



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

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Memo No. 8643 / Mining-05/2017

Dated, Keonjhar, the 2<sup>nd</sup> December, 2021

To

The Regional Chief Conservator of Forests,  
Rourkela Circle, Rourkela

Sub:

Diversion of 310.110 ha forest land for construction of Right Main Canal and Distributary of Kanpur Canal System under Keonjhar Forest Division in Keonjhar District by Executive Engineer, Kanpur Canal Division, Jhumpura of Water Resource Department of Odisha.

Ref:

Letter No. 5-ORA472/2021-BHU dated 20.10.2021 of IRO, MoEF&CC, Govt. of India, Bhubaneswar and memo No. 18917/FE&CC dated 28.10.2021 of Special Secretary to Government, Odisha, Bhubaneswar.

With reference to the aforementioned letters on the captioned subject, the observations of IRO, MoEF&CC, Govt. of India, Bhubaneswar dated 20.10.2021 to fulfillment of the 4 nos. of conditions. The compliance report of said conditions is furnished hereunder for favour of your information.

- a. As per KML file in Google Imagery, the user agency has already constructed canal in Kaliakaprasad RF and some Revenue Forest land in violations including the name the name & designation of officials prima facie found guilty along with names of DFOs/CF/RCCF posted in the project Forest Division/ Circle from 2016 to 2021 and Action Taken Report be submitted to the IRO, Bhubaneswar.**

As per memo No. 18917/FE&CC dated 28.10.2021 of Special Secretary to Government, Odisha, Bhubaneswar detailed field inquiry was conducted on dated 11.11.2021 along with User Agency, Range Officer, Champua Range and following point wise compliance to the observations of IRO, MoEF&CC, Govt. of India, Bhubaneswar vide letter No. 5-ORA472/2021-BHU dated 20.10.2021 is as under-

1. It is found that 8.00 ha in Kalikaprasad RF area to be diverted has already been broken up and main canal has been constructed. As per statement of Asst. Engineer, Kanpur Irrigation Project, works was executed from 2012 to 2013. The same is corroborated by Google time line showing the historical imagery (**Annexure-A**). After that there is no any work done by the user agency in the said Reserved Forest. It appears that due to continuity of already diverted forest and lack of awareness on the part of field officials of the user agency and contractor, the work was executed in non-diverted part of Kalikaprasad RF un-knowingly. The violation is not intentional but due to lack of knowledge of Forest Conservation Act, 1980.
2. Further, it is mentioned here that:- 235.269 Ha Forest Land was diverted vide Letter No. 8-26188-EC dated 04.07.89 of MoEF, Govt. of India for the purpose of reservoir and Canal System. 235.269 Ha of forest land has been used for non-forest use i.e. Reservoir and Canal system since 1989 till date across span of 32 years. The long gestation period of the project itself has led the User Agency to think for realignment of the Canal for the very fact of cost accrued over years, which costs Rs. 2438.29 crore, at present than the original cost of the project Rs.86.03 Crore.
3. At present 38.958 ha diverted forest land (9.10 ha Reserved Forest land & 29.858 ha Khesra Forest land) is still left unutilized at the level of the User Agency out of the total diverted forest land of 235.269 Ha. The User Agency has utilized forest land,

without having tree growth, other than that diverted for the purpose, on the presumption that the forest land falling in the realignment route will be compensated by the balance forest land left with the User Agency. The said activity effected on presumption was confined within the period from 1989 till 2012/13.

