

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA
OA NO. 61 OF 2025 (EZ)**

IN THE MATTER OF:

Satam Patnaik

...Applicant

Versus

State of Odisha & Ors.

...Respondents

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Date: 26.11.2025



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Satam Patnaik

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State of Odisha & Ors.

... Respondents

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT

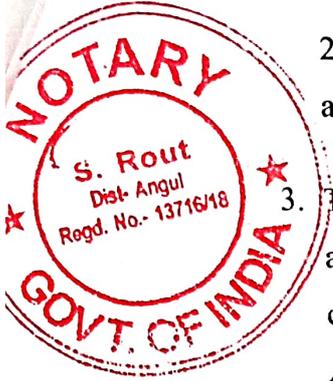
NOS. 1, 3, 4, 6 AND 12

I, NITISH KUMAR, aged
about 39 years, S/o-
SRI MEHARPAL SINGH presently working as Divisional
Forest Officer, Angul, Odisha, do hereby solemnly affirm and state
as follows:

1. That I am Respondent No. 6 in the present Original Application and am duly authorised and competent to file this Counter Affidavit on behalf of Respondent Nos. 1,3,4,6 and 12. I am conversant with the facts and records relevant to the issues raised in this matter.
2. At the outset, it is respectfully submitted that the allegations and assertions made by the Applicant are misconceived, factually incorrect, and based on a misinterpretation of the records. The answering Respondent has ensured strict compliance with the Forest (Conservation) Act, 1980, the Forest (Conservation) Rules,


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Divisional Forest Officer
Angul, Division



2003/2023 (as applicable), and all other statutory environmental and forest-related stipulations.

3. That save and except what is expressly admitted herein, the answering Respondent denies each and every allegation, contention, averment, and submission made in the Original Application. Nothing stated therein shall be deemed to be admitted for want of specific denial.

4. The present affidavit is being filed as a limited counter affidavit, and the answering Respondent reserves the right to file an additional affidavit with a para-wise reply, if so required by this Hon'ble Tribunal at a later stage.

5. It is pertinent to mention that the MoEF&CC issued the Stage-I Forest Clearance on 13.07.2015 and the Stage-II Forest Clearance on 28.02.2017 for diversion of 6.682 hectares of forest land in Kaliakata and Durgapur Reserved Forests for non-forest use, relating to:

- a. Excavation width for pipe conveyor foundation;
- b. Transmission line foundation width; and
- c. Service road width, including water pipeline

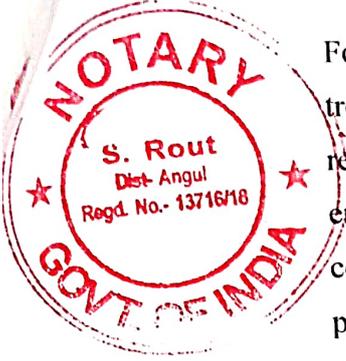
A true copy of the Stage-I and Stage-II orders dated 13.07.2015 and 28.02.2017 issued by the MoEF&CC is annexed herewith and marked as ANNEXURE R-1 (COLLY).

6. That pursuant to the Stage-I and Stage-II approvals, this office, by its letter dated 31.08.2020, accorded permission to the Odisha


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Divisional Forest Officer
Angul, Division



Forest Development Corporation Limited (OFDCL) to fell 1,429 trees standing over 5.47 hectares of the approved diverted area, as requested by the User Agency. It may be noted that the enumeration list and location map were duly verified by the concerned Range Officer prior to the issuance of the felling permission.

A true copy of the User Agency's request and the DFO's approval letter dated 31.08.2020 issued to OFDCL is annexed herewith and marked as ANNEXURE R-2.

7. That the tree felling was executed solely by OFDCL under departmental supervision, and the proceeds from the sale of forest produce were distributed to the respective Vana Surakshya Samitis (VSS) of Kaliakata, Malibrahmani, and Kankarei Bahalsahi villages in accordance with the prevailing government guidelines. Moreover, the OFDCL report dated 21.11.2023 categorically confirms that only the approved 1,429 trees were felled and that no excess felling was carried out.

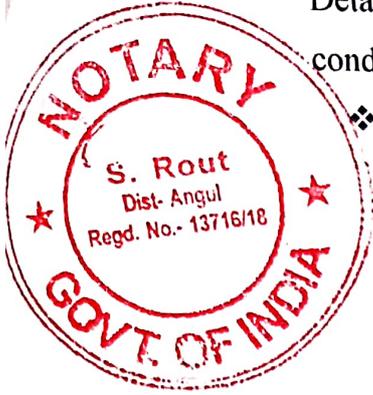
A true copy of the OFDCL report dated 21.11.2023 is annexed herewith and marked as ANNEXURE R-3.

8. That further, the cause of action pleaded in the application does not disclose any subsisting violation or infringement of forest-clearance conditions. It is pertinent to note that a show-cause notice was issued to the User Agency vide Letter No. 2131 dated 30.03.2022 for violation of Stage-I and Stage-II conditions based on site observations.

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Divisional Forest Officer
Angul, Division

Details of the violations observed during the site inspection conducted on 15.11.2022:



❖ *As per condition No. XVII of Stage-II approval order the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

- Stage-II Clearance was given for construction for elevated pipe conveyer, electricity line structure and 4 meter wide service road. However, a road with width more than 10 meter has been constructed for the transportation of non-coal materials while no work has been started for conveyer belt which amounts to use of forest land for any purpose other than specified in the proposal and is in violation of condition No. XVII of Stage-II Approval for the Project (Photograph-1)

❖ *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

- The User Agency has filled the area with slag and stones thus increasing the height of and dimensions of the road without approval of the lay out for competent authority (Photograph-2) which is violation of condition No. XVIII of Stage-II approval for the Project.

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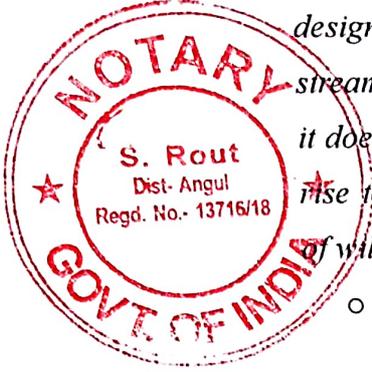
X NITISH KUMAR
Divisional Forest Officer
Angul, Division

❖ As per condition No. XVI of the Stage-I approval order, 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.

- A number of streams have been blocked due to road construction, in violation of Condition No. XVI of the Stage-I approval (see Photograph 3).
- Therefore, it is reported that the User Agency (JSPL) has violated the condition No VI of the Stage-1 approval and condition No XVII and XIII of Stage-II approval order.

