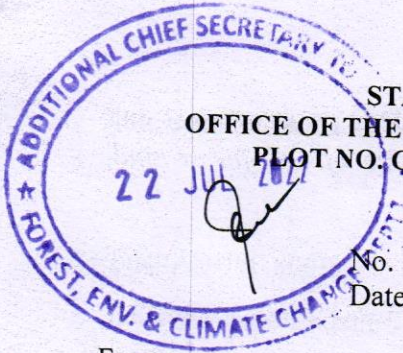




STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HoFF
PLOT NO. GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023

E-mail:- nodal.pccfhoff@odisha.gov.in

No.

/9F (Others) – 318/2022

Dated, Bhubaneswar the

July, 2022

From

Chief Conservator of Forests
(Forest Diversion & Nodal Officer, FC Act)
O/o the PCCF & HoFF, Odisha, Bhubaneswar

To

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

Sub:- Diversion of 1.463 ha of Revenue Forest land in favour of IDCO, Bhubaneswar for construction of Fortune Tower in Jaydev Vihar under Bhubaneswar Tahasil of Khordha District.

Ref:- Letter F.No.5-ORB 514/2022- BHU dated 13.05.2022 of Dy. Inspector General of Forests (C), GoI, MoEF & CC, IRO, Bhubaneswar.

Sir,

In reference to the above mentioned subject, I wish to inform that Government of India, Ministry of Environment, Forest & Climate Change, IRO, Bhubaneswar has raised four (4) nos of observations vide Letter 5-ORB 514/2022- BHU dated 13.05.2022 for diversion of 1.463 ha of Revenue Forest land in favour of IDCO, Bhubaneswar for construction of Fortune Tower in Jaydev Vihar under Bhubaneswar Tahasil of Khordha District. The User Agency has complied all the observations of Govt. of India, MoEF & CC, IRO, Bhubaneswar. The point wise compliance basing on the report of the DFO, Chandaka (WL) Division and RCCF, Bhubaneswar Circle are as follows:-

Observation No. (1) :- The KML file of proposed forest land uploaded in Parivesh web Portal is found different from KML file submitted in CD. Hence, correct KML file of proposed forest land may be uploaded by the user agency.

Compliance:- The DFO, Chandaka (WL) Division has reported that the diversion proposal was submitted during the year 2008 and now the corrected KML file has been uploaded in Parivesh portal which may kindly verified.

Observation No. (2):- *The User Agency and DFO, Chandaka (WL) Division have not uploaded correct/ proper SoI Toposheet & DGPS Map & KML file of non-forest land identified in village Bidyadharpur in Parivesh web portal.*

Compliance:- The DFO, Chandaka (WL) Division has reported that during 2008, the CA land was selected in village Kamanga under Tangi Choudwar Tahasil of Cuttack Forest Division of District Cuttack. But due to some field problems, the CA land has been changed to village Bidyadharpur under Bhubaneswar Tahasil of Chandaka (WL) Division of Khordha District. The corrected land schedule along with SoI Toposheet, DGPS Map & KML file has been uploaded in Parivesh Portal.

Observation No. (3):- *The DFO, Chandaka (WL) Division has reported that the user agency has constructed building for office complex & road, developed Green Belt and taken up landscaping over Revenue Forest Land without prior approval from Government of India, Ministry of Environment, Forest & Climate Change in contravention of Forest (Conservation) Act, 1980. In the recommendation, it is not clear that whether this violation is attributable or not to the user agency. If the violation is not attributable to the user agency then, this violation comes under which category as mentioned in Para 1.21 of Chapter-1 of Handbook of FC act guidelines.*

Compliance:- The DFO, Chandaka (WL) Division has reported that the user agency has constructed building for office complex & road, developed Green belt and taken up landscaping over Revenue Forest Land without prior approval from Government of India, Ministry of Environment, Forest & Climate Change in contravention of Forest (Conservation) Act, 1980.