4. When the user agency submitted a proposal for felling of trees in non-diverted forest land as per realigned route, the user agency was warned that forest land falling in the new realignment route will attract FC Act approval and felling proposal of the User Agency was disregarded by the Divisional Forest Officer vide letter No. 3761 date 27.04.2015 with suggestion for submitting fresh proposal seeking approval under FC Act. The non-forest use in the realigned route neither was intimated by User Agency to Divisional Forest Officer nor has the department has accorded any such permission in violation of FC Act. It is only a presumption by the User Agency for continuation of work on the strength of the left over diverted forest land.
5. The user agency has not utilized 9.10 ha of Reserved Forest land which has already been diverted during the year 1989 (Laxmiposi RF- 7.10 ha + Bardhna RF- 2.00 ha). However, they used the contiguous Kalikaprasad RF land over 8.00 ha which is not diverted, thinking that they have 9.10 ha diverted forest land against which they used non-diverted land un-knowingly and out of ignorance.
6. Due to complex canal network (Main Canal, Sub-Canal, Minor Canal, Sub-minor Canal) & highly interspersed and intermingled forest and sabik forest kissam land patches, it is very difficult to identify actual working and non-working area. Moreover, at that time technology like GIS, Google Map, DSS was not existent, which helps in detection of any violation with bird's eye view. The proposed forest land for diversion over 310.110 ha is cutting across 131.060 Km length of main 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.
7. FC Act being an act that evolves on every day on merits of work and sprints of Act, the presumption made by the User Agency may not be considered as a violation being a Govt. project that still awaits to see the dawn of day despite its inception in 1989. The larger public interest may be weighed in the balance of the FC Act to take the project to its logical end under apriorism of FC Act.

- b. As per DSS, the Irrigation canal corridor and CA land identified in Ukhunda RF is overlapping each other, clarification may be furnished in this regard.**

During Site Inspection on dated 11.11.2021 of the undersigned and on verification through Google Earth it is seen that- the Kanpur Irrigation Canal Corridor is passing through identified CA site over an area of 3.77 ha which is excluded from identified CA site of Ukhunda RF. Therefore, the CA land identified in Ukhunda RF is not overlapping each other. The map showing in Google Earth is enclosed herewith as **Annexure B**.

- c. The State Govt. has reported that 59,931 nos. of trees has been enumerated over the proposed forest land of 310.110 ha. Details of trees enumerated and actually felled over the proposed forest land may be furnished, since construction has already been done at the proposed forest land.**

The diversion proposal over 310.110 ha has been applied by the user agency vide proposal No. FP/OR/IRRIG/40827/2019 for processing of diversion proposal, the concerned Range Officer has been requested to take up detailed tree enumeration during the year 2018. Accordingly, the Range Officer concerned has taken up tree enumeration of the proposed forest land available over 310.110 ha as per tree in the proposed forest land and included in the diversion proposal. No tree has yet been felled out of the above enumerated tree of 59,931 nos. The tree enumeration list over 310.110 ha is enclosed herewith as **Annexure C**.

- d. The State Govt. has not furnished compliance report of stipulated conditions of final approval granted by Ministry vide letter No. 8-261/88-FC dated 04.07.1989 for diversion of 235.269 ha of forest land for Kanpur Major Irrigation Project. Further, the non-forest land identified for CA over 235.269 ha against Kanpur Major Irrigation Project has not been declared as PF/RF by the State Govt. till date.

The compliance report of the conditions of final approval granted by Ministry vide letter No. 8-261/88-FC dated 04.07.1989 for diversion of 235.269 ha of forest land is enclosed herewith as **Annexure- D** .

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. The village Badektali, Basantapur & Jhinkipita are coming under Keonjhar(WL) Division. PF notification has not done. The draft proposal for notification of PF will be submitted soon.

**Encl: As above**

  
**Divisional Forest Officer,  
Keonjhar Division.**

**Memo No. 8644 / Dated. 02.12.2021**

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

  
**Divisional Forest Officer,  
Keonjhar Division.**

CA PLANTATION UNDER KANPUR CANAL PROJECT

CA LAND AREA IN UKHUNDA RF IS EXCLUDING THIS MAIN CANAL AREA (3.77 HA.)