A copy of the show-cause notice dated 30.03.2022 is annexed herewith and marked as ANNEXURE R-4.

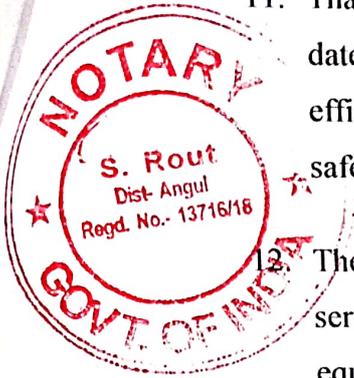
9. That it is pertinent to mention that the aforesaid violations observed during the site inspection were communicated to the higher authorities, including the R.C.C.F., Angul, vide Memo No. 4913 dated 17.08.2023, Memo No. 9506 dated 28.11.2024, and Memo No. 2934 dated 29.03.2025, under intimation to the P.C.C.F., Forest Diversion & Nodal Officer, F.C. Act, O/o the P.C.C.F., Odisha, vide the next memo issued on the even date.
10. Further, subsequent site inspections carried out by the answering Respondent on 05.07.2023 and 12.03.2025 revealed no further violations of the Stage-I and Stage-II conditions.



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Divisional Forest Officer
 Angul, Division



11. That, in the meantime, the User Agency submitted a proposal dated 13.03.2023 seeking modification of the land-use pattern for efficient utilisation of space and enhanced environmental safeguards.

12. The modified proposal also sought permission to strengthen the service road to facilitate the temporary movement of construction equipment and heavy machinery required for the erection of the elevated pipe conveyor structure. The modified proposal was considered and recommended by the 67th Project Screening Committee (PSC) on 09.04.2025. However, the revised proposal has not yet been accorded Stage-I approval by the MoEF&CC. A copy of the minutes of the 67th meeting of the PSC is annexed herewith and marked as ANNEXURE R-5.



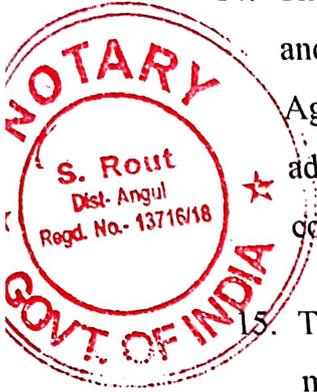
13. That, acting on complaints forwarded by the O/o RCCF, Angul (Respondent No. 12) vide Memo No. 2162 dated 25.06.2024 regarding the alleged widening of the service road and other purported irregularities, this office undertook detailed field inspections. The first site inspection was carried out on 05.07.2023, and a comprehensive report was submitted to the RCCF (Respondent No. 12) on 28.11.2024. As per instruction issued by the RCCF, Angul vide their memo no.1165 dated. 06.03.2025, 2nd site inspection was conducted by the DFO, Angul on 12.03.2025 and the corresponding report was submitted on 29.03.2025.

A true Copy of the site inspection reports dated 28.11.2024 and 29.03.2025 submitted by the DFO to the RCCF are annexed herewith and marked as ANNEXURE R-6 (COLLY).

X NITESH KUMAR

Divisional Forest Officer
Angul, Division

14. That it may be noted that both inspection reports dated 28.11.2024 and 29.03.2025 confirmed that the work undertaken by the User Agency was confined to the approved 15-meter corridor, that no additional area had been used, and that there was no evidence of coal transportation through the forest land.



15. That it is further submitted that the total approved corridor of 15 meters comprises three distinct components, namely: (i) the foundation structures of the reinforced cement concrete trestles for the elevated pipe conveyor, occupying approximately 7 meters; (ii) the transmission line corridor, occupying 4 meters; and (iii) the service road and underground pipelines within the remaining 4 meters. The allegation made by the Petitioner that a road of 10 meters or more has been constructed is, therefore, factually incorrect and based on a misreading of the approved layout plan. The road in question is neither a permanent nor a metalled structure resembling a highway, as alleged, but is merely a temporary access route within the approved diversion area, required solely for the construction phase of the conveyor project.

[Signature]
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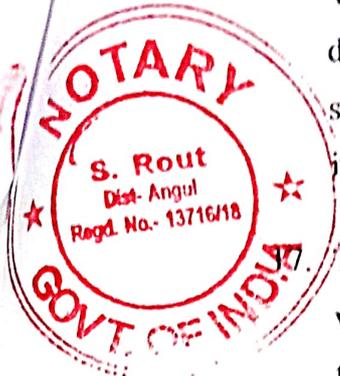
Divisional Forest Officer
 Angul, Division

16. That the allegation regarding unauthorized tree felling is equally untenable. Tree felling was undertaken solely by OFDCL, Angul Division, strictly in accordance with the approval granted by this office on 31.08.2020. The enumeration, marking, and felling were duly supervised, and all records were verified at each stage. The financial proceeds from the sale were shared with the concerned

VSS committees as per the applicable norms. No material, documentary, or physical evidence has been found or produced to suggest any excess or unauthorized felling. Subsequent site inspections have reconfirmed that no such incident has occurred.

That with respect to the allegation concerning the impact on wildlife and forest ecology, it is submitted that the very design of the elevated pipe conveyor ensures uninterrupted wildlife movement and continuity of natural drainage. The conveyor's elevated structure provides sufficient ground clearance, and the inspection teams have observed no obstruction to wildlife paths or any degradation of habitat in the area. In fact, the adoption of a conveyor system in place of traditional coal transportation by road reflects an environmentally progressive approach, consistent with the objectives of the MoEF&CC notification dated 21.05.2020 directing the use of covered conveyor systems to minimize pollution.

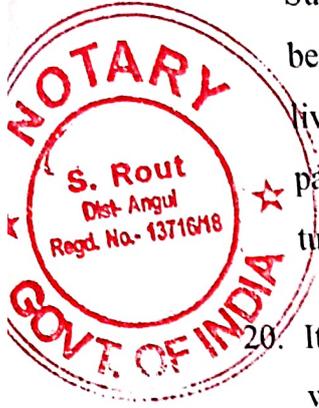
18. That the coal production from the Utkal B1 coal block has not yet commenced, and hence the question of coal movement through the diverted land does not arise. The transit permit referred to by the Petitioner pertains to a different mining block and is irrelevant to the present case. Therefore, the allegation of illegal coal transport through forest land is devoid of substance.
19. That as regards the apprehension of livelihood impact on Scheduled Tribe communities, it is stated that the diversion proposal was supported by the Gram Sabha and Forest Rights Committee resolutions of Kaliakata and Malibrahmani villages in



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 Divisional Forest Officer
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2014, after due consultation under the Forest Rights Act. Subsequent to the commencement of work, no representation has been received from these communities alleging loss of access or livelihood. The elevated structure leaves the forest floor open and passable, ensuring continued access for the collection of mahua, tula, and other non-timber forest produce.



