



OFFICE OF THE REGIONAL CHIEF CONSERVATOR OF FORESTS, ROURKELA CIRCLE, AT/P.O.  
PANPOSH, ROURKELA-769 004.

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Memo No. 3548 /3F(Dis-D)409/2017.  
Dated, Rourkela the, 28th, December, 2017.

To

The Additional Principal Chief Conservator of Forests  
(Forest Diversion & Nodal Officer, FC Act),  
O/o the Principal Chief Conservator of Forests,  
Odisha.

Sub:- Diversion of 4.545 ha. of revenue forest land for construction of Pallahara Bypass road coming within the stretch of Km. 0.000 K.m. 68.280 under the project "Rehabilitation and Up-gradation of NH-149 from Pallahara to Pitiri Section to two lanes with paved shoulder under NHDP-IV in the State of Odisha on EPC mode" under Deogarh Forest Division in Angul District, Odisha.

Ref:-  
1. Letter No. 5-ORB317/2017-BHU dated 18.07.2017 of MoEF & CC, ERO, Bhubaneswar.  
2. Memo No. 15665/F&E dated 25.07.2017 of Special Secretary to Government of Odisha, F&E Department  
3. Your Memo No.18903 dtd.28.08.2017 .  
4. This Office Memo No.2291 dated 29.08.2017 and Memo No.2677 dated 27.09.2017.  
5. Memo No. 3527 dated 15.09.2017, Memo No. 5212 dated 21.12.2017 & Memo No. 5233 dated 26.12.2017 of the DFO, Deogarh Division.

With reference to the aforecited Memos of the captioned subject, the DFO, Deogarh Division vide his Memo 5211 dated 21.12.2017 addressed to this office and copy endorsed to you in the next Memo of even date has submitted the compliance with the observations of GoI, MoEF & CC, ERO, Bhubaneswar which may kindly be perused. The compliance based on the report of DFO, Deogarh Division is as follows:

**a) The status of 284.961 ha of balance non-forest land involved in this road project as on 25.10.1980 not furnished.**

As reported by the DFO, Deogarh Division, 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 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	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	86.684	1. Govt. of India, MoEF vide their letter No. 8(26)5/2002-FCE dtd.07.01.2003 have approved <b>6.1918 ha.</b> of forest land for construction of NH-23 (Approach road to HL Bridge over Netanallah in Deogarh Division of Angul District. 2. Govt. of India, MoEF vide their letter No.8-141/FC dtd.11/17.5.93 have approved <b>4.61065 ha.</b> 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 <b>1.96455 ha.</b> (ii) Construction of Andhari Approach (at Km.56.460 of NH-23 i.e. 27.540 km of NH-149 for <b>1.6912 ha.</b> (iii) Approach road to Nudei bridge at Km.79.86 of NH-23 i.e. 4.140 km of NH-149 for <b>0.95490 ha.</b>			
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 <b>121.828 ha.</b> 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	75.266
5	Kankada had	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				
		<b>Total</b>	<b>143.837</b>	<b>137.175</b>			<b>281.012</b>				

Thus, as per the report of the DFO, Deogarh Division, 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.

As reported by the DFO, Deogarh Division, the total area involved in the project is 281.012 ha. instead of 295.308 ha.

- i. As reported by the DFO, Deogarh Division, 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. As reported by the DFO, Deogarh Division, 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. As reported by the DFO, Deogarh Division, 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. As reported by the DFO, Deogarh Division, 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. As reported by the DFO, Deogarh Division, 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.

As reported by the DFO, Deogarh Division, 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.

**b) Number of trees to be felled from balance 284.961 ha of non-forest land involved in this project not furnished.**

As per the report of the DFO, Deogarh Division, the details of trees felled from non-forest land i.e. 2/140km to 68/280km from R.O.W. is as follows:-

Sl. No.	Chainage	No of trees enumerated	No of trees felled	No of trees to be felled	Divisional Forest Officer. 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, not a single 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.

- 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.**

The compliance with this observation submitted by the DFO, Deogarh Division vide his Memo No. 5211 dated 21.12.2017 addressed to this office and copy endorsed to you in the next memo of even date may kindly be perused. Subsequently, in continuation of his aforesaid Memo, the DFO, Deogarh division vide his Memo No. 5232 dated 26.12.2017 with copy endorsed to you in the next memo of even date has clarified that, an area of 112.23 sqm. of Revenue Forest land has been encroached by the concerned agency and constructed Abutment (A<sub>1</sub>) 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.

- 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.**

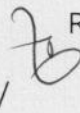
As per the report of the DFO, Deogarh Division, another non-forest land has been identified to compensate the water body area. The revised land schedule, trace map, topo sheet & Map showing Survey Co-ordinates & boundary of non-forest land for C.A. has been identified at village Sanadhaura Gotha. Revised Compensatory Afforestation Scheme submitted by the DFO, Deogarh Division is enclosed herewith in quadruplicate.

- d) **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.**

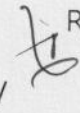
The original FRA certificate for 4.545 ha of forest land issued by the Collector, Angul vide his Letter No. 82 dated 16.01.2016 and communicated to the DFO, Deogarh vide Letter No. 343 dated 25.02.2016 of the DWO, Angul submitted by the DFO, Deogarh Division is enclosed herewith.

This is for favour of your kind information and necessary action.


Encl: As above.

Memo No. 3549 /  Regional Chief Conservator of Forests,  
Rourkela Circle  
Date: 28.12.2017

Copy forwarded to the Divisional Forest Officer, Deogarh Division for information and necessary action with reference to his Memo No.5211 dtd.21.12.2017 & Memo No. 5232 dated 26.12.2017.

Memo No. 3550 /  Regional Chief Conservator of Forests,  
Rourkela Circle  
Date: 28.12-2017

Copy forwarded to the Executive Engineer, N.H. Division, ~~Dhenkanal~~ for information and necessary action with reference to Memo No.5213 dtd.21.12.2017 of the DFO, Deogarh Division.

 Regional Chief Conservator of Forests,  
Rourkela Circle