

5-ORB015/2005-BHU

December 16, 2005

To

✓ The Principal Secretary,
Environment & Forests Department,
Govt. of Orissa,
Bhubaneswar.

Sub:- Diversion of 1.93 ha of forest land for widening of the existing Road from Hingula Opencast Project to Railway Siding of Kalinga/Jagannath area of MCL in Talcher of Angul district in Angul Forest Division.

Sir,

I am directed to refer to your letter No. 10F(Cons)/16/2005/6750/F&E dated 23.09.2005 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest(Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the Central Government hereby agrees in principle for diversion of 1.93 ha of forest land for widening of the existing Road from Hingula Opencast Project to Railway Siding of Kalinga/Jagannath area of MCL in Talcher of Angul district in Angul Forest Division, subject to fulfillment of following conditions:

1. The State Govt. should charge Net Present Value from the user agency as directed by Hon'ble Supreme Court and as per the guidelines issued by the Ministry of Environment & Forests vide letter No. 5-1/98-FC(Pt-II) dated 18th September and 22nd September, 2003.
2. The User Agency will transfer the cost of compensatory afforestation (revised as on the date to incorporate the existing wage structure), to the State Forest Department for raising Compensatory Afforestation over 4 ha of degraded forest land identified for the same.
3. Penal compensatory afforestation shall be raised and maintained at the cost of the User Agency over 0.5 ha degraded forest land for using 0.096 ha of forest land in violation of Forest(Conservation) Act, 1980 and the necessary fund at current wage rate shall be deposited with the State Forest Department.
4. The funds received from the User Agency towards compensatory afforestation Penal Compensatory Afforestation and NPV shall kept in fixed deposits in the name of concerned Divisional Forest Office or the Nodal Officer(Forest Conservation) of the State in a Nationalized Bank till the CAMPA intimates head of account for transfer deposition of funds, and directions regarding further utilization of the above funds.

5. The User Agency shall demarcate the area diverted by erecting 4 feet high RCC pillars at the project cost indicating forward and back bearings and distance between adjacent pillars on them.
6. The User Agency shall prepare and implement a Scheme for avenue plantation of evergreen trees on both sides of the road at the project cost. A copy of the Scheme shall be furnished to the Regional Office within 90 days after getting approved the same by State Forest Department.
7. Trees over the diverted forest area shall be felled only as per strict requirement with prior permission of the Concerned Divisional Forest Officer.
8. The encroachment case booked under OFA, 1972 against MCL Officials shall not be withdrawn.

After receipt of compliance on fulfillment of the conditions No. 1 to 8 from the State Government formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land to user agency and its non forestry use even otherwise should not be effected by the State Government till the final order approving diversion of forest land is issued by the Central Government.

Yours faithfully,

S. Mohapatra

16.12.2005

(S. MOHAPATRA)

DEPUTY CONSERVATOR OF FORESTS(CENTRAL)

Copy to:-

1. The Inspector General of Forests(FC), Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Forest Department, Govt. of Orissa, Aranya Bhawan, C.S. Pur, Bhubaneswar.
3. The Nodal Officer, O/o the Principal Chief Conservator of Forests, Forest Department, Govt. of Orissa, Aranya Bhawan, C.S. Pur, Bhubaneswar.
4. The Divisional Forest Officer, Angul Forest Division, Angul.
5. The General Manager, Hingula OCP, Hingula, Angul.
6. Guard file.

DEPUTY CONSERVATOR OF FORESTS(CENTRAL)