2020-21 CA PLANTATION OVER 0.72HA. UNDER BALDA IRON ORE MINES M/S SIRAUDDIN & CO. IN KEONJHAR FOREST DIVISION

UKHUNDA RF BOUNDARY LINE

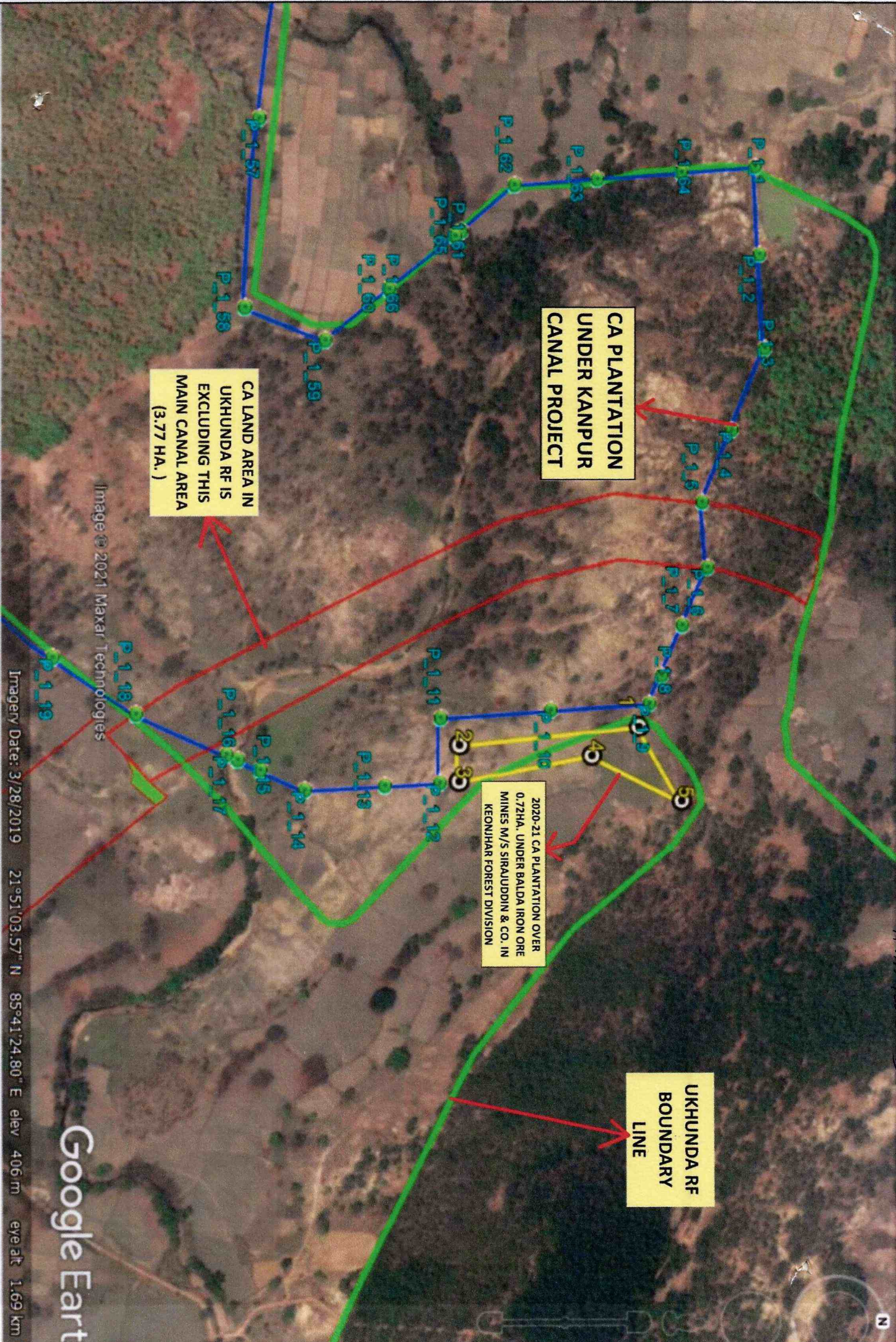
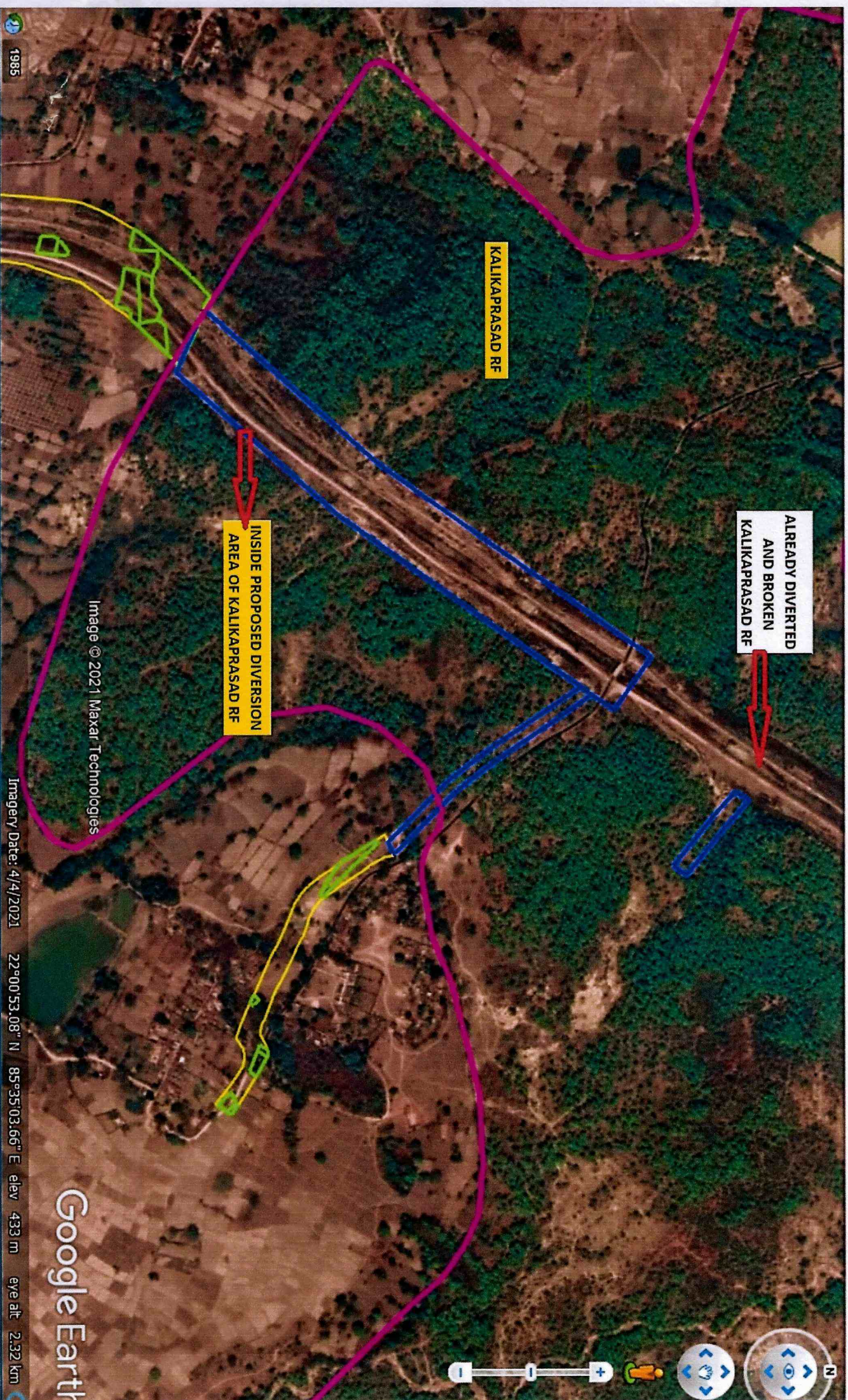


