

GOVERNMENT OF ODISHA, DEPARTMENT OF WATER RESOURCES  
OFFICE OF THE CHIEF ENGINEER & BASIN MANAGER, UPPER MAHANADI BASIN, BURLA.

NO 494 (20)

**PUBLIC NOTICE**

31.12.18

**Government of Odisha, Forest & Environment Department**

No. 10F (Con) 276/2016- 10519 F & E, Bhubaneswar dated – 05.05.18

From

Sri Debidutta Biswal, IFS, Special Secretary to Government

To

The Principal Chief Conservator of Forests, Odisha

Sub : Diversion of 9.441 Ha of forest land in lamdunguri RF for construction of additional spillway of Hirakud Dam Project. Burla in Sambalpur district in the state of Odisha .

Sir,

I am directed to enclose herewith the stage -I approval order of Government of India, MoEF&CC, Eastern Regional Office vide letter No,5-ORC345/2018 -BHU dt. 1.5.2018 for diversion of 9.441 ha of forest land in Lamdunguri RF for construction of Additional Spillway of Hirakud Dam Project, Burla in Sambalpur district in the State of Odisha. In the above said Stage-I approval order, there is no order for transferring the forest land in favour of the user agency for which proposal was earlier forwarded by the State Government to Government of India, MoEF & CC, Eastern Regional Office vide letter No- 7866/ F & E dt.06.04.2018. The Stage- I approval order referred to above indicates that Government of India MoEF&CC, Eastern Regional Office agrees for diversion of above extend of forest land subject to compliance of 21 ( twenty one) no. of conditions by the user agency so as to consider the case for Stage-II (final) forests clearance. These conditions also include condition no-2 (viii) which requires compliance of all the additional conditions suggested by State Government while forwarding the forest diversion proposal.

It is requested to take necessary steps for compliance of the conditions imposed in the Stage-I approval order of MoEF & CC, ERO including the additional conditions imposed by the State Government. Appropriate instruction in this context may be imparted to the Divisional Forest Officer of Sambalpur Forest Division as well as to the user agency for the compliance of the conditions. Detailed compliance of all the conditions imposed by the Eastern Regional Office and State Government may be meticulously scrutinized by Addl. PCCF (Forest Diversion) & Nodal Officer FC Act of your office and further necessary steps may also be taken by him expeditiously to furnish the detailed compliance in this respect to Eastern Regional Office. MoEF & CC on behalf of State Government as per authorization of State Government communicated in this regard vide letter No-10195/ F & E, Dt: 16.05.2017 to you, for their consideration for according final forest clearance to this project. A copy of detailed compliance so send to MoEF & CC, ERO may also marked to State Forest Department unfliningly for reference.

Since it is a linear project and as per ERO, MoEF & CC. Got order (last para) the Divisional Forest Officer of Sambalpur Forest Division may take further follow up action in compliance to orders of State Government in F & E Department communicated vide Memo No- 17194/ F&E Dt. 28.09.2015 for allowing the user agency to undertake project activities on forest land, being diverted, for a period of one year pending Stage-II forest clearance. Commencement of project activities shall however be subject to availability of other statutory clearance, as may be required for this project.

Violation of Forest Conservation Act, 1980, if any may however be reported in detail expeditiously to the State Government as per para 1.9 of F.C. Act guidelines for bringing the same to the notice of Government of India, Ministry of Environment, Forests and Climate Change for further action at their end.

Yours faithfully  
Special Secretary to Government

MIS  
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RAB  
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09/11/19

## PUBLIC NOTICE

Government of India

Ministry of Environment, Forest & Climate Change, Eastern Regional Office

A/3 Chandrasekharpur, Bhubaneswar- 751023

No. 5-ORC345/2018-BHU

1<sup>st</sup> May, 2018

To

The Addl. Chief Secretary  
Forest & Environment Deptt.,  
Govt. Of Odisha, Bhubaneswar.

Sub:- Diversion of 9.441 ha. of forest land in Landunguri RF for construction of additional Spillway of Hirakud Dam Project, Burla in Sambalpur district in the State of Odisha.

Sir,

I am directed to State Govt. letter No 10F(Cons)276/2016-7866/F&E dated 06.04.2018 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the State Government and on the basis of decision of Regional Empowered committee meeting held on 23.04.2018, the Ministry of Environment, Forest & Climate Change hereby conveys '*in-principle*' approval for diversion of 9.441 ha of Forest land in Lamdunguri RF for construction of additional Spillway of Hirakud Dam Project, Burla in Sambalpur district in the State of Odisha, subject to the fulfilment of the following conditions.