20. It is further submitted that the DFO, Angul has acted in accordance with statutory responsibilities and has exercised due diligence and supervision at all stages of implementation. Every action has been undertaken in conformity with the applicable guidelines and after ensuring compliance by Jindal Steel with the conditions imposed under the Stage-I and Stage-II forest clearances. The allegations made by the Applicant are baseless, contrary to the inspection findings, and appear to be motivated rather than grounded in genuine environmental concern.

21. In view of the above, it is respectfully submitted that the application filed by the Applicant is devoid of merit and ought to be dismissed. All actions taken by this office have been lawful, transparent, and in consonance with the approvals granted by the competent authorities. It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the Original Application.

Affidavit No. 4375 Date 26.11.18
 Deponent/ Deponents is/ are being identified by
 Sri. es. Raet Advocate Angul
 before me on this day of 26th Nov 2018
 at about 5.11 AM/PM Solemnly affirm and
 state that, the facts stated above are true
 to the best of his/ her knowledge and belief.

X NITISH KUMAR
 Divisional Forest Officer
 Angul, Division DEPONENT

S. Rout
 Somanath Rout
 NOTARY (Central Govt.)
 Regd. No.- 13716/18
 Angul
 Mob-9437541243

VERIFICATION

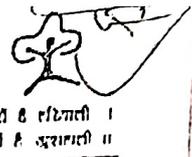
Verified at _____ on this _____ day of November 2025
that the contents of the above Counter Affidavit are true and correct
to the best of my knowledge and information. No part of it is false
and nothing material has been concealed therefrom.



X NITISH KUMAR
Divisional Forest Officer
Angul, Division

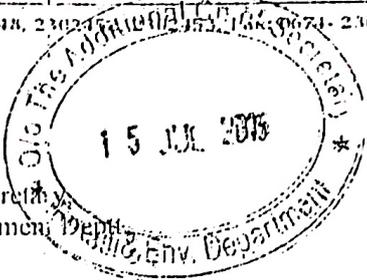


Government of India/ भारत सरकार
 Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन और जलवायु परिवर्तन विभाग
 Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
 V/3, Chandrasekharpur, 751 021, Bhubaneswar
 Bhubaneswar-751 021/ Bhubaneswar - 751 021



Telephone : 0674-2301213, 2301248, 2302455, 2302456, 0674-2302432. E-mail: roe2.esc-mef@nic.in

No.5-ORC248/2015-BIHU



13th July, 2015
 Annexure - 1
 Case - I
 Steel - I approval etc.

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

Sub:- Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyer (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd.

Sir,
 I am directed to refer to State Govt. letter No.10F(Cons)14/2015-6870/F&E dated 07.04.2015 and No.7111/F&E dated 30.04.2015 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forests & Climate Change under section 2 of Forest(Conservation) Act, 1980.

Handwritten initials: B/W

After due consideration of the proposal of the State Government and on the basis of decision of Regional Empowered Committee held on 10.07.2015, the Ministry of Environment, Forests & Climate Change hereby conveys 'in-principle' approval for diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyer (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd., subject to the fulfillment of the following conditions.

Handwritten initials: D.V. / 19/

- (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 shall be raised over 16.510 Acre (6.681 ha) of non-forest land identified by State Govt. in Plot No.4/1257 (P), Khatra No.2/2 in Mouza Nukhuripada in Angul tehsil of Angul district at the cost of the user agency. The user agency shall transfer the cost of compensatory afforestation and its maintenance for 10 years (revised as on the date to incorporate the existing wage structure) to the Forest Department.

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- (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) All the funds received from the user agency under the project shall be transferred to concerned Saving Bank account of the Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road Branch, New Delhi-11003.
- (vii) State Govt. shall upload the compensatory levies demanded and received from the user agency in the Ministry website before Stage-II approval.
- (viii) 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, forward and back bearing and distance from adjoining pillars etc. The distance between any two pillars shall be kept at about 50 mtr and each pillar should be clearly visible from pillars on both sides.
- (ix) The State Forest Department/UA shall submit the surveyed sketch of 16.510 Acre (6.681 ha) of non-forest land identified in Plot No.4/1257 (P), Khata No.2/2 in Mouza Nukhuripada in Angul tehsil of Angul district 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.
- (x) No mine void shall be filled back with fly ash, as proposed in the proposed, without specific clearance for this under Environment (Protection) Act.
- (xi) To minimize the felling of trees for construction of transmission line, the user agency shall comply with the following guidelines issued by Ministry vide letter No.7-25/2012-FC dated 05.05.2014.
- a) The width of right of way for transmission line on forest land shall be 15 mtr.
 - b) Below each conductor, width clearance of 3 meters would be permitted for taking the tension stringing equipment.
 - c) The trees on such strips would have to be felled but after stringing work is completed, the natural regeneration will be allowed to come up. Felling/pollarding/pruning of trees will be done with the permission of the local forest officer wherever necessary to maintain the electrical clearance. One outer strip shall be left clear to permit maintenance of the transmission line.
 - d) During construction of transmission line, pollarding/pruning of trees located outside the above width of the strips, whose branches/parts infringe with conductor stringing, shall be permitted to the extent necessary, as may be decided by local forest officer.
 - e) Pruning of trees for taking construction/stringing equipments through existing approach/access routes in forest area shall also be permitted to the extent necessary, as may be decided by local forest officer. Construction of new approach/access route will however, require prior approval under the Act.
 - f) In the remaining width of right of way trees will be felled or lopped to the extent required, for preventing electrical hazards by maintaining minimum 2.8 meters clearance between

- g) The maximum sag and swing of the conductor are to be kept in view while working out the minimum clearance mentioned as above.
- (xii) The user agency shall obtain the environmental clearance as per the provisions of Environment (Protection) Act, 1986, if required.
- (xiii) The user agency shall take adequate safety measure for accidental spillage of pipe conveyor, if any.
- (xiv) Earth or any material shall not be brought from or the debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.
- (xv) The rock/morum excavated from work site should be utilized by Railways/State Govt. for various construction purposes etc.
- (xvi) 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.
- (xvii) The State Govt. shall ensure controlled speed limit of the trains passing through the forest portion to enable the train drivers to react to the sudden appearance of the wild animal on the track.
- (xviii) Adequate signage shall be provided along the railway line passing through forest land.
- (xix) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- (xx) No labour camp shall be allowed in the forest area.
- (xxi) The user agency shall provide fuelwood, preferably alternate fuel, to labourers working at the site to avoid damage/tree felling.
- (xxii) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- (xxiii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xxiv) The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without prior approval of Ministry of Environment, Forests & Climate Change.
- (xxv) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forests & Climate Change.
- (xxvi) The user agency will obtain clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before final approval of the project and will submit certificate towards settlement of all claims and rights over the proposed forest land as per the Guidelines of Ministry communicated vide letter No.11-9/1998-FC (Pt) dated 03.08.2009 read with guidelines dated 28.10.2014.