Image © 2021 Maxar Technologies

Imagery Date: 3/28/2019 21°51'03.57" N 85°41'24.80" E elev 406m eye alt 1.69 km

Google Earth

Amexuse-A



KALIKAPRASAD RF

ALREADY DIVERTED  
AND BROKEN  
KALIKAPRASAD RF

INSIDE PROPOSED DIVERSION  
AREA OF KALIKAPRASAD RF

Image © 2021 Maxar Technologies

Imagery Date: 4/4/2021

22°00'53.08" N 85°35'03.66" E elev 433 m eye alt 2.32 km

Google Earth

1985


Species, diameter and class wise : tract of trees enumerated over 310.110 ha forest ad of Kanpur Canal System ( Irrigation ) Project.

Class	Scientific Name	Local Name	30 cm to 59 cm		60 cm to 89 cm		90 cm to 119 cm		120 cm to 149 cm		150 cm to 179 cm		180 cm to & above		Total		Grand Total	
			Sound	Un sound	Sound	Un sound	Sound	Un sound	Sound	Un sound	Sound	Un sound	Sound	Un sound	Sound	Un sound		
Special Class	Tectona grandis	Saguan	208	0	50	1	8	0	2	0	0	0	0	0	0	268	1	269
	Dalbergia sisoo	Sisoo	1	0	3	1	4	0	0	0	0	0	1	0	0	9	1	10
Total Special class			209	0	53	2	12	0	2	0	0	0	1	0	0	277	2	279
1st class	Pterocarpus marsupium	Piasal	23	0	12	0	3	0	0	0	0	0	0	0	0	38	0	38
	Shorea robusta	Sal	16455	61	17801	51	3737	13	756	5	169	2	107	2	39025	134	39159	
Total 1st Class			16478	61	17813	51	3740	13	756	5	169	2	107	2	39063	134	39197	
2nd class	Mangifera Indica	Amba	21	0	40	0	26	0	21	0	11	0	47	0	166	0	166	
	Terminalia elliptica	Asan	99	0	58	0	13	2	7	0	1	0	4	0	182	2	184	
	Syzygium cumini	Jamu	99	0	107	2	60	0	26	0	18	0	15	0	325	2	327	
	Anogeissus latifolia	Dhaura	98	1	23	0	2	0	0	0	0	0	0	0	123	1	124	
	Bridelia retusa	Kasi	5	0	7	0	1	0	2	0	1	0	0	0	16	0	16	
	Diospyros melanoxylon	Kendu	3	0	3	0	1	0	2	0	0	0	3	0	12	0	12	
Total 2nd class			325	1	238	2	103	2	58	0	31	0	69	0	824	5	829	
3rd class	Misc Species	Misc	8901	80	7498	66	2149	18	595	4	165	1	149	0	19457	169	19626	
Total 3rd class			8901	80	7498	66	2149	18	595	4	165	1	149	0	19457	169	19626	
Grand total			25913	142	25602	121	6004	33	1411	9	365	3	326	2	59621	310	59931	

No of Units. 22984.96 Unit

Quantum of Forest Produce from the Forest Land involved in the virgin forest area.

- i) Total nos. of units = 22984.96 Unit
- ii) Approximate additional Firewood. = 2300 Truck load
- (iii) Value of Minor Forest Produce in lumpsum = Rs.2,00,000/-

  
 Divisional Forest Officer,  
 Keonjhar Division.

**Compliance report of the conditions stipulated vide No. 8-261/88-FC dated 04.07.1989 for diversion of 235.269 ha of forest land of MoEF, Govt. of India in respect of Kanpur Irrigation Project in Keonjhar District.**

**1. Legal status of the forest land remain.**

The legal status of forest land remain unchanged.

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

Tree felling allowed over 10.85 Acres. of project affected area as per the demand of the project authorities.

**3. Compensatory afforestation should be raised on equivalent non-forest land identified for this purpose should be handed over to the forest department and notified as PFs before the release 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. Mutation of the non-forest area identified for the purpose done in the name of forest department. The village Badektali, Basantapur & Jhinkipita are coming under Keonjhar(WL) Division.

Draft notification has not yet been obtained. The plantation was already completed over the entire area by OFDC Ltd and handed over the same to territorial division, Keonjhar.

Baliadal	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

**4. Tree planting to be done on either side of the canal, road & foreshore of the reservoir and in the waste land / vacant land under the control of the Irrigation Project.**

Plantation can be raised only after completion of construction work.

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

The user agency has submitted an undertaking to this effect as Annexure- 1.

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

The user agency has submitted an undertaking to this effect as Annexure- 1.

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

The user agency has submitted an undertaking to this effect as Annexure- 1.

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

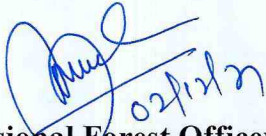
The user agency has submitted an undertaking to this effect as **Annexure- 1**.

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

The catchment area treatment plan has already been prepared and submitted for implementation. Conservation measures along the canal system will be complied after completion of project work.

10. **In the forest area falling under the submergence area, the artificial regeneration (*Auriculiformis*) regeneration has been done in the past and it should be properly evaluated. After such evaluation, its outturn should be added to that to timber and firewood arrived at initially at the time of submission of the proposal for realization of the revenue from the user agency to the forest department.**

Complied

  
02/12/21  
**Divisional Forest Officer,**  
**Keonjhar Division**



**UNDERTAKINGS**

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

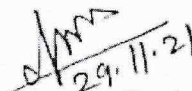
Conditions No. 5- Water to be supplied free of cost to the forest department for raising nursery & Irrigation of forestry plantations in the command area.

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-I  
Jhumpura