- i) Legal status of the land proposed for diversion shall remain unchanged.
- ii) The state Govt. shall charge 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 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. While conveying the compliance of this condition, mention be made of the Eco-class and density of forest for which NPV has been charged.
- 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 shall be raised over 9.441 Ha of non-forest land identified in plot no. 1292, Khata no. 1/1, Kisam- Ghasapadia of village Kello under Bonai Tahasil of Sundergarh district against the area of forest land proposed to be diverted at the cost of the user agency.
- v) The non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of stage-II approval.
- vi) State Govt. will formulate compensatory afforestation scheme with focused soil & moisture conservation along with regeneration, cleaning, silvicultural activities and shall ensure maintenance of these plantations for the period of seven years to ten years as per requirement.
- vii) The non-forest land over which compensatory afforestation will be taken up shall be notified as PF/RF and shall remain under the administrative control of the State Forest Department.
- viii) The user agency shall comply with the conditions stipulated by state Govt. vide letter No 10(Cons)276/2016-7866/ F&E dated 06.04.2018.

- bx) All the funds received from the user agency under the project shall be transferred through e-portal to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned. The user agency should ensure that the compensatory levies (C.A cost, NPV etc) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage -I clearance.
- x) The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, distance from adjoining pillars etc. As per Ministry letter no. 13-20/2015-CAMPA dated 09.06.2016, the cost of expenditure like boundary walls, stone pillars, demarcation charges, charges for felling of trees and their transportation to depots shall be deposited with DFOs concerned and the work should be undertaken departmentally in order to ensure that the task of erection of boundary walls, stone pillars, demarcation charges etc. are undertaken faithfully and in the best interest of the forests before the diversion and handing over of the forest land takes place. The work on these items should be completed within 6 months from the grant of final approval to diversion of forest land.
- xi) The state forest department /UA shall submit the surveyed sketch of non-forest land identified for CA, giving the forward bearing and backward bearing of each demarcated pillar and distance between them. The state forest department /user agency shall submit the DGPS reading of each demarcated pillar giving latitude and the longitude.
- xii) The user agency shall plant trees in available vacant spaces as per feasibility around the project site at their own cost, maintaining a record and for annual report self compliance submission.
- xiii) No labour camp shall be established on the forest land.
- xiv) The user agency shall provide alternate fuel preferably LPG 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 deposited of in the adjoining forest area by user agency.
- xvii) The user agency while executing works, shall not fell any tree of damage forest growth in the surrounding forest area in any manner.
- xviii) The forest land shall not be used for any purpose other than specific in the proposal and under no circumstances be transferred to any of the 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 Tribe and Traditional Forest Dwellers (Recognition of Forest Rights) Acts 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 and 05.07.2013, in support thereof. The user agency shall submit original FRA certificate before issue of stage -II approval.
- xx) Any other conditions that Ministry of Environment, Forest & Climate Change may stipulate, from time to time, the interest of conservation, protection and development of forests and wildlife shall be complied by the user agency.

- xxi) The State Govt. and the user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT order(s) & Hon'ble Court order(s) pertaining to the project, if any, 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,

(S.Mohapatra)  
Conservator of Forests (Central)

  
Chief Engineer & Basin Manager,  
Upper Mahanadi Basin, Burla

Memo No. 495 (20)

//Dated: 31.12.18

Copy submitted to the Principal Secretary to Govt., Department of Water Resources, Odisha, Bhubaneswar for favour of kind information.

  
Chief Engineer & Basin Manager.

Memo No. 496 (20)

//Dated: 31.12.18


Copy submitted to the Engineer-in-Chief, Water Resources, Odisha, Bhubaneswar / Engineer-in-Chief, Planning & Designs, Odisha, Bhubaneswar for kind information and necessary action.

  
Chief Engineer & Basin Manager.

Memo No. 497 (20)

//Dated: 31.12.18


Copy along with soft copy submitted to the Deputy Director-Cum-Deputy Secretary (Advertisement), Information and Public Relation Department, Office of the Director of Public Relation Govt. of Odisha, Bhubaneswar with a request for publication of the public notice in **one local Odia newspaper and one National English Newspaper daily**. The complimentary copy of the advertisement of each paper may please be sent to this office for reference.

  
Chief Engineer & Basin Manager.

Memo No. 498 (20) (WB) ✓

//Dated: 31.12.18

Copy along with soft copy forwarded to the Director, Monitoring, O/O the Engineer-in-Chief, Water Resources, Odisha, Bhubaneswar for information and necessary action. He is requested to display in the DoWR web site of Govt. of Odisha.

  
Chief Engineer & Basin Manager.

Memo No. 999 (R)

//Dated: 31.12.18

Copy along with soft copy submitted to the Technical Head, State Portal Group, NIC, Odisha, Secretariat, Bhubaneswar with request for publication of public notice in Govt. web site ([www.odisha.gov.in](http://www.odisha.gov.in)).

  
Chief Engineer & Basin Manager. 31/12/18

Memo No. 500 (R)

//Dated: 31.12.18

Copy forwarded to the Chief Engineer, Dam Safety Odisha, Bhubaneswar for information and necessary action.