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(xxvii) 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, shall be complied by the user agency.

(xxviii) 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 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, Forests & Climate Change.**

Yours faithfully,



(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests (FC), Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Director, ROHQ, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Agni-Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
3. The Principal Chief Conservator of Forests, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharapur, Bhubaneswar.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharapur, Bhubaneswar.
5. The Divisional Forest Officer, Angul Forest Division, Angul, Odisha.
6. The Vice President (Mining), M/s Jindal Steel & Power Ltd., Angul, Odisha.
7. Guard file.

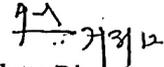
Conservator of Forests (Central)

The Collector, Angul and Divisional Forest Officer, Angul Forest Division are authorized to handover the forest land, as has been diverted, within their jurisdiction, to the user agency following due procedure of law. Before handing over the forest land to the user agency, it shall be ensured that Net Present Value for forest land for this project as well as for any other projects, belonging to same user agency, is deposited, in full, at applicable rates.

The Divisional Forest Officer of Angul Division is also directed to monitor compliance to the conditions stipulated for such diversion in the respective forest/ Wildlife clearance order and to report violations, if any, to the Nodal Officer, O/O Pr. CCF, Odisha and to the Forest & Environment Department.

Execution of project activities will be subject to having all other statutory clearances required under relevant Act/Rules for this mining project, deposit of requisite funds and compliance of Court's order, if any.

By order of Governor



(Debidutta Biswal)

Special Secretary to Government

Memo No. 5004 /F&E, Dated: 09.03.17

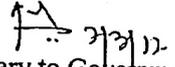
Copy along with the copy of Annexure 1, Annexure-2 and Annexure-3 above forwarded to the Principal Chief Conservator of Forests, Odisha for kind information and necessary follow up action.

Appropriate instruction to the Divisional Forest Officer of Angul Division and applicant agency may be imparted for required follow up action at their end. It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of applicant agency as well as for any other projects of the same agency, is deposited by them in appropriate head of account in Adhoc-CAMPA in full, at applicable rates. The applicant agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer of Angul Division for facilitating monitoring of compliances.


Special Secretary to Government

Memo No. 5005 /F&E, Dated: 09.03.17

Copy along with the copy of annexures as above forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC(FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/Addl. Principal Chief Conservator of Forests(Central), MoEF&CC, Government of India, A/3, Chandrasekharapur, Bhubaneswar for kind information and necessary follow up action in compliance to the order of Hon'ble NGT dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MoEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.


Special Secretary to Government

Memo No. 5006 /F&E, Dated: 09.03.17

Copy along with the copy of annexures as above forwarded to the Pr. CCF(WL) & CWLW, Odisha/Director, Environment, F&E department/ Member Secretary, State Pollution Control Board, Odisha for information and necessary action.

Memo No. 5007 /F&E, Dated: 09.03.17 Special Secretary to Government

Copy along with the copy of annexures as above forwarded to the Regional Chief Conservator of Forests, Angul / Divisional Forest Officer, Angul/Collector, Angul for information and immediate necessary compliance.

It may be ensured by the Divisional Forest Officer that Net Present Value for the forest land involved in this project of applicant agency as well as for any other projects of the same agency, shall be deposited by them in full at applicable rates in appropriate head of account in Adhoc-CAMPA before handing over of the forest land to user agency. Besides, funds, if any, due to be deposited by the agency in this project shall also be deposited by the agency before the forest land is handed over to him. The applicant agency may also be instructed to furnish compliance to the conditions of forest/Wild life clearance pertaining to the project in every quarter to the Divisional Forest Officer concerned for facilitating monitoring of compliances by them.

The Divisional Forest Officer of Angul Division is also instructed to ensure that the direction given to the applicant agency are executed immediately.

Memo No. 5008 /Dated. 09.03.17 Special Secretary to Government

Copy along with the copy of annexures as above forwarded to the Industries Department /Steel & Mines Department/Revenue & Disaster Management Department for information and necessary follow action.

Memo No. 5009 /Dated. 09.03.17 Special Secretary to Government

Copy along with the copy of annexures as above forwarded to the Private Secretary to Minister of Forest & Environment Department for kind information of Hon'ble Minister.

Memo No. 5010 /Dated. 09.03.17 Special Secretary to Government

Copy along with the copy of the enclosures forwarded to the Vice-President(Mining), M/s Jindal Steel & Power Ltd, Angul, Odisha for information and immediate necessary action.

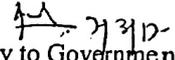
The user agency is asked to take following actions immediately as per orders of Hon'ble National Green Tribunal dt. 7.11.2012 in Appeal No. 7/2012 communicated by the MOEF, Government vide their letter F. No.7-23/2012-FC dt. 24.7.2013.

- (i) They shall publish the entire forest clearance granted in verbatim along with conditions and safeguards imposed by the Central Government in Stage-I/II forest clearance in two widely circulated daily newspapers, one in vernacular language and the other in English language so as to make people aware of the permission granted to the Project for use of forest land for non-forest purposes.
- (ii) They shall submit the copies of forest clearance orders granted by the Central Government/State Government to the Heads of local bodies and Municipal

- bodies along with the relevant offices of the State Government, who in turn, shall display the same for 30 days from date of receipt.
- (iii) Detailed action taken in compliance to the above order of State Government shall be intimated to the DFO, Angul Division/RCCF, Angul /Pr. CCF, Odisha/F&E Department for reference.

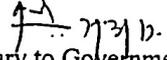
Besides the above, the applicant agency is also asked to deposit Net Present Value of forest land for this project and for any other projects belonging to him in full, if not deposited yet, at applicable rates. Also requisite funds due for deposit by the agency on account of this project shall also be deposited in Adhoc-CAMPA Account.

The applicant agency shall furnish compliances to the conditions prescribed in the forest/wildlife clearance order to the Divisional Forest Officer of Angul Division in every quarter, for the purpose of monitoring by him.


