



**STATE FOREST HEADQUARTERS
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, ODISHA,
BHUBANESWAR**

No. 2107 /9F (Road)-122/2016
Dated, Bhubaneswar the 1st February, 2018

To

The Additional Chief Secretary to Government,
Forest and Environment Department,
Odisha, Bhubaneswar.

Sub : Diversion of 4.545 ha of revenue forest land for construction of Pallahara Bypass road coming within the stretch of Km. 0.000 to Km. 68.280 under the project "Rehabilitation and up-gradation of NH-49 from Pallahara to Pitiri Section to two lanes with paved shoulders under NHDP-IV in the State of Odisha on EPC mode" under Deogarh Forest Division in Angul District, Odisha.

Sir,

In inviting a reference to F&E Department Memo No. 15665/ F&E dated 25.07.2017 and 1029/F&E dated 12.01.2018 of Special Secretary to Government, Forest & Environment Department on the captioned subject, the following point-wise compliances on the issues raised by Government of India, MoEF & CC, ERO, Bhubaneswar vide Letter No. 5-ORB 317//2017- BHU dated 18.07.2017 are furnished below:-

Condition No- (a) The status of 284.961 ha of balance non-forest land involved in this road project as on 25.10.1980 not furnished.

In compliance to the above, the RCCF, Rourkela has reported that the total land required for the project i.e. from Km.0/00 to 68/280 km is 281.012 ha. But in the technical note (enclosed in the diversion proposal) vide 2.1.3, the total land required for the project was wrongly reported as 295.308 ha. as intimated by the DFO, Deogarh Forest Division.

As per the report of the DFO, Deogarh Division, the chainage wise break up of non-forest and forest land involved in the project is as follows:-

| Sl. No. | Name of Tahasil | Jurisdiction / Chainage | Area of Non-forest land (both Govt. & Private) | Area of Forest land | | Total area | Remarks | | | | |
|---------|-----------------|-------------------------|--|---------------------|------------------|----------------|--|------------------------|--------|--------|---|
| | | | In Hectare | In Hectare | In Hectare | | | | | | |
| 1 | | Km.0/00 to 2/140 km | 5.802 | 4.545 | | 10.347 | Proposal for 4.545 ha. of forest land has been submitted in the diversion Proposal. | | | | |
| 2 | Pallahara | Km.2/140 to 29/450 km | 65.565 | 10.802 | D.F.O. Deogarh | 86.684 | <p>1. Govt. of India, MoEF vide their letter No. 8(26)5/2002-FCE dtd.07.01.2003 have approved 6.1918 ha. of forest land for construction of NH-23 (Approach road to HL Bridge over Netanallah in Deogarh Division of Angul District.</p> <p>2. Govt. of India, MoEF vide their letter No.8-141/FC dtd.11/17.5.93 have approved 4.61065 ha. of forest land for: (i) Improvement to NH-23 from km.54.58 to 58.64 i.e. 29.420 km. to 25.360 km of NH-149 for 1.96455 ha.</p> <p>(ii) Construction of Andhari Approach (at Km.56.460 of NH-23 i.e. 27.540 km of NH-149 for 1.6912 ha.</p> <p>(iii) Approach road to Nudei bridge at Km.79.86 of NH-23 i.e. 4.140 km of NH-149 for 0.95490 ha.</p> | | | | |
| 3 | | Km.29/450 to 32/320 km | | | | | | 10.317 | | | Govt. of India, MoEF vide their letter No.8/281/87-FC dtd.16.11.1989 have approved diversion of 121.828 ha. of forest land in Dhenkanal district for construction of missing link to NH-23 and approach road to bridge over river Samakoi. |
| 4 | | Kaniha | | | | | | Km.32/320 to 43/150 km | 40.320 | 34.946 | D.F.O. Angul |
| 5 | Kankadahad | Km.43/150 to 53/500 km | 12.260 | 76.565 | D.F.O. Dhenkanal | 108.715 | Under D.F.O. Deogarh = 10.317 ha | | | | |
| 6 | Parjang | Km.53/500 to 68/280 km | 19.890 | | | | Under D.F.O. Angul = 34.946 ha | | | | |
| | | | | | | | Under D.F.O. Dhenkanal = 76.565 ha | | | | |
| | | | | | | | Total 121.828 Ha | | | | |
| | | Total | 143.837 | 137.175 | | 281.012 | | | | | |

Thus, the total non-forest area involved in the project is 143.837 ha and not 284.961 ha as pointed out by Ministry of Environment, Forest & Climate Change, G.O.I. Eastern Regional office, Bhubaneswar vide letter no. 5-ORB317/2017- BHU dtd. 18.07.2017 addressed to the Forest & Environment Department, Govt. of Odisha.

Thus the total area involved in the project is 281.012 ha. instead of 295.308 ha. The pre-80 status of the land as reported by the DFO, Deogarh division is furnished below-:

- i. The pre-80 status of the land from Km.0/00 to Km.2/140 of N.H.-149 (Pallahara bye-pass) as on 25.10.1980 has already been submitted in the Diversion Proposal.
- ii. The pre-80 status of the non-forest land from Km.2/140 to Km.32/320 of NH-149 as on 25.10.1980 pertaining to Pallahara Tahasil duly certified by the Tahasildar, Pallahara has been furnished vide letter No.3668/WE dtd.28.11.2017 of Executive Engineer, N.H. Division, Pallahara addressed to O/o the DFO, Deogarh Division, which is enclosed herewith for your kind reference.
- iii. The pre-80 status of the non-forest land from Km. 32/320 to Km. 43/150 of NH-149 as on 25.10.1980 pertaining to Kaniha Tahasil as obtained from Settlement office, Dhenkanal-Keonjhar Settlement has been duly certified by Tahasildar, Kaniha as per letter No. R&DM-CE/ (GL)-S-63/13 4822/CS dtd.12.02.2015 of the Chief Secretary, Odisha addressed to all Collectors and the same has been enclosed herewith for your kind reference.
- iv. The pre-80 status of the non-forest land from Km.43/150 to Km.53/500 of NH-149 as on 25.10.1980 pertaining to Kankadahad Tahasil as obtained from Settlement office, Dhenkanal-Keonjhar Settlement has been duly certified by Tahasildar, Kankadahad and enclosed herewith for your kind reference.
- v. The pre-80 status of the non-forest land from Km. 53/500 to Km.68/280 of NH-149 as on 25.10.1980 pertaining to Parjang Tahasil as obtained from Settlement office, Dhenkanal-Keonjhar Settlement has been duly certified by Tahasildar, Parjang and enclosed herewith for your kind reference.

The DFO, Deogarh Division has further reported that the road was constructed with formation width of 12.00 Mtr. and with double lane carriageway (7.00 Mtr.) after acquisition of land from Km.29/450 to 68/280 km, and now the road is being upgraded to two lanes with paved shoulder i.e. 10.00 Mtr. carriageway.

Condition No- (b) Number of trees to be felled from balance 284.961 ha of non-forest land involved in this project not furnished.

In compliance to the above, the RCCF, Rourkela Circle has furnished the details of trees felled from non-forest land i.e. 2/140km to 68/280km from R.O.W. as per report of DFO, Deogarh division which is as follows:-

| Sl. No | Chainage | No of trees enumerated | No of trees felled | No of trees to be felled | Divisional Forest Office Deogarh letter No. & date. |
|--------|--|------------------------|--------------------|--------------------------|---|
| 1 | Km.2/00 to 29/500km | 422 | 422 | 0 | 1655 Dtd.27.06.2015 |
| 2 | Km.2/00 to 11/910km (under Pallahara Range) | 94 | 94 | 0 | 4320 Dtd.11.11.2016 |
| 3 | Km.11/910 to 22/00km (under Khamar Range) | 69 | 69 | 0 | 4782 Dtd.17.12.2016 |

Total Nos. of trees felled: -585 nos

As reported by the DFO, Deogarh Division, felling of trees has been completed in the entire stretch for the aforesaid project except at the by-pass area (i.e. from Km.0/00 to 2/00 Km).

As reported by the DFO, Deogarh Division, no tree has been cut down from 29/450km to 68/280km as the work has been executed within existing formation with no change or increase of land width, as the road formation width of 12.00 mtr was mostly available in the stretch of the project length.

Condition No- (c) As per DSS analysis, some constructed structures are there in the proposed patches of forest land involved in the bypass road. It may kindly be clarified whether violation of Forest (Conservation) Act, 1980 has been committed by the User Agency for taking up the above activity on the forest land proposed for diversion.

In compliance to the above, the RCCF, Rourkela has reported that an area of 112.23 sqm. of Revenue Forest land has been encroached by the concerned agency and constructed Abutment (A₁) of the Major Bridge over Plot No. 34 of Khata No. 535 under Mouza – Pallahara as per joint verification report of the Forest, Revenue authorities and User Agency. The unauthorised construction is clearly violation of Forest (Conservation) Act, 1980.

Condition No- (d) As per DSS analysis, one water body is there within the identified non-forest land for compensatory afforestation. It is not clear, if this is included in the C.A. area.

In compliance to the above, the RCCF, Rourkela Circle has reported that another non-forest land has been identified to compensate the water body area. The revised land schedule, trace map, topo sheet & Map showing Survey Co-ordinates & boundary of non-forest land for C.A. is appended in the compliance. The financial outlay for revised Compensatory Afforestation Scheme over 4.560 ha of non- forest land identified in village Sanadhauragotha under Pallahara Tahasil of Khamar Range of Deogarh Forest Division has been technically approved for ₹ 18,36,100/-

(Rupees eighteen lakhs thirty six thousand and one hundred) only by Addl. PCCF, Forest Diversion and Nodal Officer, FC Act at current wage rate of ₹ 213.50 per manday. The CA scheme alongwith the financial outlay and Shape/KML file is enclosed in the compliance set.

Condition No- (e) FRA certificate needs to be submitted in original or to be attested by the issuing authority as per Ministry's letter No.11-360/2016-FC dated 17.11.2016.

In compliance to the above, the original FRA certificate for 4.545 ha of forest land issued by the Collector, Angul in original vide his Letter No. 82 dated 16.01.2016 is enclosed in the compliance set.

In view of the above, point wise compliance are sent herewith for consideration and onward transmission to Government of India, Ministry of Environment, Forests and Climate Change for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

Yours faithfully,

Encl: Compliance in 3 sets

ahmayerah 1/2/18
Additional Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, F.C. Act

Memo No. 2108 /Dt. 01-02-18

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela circle for information and necessary action with reference to his memo no. 3548 dated 28.12.2017 .

ahmayerah 1/2/18
Additional Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, F.C. Act

Memo No. 2109 /Dt. 01-02-18

Copy forwarded to the DFO, Deogarh Forest Division for information and necessary action with reference to memo no. 3549 dated 28.12.2017 of RCCF, Rourkela Circle to his address.

ahmayerah 1/2/18
Additional Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, F.C. Act

Memo No. 2110 /Dt. 01-02-18

Copy forwarded to the Executive Engineer, N.H.Division, Dhenkanal for information and necessary action with reference to memo no. 3550 dated 28.12.2017 of RCCF, Rourkela Circle to his address.

ahmayerah 1/2/18
Additional Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, F.C. Act

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