



Government of India / भारत सरकार
Ministry of Environment, Forest & Climate Change /
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Eastern Regional Office / पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur / ए/३, चन्द्रशेखरपुर
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Stage-I
No. 5-ORA313/2017-BHU 12th September, 2017

- To
The Principal Secretary,
Forest & Environment Deptt.,
Govt. of Odisha, Bhubaneswar.
- Sub:- Diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode.
- Sir,
- I am directed to refer to State Govt. letter No 10F(Cons) 123/2016-6910/F&E dated 05.04.2017, No.9923/F&E dated 12.05.2017 and No.16313/F&E dated 03.08.2017 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 proposal of the State Government and on the basis of decision of Regional Empowered Committee meeting held on 05.09.2017, the Ministry of Environment, Forest & Climate Change hereby conveys 'in-principle' approval for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, 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. 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 over 178.238 ha of degraded forest land identified in four patches i.e. Karada DPF (44.843 ha), Dalimbadhi Revenue Forest (54.407 ha), Barpani (55.126 ha) and Jatia RF (23.952 ha) in Rourkela Forest Division as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them. The State Forest Department/User Agency shall submit the DGPS reading of each demarcated pillar giving the latitude and the longitude.
 - (v) The C.A. Scheme submitted, need revision, locally regenerating tree species to be planted and soil moisture conservation measures to take up one year prior to planting, accordingly the revised C.A. scheme to be produced.
 - (vi) In case the widening of the road is to be done in areas already having adequate clearance, trees shall not be cut. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
 - (vii) The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
 - (viii) The user agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No. S.O. 254 (E) dated 25.01.2016.
 - (ix) The user agency shall submit an undertaking to ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads.
 - (x) No additional or new path will be constructed inside the forest area for any activity related to the project work.
 - (xi) No labour camp shall be allowed in the forest area.
 - (xii) The user agency shall provide LPG or alternate fuel, to labourers working at the site to avoid damage/tree felling and ensure no fuelwood use.
 - (xiii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
 - (xiv) 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 the prior approval of Ministry of Environment, Forest & Climate Change.
 - (xv) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
 - (xvi) 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 and 05.07.2013, in support thereof.
 - (xvii) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
 - (xviii) 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.
 - (xix) After receipt of the report on compliance to the conditions

- (xiii) The user agency shall present a report on successful underpasses prepared by NHAL elsewhere in India, that are adapted/used by wild elephants with a critical review for future reference and utility.
- (xiv) 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.
- (xv) The royalty of trees need not be demanded from the user agency as per Ministry's letter No.13-20/2015-CAMPA dated 09.06.2016.
- (xvi) The user agency shall comply the conditions stipulated by the State Govt. vide letter No.10F (Cons)123/2016-6910/F&E dated 05.04.2017 (except condition of payment of royalty of trees).
- (xvii) The boundary of the forest land proposed to be diverted shall be demarcated on the ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, distance from adjoining pillars etc. As per Ministry's 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 interests 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.
- (xviii) The State Forest Department/UA shall submit the surveyed sketch of 178.238 ha of degraded forest land identified in four patches i.e. Karada DPF (44.843 ha), Dalimbadhi Revenue Forest (54.407 ha), Barpani (55.126 ha) and Jatia RF (23.952 ha) in Rourkela Forest Division as proposed for CA, giving the forward and backward bearing of each demarcation pillar and distance between them. The State Forest Department/User Agency shall submit the DGPS reading of each demarcated pillar giving the latitude and the longitude.
- (xix) The C.A. Scheme submitted, need revision, locally regenerating tree species to be planted and soil moisture conservation measures to take up one year prior to planting, accordingly the revised C.A. scheme to be produced.
- (xx) In case the widening of the road is to be done in areas already having adequate clearance, trees shall not be cut. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
- (xxi) The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- (xxii) The user agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No. S.O. 254 (E) dated 25.01.2016.
- (xxiii) The user agency shall submit an undertaking to ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads.
- (xxiv) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- (xxv) No labour camp shall be allowed in the forest area.
- (xxvi) The user agency shall provide LPG or alternate fuel, to labourers working at the site to avoid damage/tree felling and ensure no fuelwood use.
- (xxvii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xxviii) 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 the prior approval of Ministry of Environment, Forest & Climate Change.
- (xxix) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.
- (xxx) 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 and 05.07.2013, in support thereof.
- (xxxi) Any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency.
- (xxxii) 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.
- (xxxiii) 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 should 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 (pt.) dated 28.08.2015.

Yours faithfully,
Sd/-
(S. Mahapatra)
Conservator of Forests (Central)

Copy to:-

- The Director, ROHQ, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
- The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
- The Project Director, National Highway Authority of India, Project Implementation Unit, O.T. Road, Near White House Clinic, Balasore-1, Odisha.
- Guard file.

Sd/-
Conservator of Forests (Central)

Stage-II
No. 5-ORA313/2017-BHU

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

Sub:- Diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode.

Madam,

I am to refer to State Govt. letter No. 10F(Cons)123/2016-6910/F&E dated 05.04.2017, No.9923/F&E dated 12.05.2017 and No.16313/F&E dated 03.08.2017, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

3. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

4. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

5. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

6. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 67.309 ha (originally 85.104 ha of forest land proposed) of forest land for Rehabilitation and up-gradation, (from existing 2 lane to 4 lane) from Baharagora (Jharkhand State) to Singara Section (199.200 Km to 310.806 Km) (within total stretch of 111.606 Km) of NH-6 in the districts of Mayurbhanj in State of Odisha under NHDP Phase-IV-B on Engineering, Procurement and Construction (EPC) mode, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change and on the basis of the decision of the Regional Empowered Committee meeting held on 05.09.2017, the in principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 12.09.2017, subject to fulfillment of certain conditions. The Nodal Officer of the State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

7. In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF (Nodal), Odisha vide their letter No. 16143/9F(Road)-42030/2016 dated 15.09.2020 and uploading of the Stage-1 compliance report in Parivesh web portal on 26.11.2020, Stage-II/final approval of the Ministry of Environment, Forest & Climate Change