Special Secretary to Government

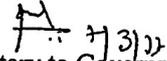
Memo No. 5011 Dated- 09-03-17

Copy with copy of enclosure forwarded to the O.I.C., State Portal, N.I.C., I.T.. Department, Odisha Secretariat, Bhubaneswar/ M/s Luminous Infoways Pvt. Ltd, Sadhana, N-6/373, Nayapalli, Jayadev Vihar, Bhubaneswar-15 for information and necessary action. They are requested to upload this letter along with enclosed forest clearance order of Government of India, MoEF&CC, ERO in the website of Forest & Environment Department immediately for information of all concerned. This is required in compliance to order of Hon'ble National Green Tribunal dt. 7.11.2012 in Appeal No. 7/2012. Hence this may be done unfaithfully.


Special Secretary to Government.

Memo No. 5012 Dated- 09-03-17

Copy with copy of enclosure forwarded to the Under Secretary to Government, Office Establishment Section, F&E Department for information and necessary action with reference to their letter No.21646/F&E Dt. 22.11.2016.


Special Secretary to Government



Government of India/ भारत सरकार
Ministry of Environment, Forest & Climate Change/ पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Eastern Regional Office/ पूर्वी क्षेत्रीय कार्यालय
A/3, Chandrasekharpur/ ए/३, चन्द्रशेखरपुर
Bhubaneswar - 751 023/ भुवनेश्वर - ७५१ ०२३



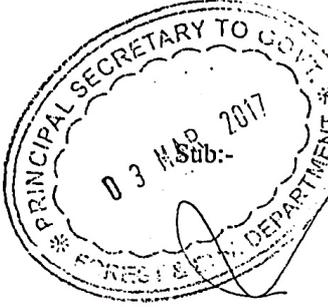
Telephone: 0674-2301213, 2301248, 2302452, 2302453. Fax: 0674-2302432. E-mail: roc.ehr-moh@nic.in

No.5-ORC248/2015-BIU

28th February, 2017

To

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



Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd.

Sir,

I am directed to refer to State Govt. letter No. No.10F(Cons)14/2015-6870/F&E dated 27.04.2015 and No.7111/F&E dated 30.04.2015, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd., 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 decision of Regional Empowered Committee held on 10.07.2015, the in-principle approval for diversion of the said forest land was accorded by Ministry vide this office letter of even number dated 13.07.2015, subject to fulfillment of certain conditions. 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 State Government of Odisha vide their letter No.10F(Cons)225/2016-19452/F&E dated 25.10.2016, No.935/F&E dated 13.01.2017 and OSD, Ad-hoc CAMPA, New Delhi letter No.1-26/2013-CAMPA dated 03.11.2016, approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products therefrom by M/s Jindal Steel & Power Ltd., subject to the fulfillment of the following conditions:-

- i) Legal status of the diverted forest land shall remain unchanged.
- ii) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India, shall be charged by State Govt. from the user agency. An undertaking from the user agency shall be obtained in this regard.

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2

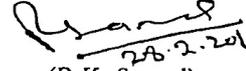
- iii) Compensatory Afforestation shall be raised over 16.510 Acre (6.681 ha) of non-forest land identified by State Govt. in Plot No.4/1257 (P), Khata No.2/2 in Mouza Nukhuripada in Angul tehsil of Angul district at the cost of the user agency.
- iv) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be to this Ministry for information and record.
- v) The boundary of the diverted forest land 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, forward and back bearing and distance from adjoining pillars etc.
- vi) The user agency shall take up avenue plantation on either side of pipe conveyer and rail alignment, as per feasibility at their cost in consultation with Divisional Forest Officer, Angul as recommended by State Govt. vide letter dated 27.04.2015.
- vii) Since the area is prone to erosion, the project proponent shall take up adequate measures to address this issue in consultation with the Divisional Forest Officer, Angul as recommended by State Govt. vide letter dated 27.04.2015.
- viii) 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.
- ix) The user agency shall obtain environmental clearance as per the provisions of Environment (Protection) Act, 1986, if applicable to such project.
- x) The user agency shall take adequate safety measure for accidental spillage of pipe conveyer, if any.
- xi) Earth or any material shall not be brought from or the debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.
- xii) Adequate signage shall be provided along the railway line passing through forest land.
- xiii) No additional or new path will be constructed inside the forest area for any activity related to the project work.
- xiv) No labour camp shall be allowed in the forest area.
- xv) The user agency shall provide firewood, preferably alternate fuel, to labourers working at the site to avoid damage/tree felling.
- xvi) The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner.
- xvii) The forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change.
- xviii) The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forests & Climate Change.

Contd...3

- xix) The State Government shall complete the 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 it's letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with guidelines dated 28.10.2014, in support thereof.
- xx) Any other conditions that the Ministry of Environment, Forest & 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.
- xxi) The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Eastern Regional Office of this Ministry.
- xxii) 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.
- xxiii) In case of non-compliance of any of the above conditions, the State Govt. shall report to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980.

3. As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Eastern Regional Office of MoEFCC may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours faithfully,


28.2.2017
(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, Agni Block, Aliganj, Jor Bagh Road, New Delhi - 110 003.
2. The Director, 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, Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
4. The Addl. PCCF & Nodal Officer (FC), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar.
5. The Divisional Forest Officer, Angul Forest Division, Angul, Odisha.
6. The Vice President (Mining), M/s Jindal Steel & Power Ltd., Angul, Odisha.
7. Guard file.

Conservator of Forests (Central)

Annexure - 3

Abstract of forest land schedule for Railway line and Integrated pipe conveyor

Railway Line Land Schedule

Sl. No.	Nearest No.	Plot No.	Name of Region	Name of Land	Total Area Acres	Area for R.O.T. Acres	Area for R.O.T. Hectare
1	1	79(B)	Govt. of Odisha	Jungle	22.84	0.63	0.251
2	1	56(P)	Govt. of Odisha	Bada Jungle	0.17	0.12	0.048
3	1	57(P)	Govt. of Odisha	Bada Jungle	0.05	0.01	0.003
4	1	66(P)	Govt. of Odisha	Bada Jungle	0.64	0.02	0.007
5	1	67(P)	Govt. of Odisha	Bada Jungle	1.38	0.12	0.051
6	1	73(L)	Govt. of Odisha	Bada Jungle	0.55	0.41	0.160
7	297	1364(P)	Govt. of Odisha	G. Jungle	1.41	0.10	0.042
8	297	1298(P)	Govt. of Odisha	G. Jungle	1.70	0.01	0.004
9	1	1379(P)	Govt. of Odisha	Chhota Jungle	0.37	0.26	0.105
10	1	1383	Govt. of Odisha	Chhota Jungle	0.86	0.86	0.351
11	1	1377/1626(P)	Govt. of Odisha	Chhota Jungle	0.24	0.09	0.037
12	1	1384	Govt. of Odisha	Chhota Jungle	0.16	0.16	0.061
13	1	311(P)	Govt. of Odisha	Chhota Jungle	32.96	0.20	0.081
Grand Total					60.20	2.99	1.212