  
Chief Engineer & Basin Manager. 31/12/18

Memo No. 501 (R)

//Dated: - 31.12.18

Copy forwarded to all Superintending Engineers / Executive Engineers under Upper Mahanadi Basin, Burla for wide circulation.

  
Chief Engineer & Basin Manager. 31/12/18

Memo No. 502 (R)

//Dated: 31.12.18

Copy forwarded to the Executive Engineer, Additional Spillway Division, Hirakud for information and necessary action.

  
Chief Engineer & Basin Manager. 31/12/18

Memo No. 503 (R)

//Dated: 31.12.18

Copy to Notice Board.

  
Chief Engineer & Basin Manager. 31/12/18

Government of India  
Ministry of Environment, Forest & Climate Change  
Eastern Regional Office

A/3 Chandrasekharpur, Bhubaneswar- 751023

No. 5-ORC345/2018-BHU 1<sup>st</sup> May, 2018

To

The Addl. Chief Secretary  
Forest & Environment Deptt.,  
Govt. Of Odisha, Bhubaneswar.

Sub:- Diversion of 9.441 ha. of forest land in Landunguri  
RF for construction of additional Spillway of Hirakud Dam  
Project, Burla in Sambalpur district in the State of Odisha.

Sir,

I am directed to State Govt. letter No 10F(Cons)276/2016-7866/F&E dated 06.04.2018 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

2. After due consideration of the State Government and on the basis of decision of Regional Empowered committee meeting held on 23.04.2018, the Ministry of Environment, Forest & Climate Change hereby conveys '*in-principle*' approval for diversion of 9.441 ha of Forest land in Lamdunguri RF for construction of additional Spillway of Hirakud Dam Project, Burla in Sambalpur district in the State of Odisha, subject to the fulfilment of the following conditions.

- i) Legal status of the land proposed for diversion shall remain unchanged.
- ii) The state Govt. shall charge 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 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. While conveying the compliance of this condition, mention be made of the Eco-class and density of forest for which NPV has been charged.
- 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.
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- ix) All the funds received from the user agency under the project shall be transferred through e-portal to the Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned. The user agency should ensure that the compensatory levies (C.A cost, NPV etc) are deposited through challan generated online on web portal and deposited in appropriate bank **online only**. Amount deposited through other mode will not be accepted as compliance of the Stage -I clearance.

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- xxi) The State Govt. and the user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT order(s) & Hon'ble Court order(s) pertaining to the project, if any, 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 is 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,

Sd/-

(S.Mohapatra)  
Conservator of Forests (Central)

**GOVERNMENT OF ODISHA**  
**DEPARTMENT OF WATER RESOURCES**  
**PUBLIC NOTICE**

**Government of Odisha**  
**Forest & Environment Department**

No. 10F (Con) 276/2016- 10519 F & E, Bhubaneswar dated –  
05.05.18

From

Sri Debidutta Biswal, IFS  
Special Secretary to Government

To

The Principal Chief Conservator of Forests, Odisha

Sub : Diversion of 9.441 Ha of forest land in lamdunguri RF  
for construction of additional spillway of Hirakud Dam  
Project. Burla in Sambalpur district in the state of Odisha

Sir,

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It is requested to take necessary steps for compliance of the conditions imposed in the Stage-I approval order of MoEF & CC, ERO including the additional conditions imposed by the State Government. Appropriate instruction in this context may be imparted to the Divisional Forest Officer of Sambalpur Forest Division as well as to the user agency for the compliance of the conditions. Detailed compliance of all the conditions imposed by the Eastern Regional Office and State Government may be meticulously scrutinized by Addl. PCCF (Forest Diversion) & Nodal Officer FC Act of your office and further necessary steps may also be taken by him expeditiously to furnish the detailed compliance in this respect to Eastern Regional Office. MoEF & CC on behalf of State Government as per authorization of State Government communicated in this regard vide letter No- 10195/ F & E, Dt: 16.05.2017 to you, for their consideration for according final forest clearance to this project. A copy of detailed compliance so send to MoEF & CC, ERO may also marked to State Forest Department unflinching for reference.

Since it is a linear project and as per ERO, MoEF & CC. Got order (last para) the Divisional Forest Officer of Sambalpur Forest Division may take further follow up action in compliance to orders of State Government in F & E Department communicated vide Memo No- 17194/ F&E Dt. 28.09.2015 for allowing the user agency to undertake project activities on forest land, being diverted, for a period of one year pending Stage-II forest clearance. Commencement of project activities shall however be subject to availability of other statutory clearance, as may be required for this project.

Violation of Forest Conservation Act, 1980, if any may however be reported in detail expeditiously to the State Government as per para 1.9 of F.C. Act guidelines for bringing the same to the notice of Government of India, Ministry of Environment, Forests and Climate Change for further action at their end.

Yours faithfully

Sd/-

Special Secretary to Government