation of the Revenue from the user agency to the forest department.**

As per record available in this office no artificial re-generation (Aeuriculiformis) has done within the submergence area.


  
Divisional Forest Officer,  
Keonjhar Division

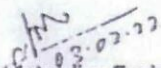
UNDERTAKINGS

I, Sri Ranjan Rashmi Nayak, Superintending Engineer, Kanpur Canal Division No-1, Jhumpura under Kanpur Irrigation Project, is here to undertake to do the following conditions-

- Conditions No. 4- Tree planting will be done on either side of the canal, and in the waste land /vacant land under the control of the Irrigation Project just after completion of the canal system.
- Conditions No. 8- An artificial re-generation under irrigated conditions will be carried out both sides of the canal and water from the canal will be made available on priority basis.
- Conditions No. 9- In the areas through which canal is aligned soil conservation measures will be taken up.

COUNTERSIGNED

  
Divisional Forest Officer  
Keonjhar Division

  
Superintending Engineer,  
Kanpur Canal Division No-1  
Jhumpura

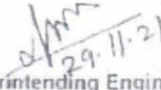
  
Divisional Forest Officer  
Keonjhar Division

**UNDERTAKINGS**

I, Sri Ranjan Rashmi Nayak, Superintending Engineer Kanpur Canal Division No-1 Jhumpura under Kanpur Irrigation Project, is here to undertake to do the following conditions-

- Conditions No. 5- Water to be supplied free of cost to the forest department for raising nursery & irrigation of forestry plantations in the command area.
- Conditions No. 6- Construction labourers & staffs while working on the project in the forest area may not cause destruction to the forest area.
- Conditions No. 7- Artificial regeneration under irrigated conditions in the forest area, water from the canal should be made available on priority basis.
- Conditions No. 8- Artificial regeneration should be carried out on both sides of the canal.

COUNTERSIGNED  
  
Divisional Forest Officer  
Keonjhar Division

  
29.11.21  
Superintending Engineer,  
Kanpur Canal Division No-1  
Jhumpura

  
Divisional Forest Officer  
Keonjhar Division