Integrated Coal pipe Conveyor Land Schedule

Sl. No.	Name of Region	Area (in Ha.)
1	Govt. of Odisha	9.06
2	Govt. of Odisha	4.46
Grand Total		13.52

Area (in Ha.)	(Railway Line)
1.212	(Railway Line)
3.666	(Integrated elevated Pipe Conveyor)
1.804	(Integrated elevated Pipe Conveyor)
6.682	Total

Divisional Forest Officer
Arya Division

Chakrabarty Sr. S.P. 13 only.

ADDL. TAHSILDAR
CHHENDIPADA

ADDL. TAHSILDAR
BANARPAL

2.5

OFFICE OF THE DIVISIONAL FOREST OFFICER: ANGUL DIVISION: ANGUL

Letter No. 5439 -/47/2019/DRP/ Dated. 31-8-2020

To

The Divisional Manager,
(Angul (C-KL) Division. OADELH.

Sub: -

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

Permission for felling of 1429 nos trees over an area of 5.47 ha of Kaliakata RF and Durgapur RF of the above project.

Ref:

1. letter No.5-ORC248/2015-BHU dt. 28.02.2017 of GOI,MOEF
2. This office memo no. 5437 dt. 20.8.2020
3. Your letter No.1788 dt. 28.8.2020

Sir,

With reference to the above cited correspondence on the subject, it is to inform that as requested vide your letter No. 1788 dt. 28.8.2020 that the the Vice President (Mining), Jindal Steel & Power Ltd, Angul has deposited the estimated working cost for felling of 1429 nos standing trees over over 5.47 ha diverted forest area in Kaliakata R.F and Durgapur RF of Angul Range for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district.

In view of the above , you are allowed to fell 1429 nos standing trees over 5.47 ha diverted forest area in Kaliakata R.F and Durgapur RF of Angul Range for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district as per requirement of the user agency in connection to the condition No(xi) a,b,c,d,e,f,g imposed by the Govt.of India,F&E department vide their letter under reference as per the enumeration list sent earlier vide this office letter No.5437 dt. 20.8.2020.

Further, it is requested to follow the VSS resolution as per Joint Forest Management Resolution 2011 No.1F-Affn.17/2011-16524/F&E dt.9.9.2011 ,if it is a registered VSS by office of the undersigned.

Encl: As above.

Yours faithfully

[Signature]
Divisional Forest Officer
Angul Division.

Memo No. 5640 /Dt. 31-8-2020
Copy forwarded to the Vice President (Mining), Jindal Steel & Power Ltd, Angul for information and necessary action with reference to his letter No. 09 dt. 31.07.2020 .

[Signature]
Divisional Forest Officer
Angul Division PTO

Odisha Forest Development Corporation Limited



(Formerly Orissa Forest Development Corporation Limited)
(A Government of Odisha Undertaking)
CIN-U02005OR1962SGC000446

OFFICE OF THE DIVISIONAL MANAGER, ANGUL (C-KL) DIVISION, At/Po-Angul, Odisha, PIN-759122,
Tele/Fax-06764-236362

[Website: www.odishafdc.com E-mail ID: dmangul@ymail.com]

To, No. Dated the, November 2023.

The Managing Director,
Odisha Forest Dev. Corpn. Ltd,
Corporate office, Bhubaneswar
Sub: - Payment of V.S.S Share to the villagers of Kaliakata, Kankerei and Malibrahmani VSS
Committee.
Ref: - This office letter No.1451 dt.27.06.2022 and Head office letter No.13431
dt.03.08.2022.

Dear Sir,

With reference to the letter & subject cited above, we enclose herewith the proceedings of co-ordination meeting held in the office chamber of the Divisional Forest Officer, Angul (T) Forest Division on dt.04.11.2023 regarding payment of 50% VSS share to the village committee of Kaliakata, Kankerei and Malibrahmani as detailed below. The Xerox copy of 1st page of Bank pass Book of concerned VSS committee is enclosed herewith for favour of kind information and necessary payment of VSS share to the committee.

Calculation Sheet for payment of 50% VSS Share.

Name of the VSS Committee	No of trees marked	No of trees felled	Quantity obtained			Sale Value Realised	Deduction of 25% marketing commission	50% VSS Share to be paid.
			Timber in Cum.	Firewood in Stack	Poles in Nos.			
Kaliakata VSS	245	245	5.3186	6	119	98,722.00	24,681.00	37,021.00
Malibrahmani VSS	505	505	10.0713	34	525	3,09,014.00	77,254.00	1,15,880.00
Kankerei Bahalsahi VSS	434	434	3.7260	26	483	2,49,497.00	62,374.00	93,562.00
Forest Deptt	245	245	4.3236	4	101			
	1429	1429	23.4395	70	1228	6,57,233.00	1,64,309.00	2,46,463.00

Yours faithfully

[Signature]
Divisional Manager
Angul(C-KL) Division

Memo No. 2600 Date. 21.11.2023
Copy submitted to the Divisional Forest Officer, Angul (T) Forest Division for favour of information.

[Signature]
Divisional Manager
Angul(C-KL) Division

OFFICE THE DIVISIONAL FOREST OFFICER ANGUL DIVISION: ANGUL 21-11-23

Letter No. 7733 Dated. 22-11-23

To

The Divisional Manager,
OFDC, Ltd., Angul.

Sub: - Submission of Xerox copy of VSS resolution & joint passbook
of Kankarei Bahalasahi VSS & Paranga Sabuja Bharat VSS.
: - Share of the harvested cost of trees to the VSS account.

Ref: - Memo No. 934 dt. 21.11.2023 of Range Officer, Angul.

With reference to the above cited memo No. on the captioned subject, it is to inform that the Xerox copy of VSS resolution & joint passbook of Kankarei Bahalasahi VSS & Paranga Sabuja Bharat VSS is enclosed herewith for information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

Memo No. 7734 Dated. 22-11-23

Copy forwarded to the President of Kankarei Bahalasahi VSS & President of Paranga Sabuja Bharat VSS for information and necessary action.