The construction of Fortune Tower was started by the user agency in the year 1999 and completed in the year 2003. Further, it has been reported that the user agency came to know about the Kissam of Land (**Kisam of Plot- 18 (Pt) Buda Jungle**) as per Letter No. 15555 dated 16.12.2005 of Government of Odisha, G.A Department Bhubaneswar. The RCCF, Bhubaneswar Circle has further reported that basing on the above said letter of GA Department, it could not be ascertained regarding Kissam of land which was leased out to IDCO.

Subsequently, the forest diversion proposal was submitted by the user agency. The total land involved vide letter dated 16.12.2005 of G.A Department is 6.734 Acres corresponding to Revenue Plot No. 18 (pt) and 19 (pt), Khata No. 1427 (G.A Deptt.), Mouza Jaydev Vihar whereas the diversion proposal submitted by the user agency was for 3.508 Acres or 1.463 ha in Plot No. 18 (pt).

Thus the violation is attributable to the user agency as reported by the DFO, Chandaka (WL) and RCCF, Bhubaneswar Circle.

Observation No. (4):- *The lease deed has been executed between G.A. Department, Govt of Odisha and user agency on 20.11.1997 without prior approval of Govt. of India contravention of FC Act, 1980. Detail action taken report of State Govt. may be furnished.*

Compliance:- The DFO, Chandaka (WL) Division has reported basing on submission of IDCO that in pursuance to decision taken in the meeting on dated 04.06.1997 under the Chairmanship of the Chief Secretary, Odisha, for proposals relating to Infrastructure Development, the G.A Department, Govt. of Odisha on dated 20.11.1997 allotted a patch of land measuring 3.508 Acres (in Plot No. 18/P) of Kissam Gharabadi-2 in the village Jaydev Vihar under Bhubaneswar Tahasil. Subsequently, on dated 05.03.1999, an additional land measuring Ac. 0.556 from Plot No. 18/P, Kissam being Gharabadi- 2 was also allotted by G.A. Department.

The lease Deed of the above land was executed between Ex-Officio Director- cum-Joint Secretary to G.A. Deptt. and Dy. Manager (P&A), IDCO on dated 20.11.1997 and 05.03.1999 respectively.

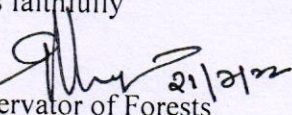
Accordingly, the construction of Fortune Tower was started in August, 1999 and completed on dated 14.02.2003 as per the approved Plan and proposal of Government.

Later, the user agency, IDCO came to know from letter No. 15555 dated 16.12.2002 of G.A Department, Government of Odisha that the Kissam of Plot No. 18 is "Buda Jungle". Soon after, the process for submission of the Diversion Proposal was initiated and application was submitted to the Forest Department in 2008.

Later, when it came to the notice of the user agency, IDCO that the land in question is of forest land category, steps were taken by the user agency i.e. IDCO to file the Application seeking permission for non-forestry use of forest land.

In view of the above, the compliance to the observations pointed out by Government of India, MoEF & CC, IRO, Bhubaneswar for diversion of 1.463 ha of Revenue Forest land in favour of IDCO, Bhubaneswar for construction of Fortune Tower in Jaydev Vihar under Bhubaneswar Tahasil of Khordha District is sent herewith for favour of kind information and necessary action.

Yours faithfully


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

Memo No.

14356

/Dt.

21-07-2022

Copy forwarded to the Additional Chief Secretary to Government, Forest & Environment Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Letter 5-ORB 514/2022- BHU dated 13.05.2022.

Chief Conservator of Forests

Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.

Copy forwarded to the RCCF, Bhubaneswar Circle for information and necessary action with reference to his Memo No. 2472 dated 15.07.2022.

Chief Conservator of Forests

Forest Diversion & Nodal Officer, FC Act

Memo No.

/Dt.

Copy forwarded to the DFO, Chandaka (WL) Division for information and necessary action with reference to Memo No. 2473 dated 15.07.2022 of RCCF, Bhubaneswar Circle.

Chief Conservator of Forests

Forest Diversion & Nodal Officer, FC Act

FB & CC Dept.

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