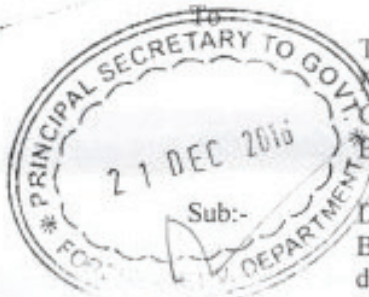




No.5-ORA285/2016-BHU

19th December, 2016



To
 The Principal Secretary,
 Forest & Environment Deptt.,
 Govt. of Odisha,
 Bhubaneswar.

Stage-I approval order

Sub:-

Diversion of 461.1496 ha of forest land in Angul, Aathamallik, Rairakhol, Sambalpur, Bamra (WL), Jharsuguda and Sundargarh Forest Divisions coming within the revenue districts of Angul, Sambalpur, Jharsuguda and Sundargarh of Odisha for construction of 765 KV/DC Angl - Jharsuguda 2nd transmission line from Angul Pooling Station to Jharsuguda Pooling Station at Kenapali by M/s Power Grid Corporation India Ltd.

Sir,

I am directed to refer to State Govt. letter No.10F(Cons)207/2016-13244/F&E dated 20.07.2016 and No.23358/F&E dated 15.12.2016, on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest(Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 16.12.2016, the Ministry of Environment, Forest & Climate Change hereby conveys 'in-principle' approval for diversion of 461.1496 ha of forest land in Angul, Aathamallik, Rairakhol, Sambalpur, Bamra (WL), Jharsuguda and Sundargarh Forest Divisions coming within the revenue districts of Angul, Sambalpur, Jharsuguda and Sundargarh of Odisha for construction of 765 KV/DC Angl - Jharsuguda 2nd transmission line from Angul Pooling Station to Jharsuguda Pooling Station at Kenapali by M/s Power Grid Corporation India Ltd., subject to the fulfillment of the following conditions.

- i) Legal status of forest land proposed for diversion shall remain unchanged.
- ii) The State Govt. shall charge the Net Present Value (NPV) of forest area proposed to be diverted under this proposal from the user agency as per the Orders of Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
- iii) At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- iv) Compensatory afforestation over 922.2994 ha of degraded forest land against the area of forest land proposed to be diverted shall be raised and maintained by the State Forest Department at the cost of the user agency.
- v) The revised break up details of compensatory afforestation area of all the divisions shall be furnished before issue of Stage-II approval.

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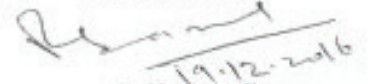
- vi) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation for 10 years, at the current wage rate, to the State Forest Department.
- vii) All the funds received from the user agency under the project shall be transferred online to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned.
- viii) The user agency shall comply with the conditions stipulated by State Govt. vide letter No.10(Cons)207/2016-13244/F&E dated 20.07.2016.
- ix) The user agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014 and 19.11.2014.
- x) The user agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line, and provide funds for execution of the said scheme by the State Forest Department.
- xi) The boundary of the forest land being diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar and submit DGPS map along with soft copy in shape file.
- xii) The State Forest Department/UA shall submit the DGPS map of degraded forest land along with soft copy in shape files as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them.
- xiii) No labour camp shall be established on the forest land.
- xiv) The user agency shall provide alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas.
- xv) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- xvi) Earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency.
- xvii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xviii) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xix) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with letter No. 11-9/1998-FC (pt.) dated 05.02.2013, in support thereof.



- xx) Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, in the interest of conservation, protection and development of forests and wildlife shall be complied by the user agency.
- xxi) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of the report on compliance to the conditions stipulated above, from the State Government of Odisha, final/Stage-II approval for diversion of the said forest land under Section 2 of Forest (Conservation) Act, 1980 will be issued by this Ministry. **Transfer of forest land to user agency shall not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.** However, the State Govt., if it so desires, may allow the user agency for commencement of work as per Ministry guideline issued vide letter No.11-306/2014-FC dated 28.08.2015.

Yours faithfully,



(R.K. Samal)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Dy. Secretary, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
3. The Principal Chief Conservator of Forests, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Addl. PCCF & Nodal Officer (FC), O/o the PCCF, Forest Deptt., Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
5. The Divisional Forest Officer, Angul/Athamallik, Rairakhol/Sambalpur/Bamra(WL)/Jharsuguda/Sundargarh Forest Division, Angul/Athamallik, Rairakhol/Sambalpur/Bamra/Jharsuguda/Sundargarh, Odisha.
6. The Chief Manager (TLC), Power Grid Corporation of India Ltd., 765/400 KV Pooling Station, At:Phulpada, Dist: Angul-759022, Odisha
7. Guard file.

Conservator of Forests (Central)