Divisional Forest Officer
Angul Division

Memo No. 7735 Dated. 22-11-23

Copy forwarded to the Range Officer, Angul Range for information and necessary action with reference to his memo No. under reference.


Divisional Forest Officer
Angul Division

OFFICE THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL 7-11-23

To Memo No. 7149 Dated. 7-11-23

- 1) The Divisional Manager, OFDC, Ltd., Angul.
- 2) The Range Officer, Angul Range, Angul.
- 3) The President of Kankareibahalasahi, VSS.
- 4) The President of Malibrahamani, VSS.
- 5) The President of Kaliakata, VSS.

Sub: - Share of the harvested cost of trees to the VSS account.

Ref: - This office letter No.6963 dt. 01.11.2023.

With reference to the above cited letter No. on the captioned subject, it is to inform that the minutes of the meeting for share of the sale price of the forest produce after deduction of proportionate harvesting cost to the VSS Kankareibahalasahi, VSS Malibrahamani and VSS Kaliakata held on 04.11.2023 (Saturday) at. 03.30 PM in the office chamber of the Divisional Forest Officer, Angul Division is enclosed herewith in a separate sheet.

This is for information and necessary action.

Encl: - As above.


Divisional Forest Officer
Angul Division

Minutes of the meeting for share of the forest produce after deduction of proportionate harvesting cost to the VSS Kankareibahalasahi, VSS Malibrahamani and VSS Kaliakata held on 04.11.2023 (Saturday) at 03.30 PM in the office chamber of the Divisional Forest Officer, Angul Division.

The list of members attended the meeting is enclosed as Annexure-I. At the outset the Divisional Forest Officer, Angul, Division welcomed all the members present in the meeting. 03 Nos. VSS president i.e VSS Kankareibahalasahi, VSS Malibrahamani and VSS Kaliakata have demanded their harvested cost of the tree under the VSS area as per guideline/ resolution No. 1F-Affn. 17/2011-16524/ F & E dt. 9th September, 2011 of Joint Forest Management Resolution, 2011 and Amendment Notification No. FE-Plant-0009-2015/ 22896/FE & CC dated. 02.11.2023 of Government of Odisha, Forest & Environment, Department (copy enclosed). The point wise discussions are given below.

M/s Jindal Steel & Power Limited.

During discussion on the meeting for VSS share of harvesting cost under the VSS area, the D.M, OFDC, Ltd. has submitted the calculation sheet of harvesting cost to be paid to VSS wise vide his letter No. 1451 dt. 27.06.2022 (copy enclosed), the details is given below.

Name of the VSS	No. of tree marked	No of trees felled	Quantity obtained			Sale Value Realized	Deduction of 25% marketing commission	50% VSS share to be paid
			Timber in Cum	Firewood in Stack	Poles in Nos.			
Kaliakatabahalasahi	245	245	5.3186	6	119	98722	24681	37021
Malibrahamani	505	505	10.0713	34	525	309014	77254	115880
Kankarei	434	434	3.7260	26	483	249497	62374	93562
Total		1184	19.1159	66	1127	657233	164309	246463

In view of the above, the Divisional Manager, OFDC, Ltd., Angul has been requested for payment of the harvesting cost of trees to the VSS account number as per guideline.

M/s M. C. L., Hingula.

During discussion on the meeting for VSS share the Divisional Manager, OFDC, Limited, Angul has been requested to intimate the amount to be paid to the VSS share within 7 days. The concerned VSS is requested to submit the account details with resolution through the Range Officer to Divisional Forest, Officer, Angul for further action at this end.

Gail, India, Pvt. Ltd.

The Divisional Forest Officer, Angul has requested the Divisional Manager, OFDC, Limited, Angul to depute the SDM, Angul to contact with the Range Officer, Chhendipada, Range and Sri Padamacharan Sahu, Forester, Chhendipad-I Section for finalization of VSS wise harvesting cost of the trees.

Further, the Divisional Manager, OFDC, Limited, Angul has been requested to submit the calculation sheet of the VSS share to the undersigned immediately for taking further action.

The meeting ended with vote of thanks to all the participants.


Divisional Forest Officer
Angul Division

ANNEXURE R - 4

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL

Letter No. 2131 /47/2019/DRP/Dated. 30.03.2022

To

The Vice President (Mining),
Jindal Steel & Power Ltd, Angul

Sub: -

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd. – Show cause Notice

Ref:

1. No. 5003 /F& E.09.03.2017 of S.S to Govt. F& E Deptt. BBSR.
2. Letter No.5-ORC248/2015-BHU dt. 13.07.2015 of GOI,MOEF.
3. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI,MOEF.
- 4 Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI,MOEF.

Sir.

With reference to the above cited correspondence on the subject, Show cause Notice is issued in the following violation of Condition of Stage – I and Stage II imposed by the Govt. of India, MOEF.

Para : 1 *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Violation Stage-II Clearance was given for construction for elevated pipe conveyor, electricity structure and 2.5 meter wide service road.
However, a road with width more than 10 Meter has been constructed which amounts to use of forest land for any purpose other than specified in the proposal and is in violation. (Photograph-1)

Para : 2 *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Violation Approved lay out plan is attached in Annexure-I. However, a road has been constructed in violation of above mentioned condition.

Further, User Agency has elevated the road constructed without approval of the lay out from competent Authority (Photograph-2) which is violation of above mentioned condition.

abandoned or
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- Para : 3 *As per condition No. XVI of the Stage-I approval order, 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.*
- Violation A number of Nallahs have not been blocked due to construction of road violating above mentioned condition. (Photograph-3)
- Para:4 *As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.*
- Violation As mentioned in violation in Para-1.
- Para: 5 *As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.*
- Violation As mentioned in Para : 2.

Observations

- a. Your report on the recommendation of the Monitoring Committee Headed by Sri R.K. Samal, IFS DIGF (CENTRAL) regarding return of diverted land to forest Department given the importance of forest area for elephant movement and no longer requirement of diverted forest area for pipe conveyor due to cancellation of Coal Block is still awaited. (Report of Sri Sri R.K. Samal, IFS DIGF (CENTRAL) as Annexure-2

Further, it is observed that 4 – 10 ft. high road has been constructed without any approval or permission. (Photograph-3 and 4)

It is observed that slag and other debris are dumped inside the diverted forest land affecting the forest ecology (Photograph-5)

You are requested to explain above mentioned violations para wise so that matter can be reported to higher authorities accordingly.

Further, all works being undertaken without permission from competent authorities are to be stopped immediate effect until further direction from the Competent Authority.

Encl:- As above.

Yours faith fully


Divisional Forest Officer
Angul Division.

Memo No. 2132 / Dated. 30.03.2022

Copy forwarded to the Regional Chief Conservator of Forests, Angul Circle for favour of kind information and necessary action.


Divisional Forest Officer
Angul Division

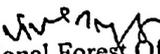
Memo No. 2133 / Dated. 30.03.2022

Copy submitted to the Principal Chief Conservator of Forests, Forest Division & Nodal Officer, F.C. Act, O/o the Principal Chief Conservator of Forests, Odisha for favour of information and necessary action.


Divisional Forest Officer
Angul Division

Memo No. 2134 / Dated. 30.03.2022

Copy forwarded to the Range Officer Angul for information and to take necessary action. He is instructed to check further violation and deviations, if any, be intimated to the undersigned.


Divisional Forest Officer
Angul Division

20/4/22



No. JSPL/ANGUL/EMD/22-23/7

Date: 20th April 2022

20/4/22
To,
Divisional Forest Officer
Angul Division

*2977
2.5.22*

Subject: Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their Integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd. — Reply to Show cause Notice

Ref. :

1. Letter No. 2131/47/2019/DRP dated 30.03.2022 from the office of DFO
2. Letter No. 5003/F& E.09.03.2017 of S.S to Govt. F & E Deptt., BBSR
3. Letter No.5-ORC248/2015-BHU dt. 13.07.2015 of GOI, MOEF
4. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI, MOEF
5. Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI, MOEF

Dear Sir,

This has reference to the Letter no. 2131/47/2019/DRP dated 30.03.2022 on the above mentioned subject. We would like to inform that Jindal Steel & Power Ltd (JSPL) was allocated the Utkal B1 Coal mine in the Talcher Coal mine area as captive source of coal for its Integrated Steel Plant at Angul. The Utkal B1 is located at about 5 km in the North of the steel plant and as per the Environment Clearance of Coal Washery of the Steel Plant, coal was to be conveyed through covered conveyer from the Utkal B1 coal mine. With this background JSPL had planned to install a covered conveyer system from the Utkal B1 mine to the JSPL Steel Plant and had applied for the diversion of the forest land on the conveyer route. However, subsequently the Utkal B1 was de-allocated as per the judgment of the Honorable Supreme Court. Subsequently, JSPL sourced the coal requirement for the steel plant from the Talcher coal mines of Mahanadi Coalfield Ltd. However, JSPL went ahead with its plan for the conveyer as coal conveyance through a covered conveyer is non-polluting and environmental friendly when compared to conveying in trucks through road. The Ministry of Environment Forest and Climate Change also has notified Gazette order no S.O 1561 (E) on 21.05.2020, where in section 3 it is directed to transport coal by covered Railway wagons or covered conveyer. (Copy of the Gazette notification enclosed).

With this background, JSPL planned construction of the covered coal conveyer and has taken the diversion of the forest land. Subsequently, the 15 m corridor through the forest area was cleared with the permission of the forest dept. and by engaging the OFDC. JSPL

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Registered Office O. P. Jindal Marg, Hisar, 125 005, Haryana



now has started process of construction of the Coal Conveyer and the associated infrastructures as the power transmission lines, road etc. with leveling of the conveyer route for transportation of movement of construction machineries such as heavy cranes, concrete mixer truck, concrete pumps, and trucks carrying the heavy mechanical equipment.

It will be also pertinent to mention that after the de-allocation of the Utkal B1 coal block, JSPL was in the process of bidding for various coal blocks in the Talcher Coal Mines region, and has won the biddings of Utkal B1 coal block again apart from two more coal blocks Utkal B2 and Utkal C in adjacent area. The total production capacity of these mines is about 11 MTPA. JSPL has started the construction of the coal conveyer along with other associated facilities such as the power transmission line, road etc. to keep the conveyer system ready before the start of operation of these mine. We herewith submit the compliance to the points raised vide the Letter no Letter no. 2131/47/2019/DRP dated 30.03.2022.

Para 1	<i>As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.</i>
Violation	<p>Stage-II Clearance was given for construction for elevated pipe conveyer, electricity structure and 2.5 meter wide service road.</p> <p>However, a road with width more than 10 Meter has been constructed which amounts to use of forest land for any purpose other than specified in the proposal and is in violation. (Photograph-1)</p>
Reply	<p>JSPL has started the construction of the of the pipe conveyer for which 10 m width has been cleared and has been leveled for movement of construction machineries such as heavy cranes, concrete mixer truck, concrete pumps, and trucks carrying the heavy mechanical equipment. The corridor after removal of trees was found to be undulating in nature and the soil base of the corridor was not fit for carrying the heavy loads of the construction equipment. Therefore it was necessary to fill the 10 m corridor with layer of slag generated from the plant. These slag being granular material can be removed if required latter on leaving the space for service road.</p> <p>It is therefore, confirmed and assured that the forest land has not</p>

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	been used for any purpose other than that specified in the proposal.
Para 2	<i>As per condition No. XVII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.</i>
Violation	Approved layout plan is attached in Annexure-I. However, a road has been constructed in violation of above mentioned condition. Further, User Agency has elevated the road constructed without approval of the layout from competent Authority (Photograph-2) which is violation of above mentioned condition
Reply	<p>The approved layout has provision of a road. The layout has the provision for the conveyer trestle including the foundation of the conveyer, A power transmission line, a road and underground water pipelines. As mentioned in the layout drawing of the facilities, there is a space of 4.5 m available from the edge of the transmission line. The road of 2.5 m width will pass through this space leaving space for shoulder or drain in the edge. There, is no violation this condition as road is a part of the purposes for which the forest land have been diverted. Though a width of about 10 m has been leveled for construction of the pipe conveyer, after construction of the conveyers and the power transmission line, the road will cover a width of 2.5m in the remaining space drains and road shoulders will be provided. The road elevation is mostly at the level of the surrounding area. However, there have been few depressions and nallah which were identified after the trees were removed. In these areas the corridor has been filled with granular slag material for movement of the construction equipment and conveyer machineries.</p> <p>It is therefore, confirmed and assured that the layout plan of the proposed forest land shall not be changed.</p>
Para 3	<i>As per condition No XVI the Stage-I approval order, 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.</i>

Violation	A number of Nallahs have not been blocked due to construction of road violating above mentioned condition. (Photograph-3)
Reply	<p>No nallahs have been blocked and for smooth flow of water, RCC hume pipe culverts have been provided at 3 places for undisturbed flow of water. Care has been taken to provide large side RCC hume pipe below the formation layer so that water during monsoon can pass through without water logging on both the side. The level of the formation layer has been maintained mostly same as that of the surrounding area. However, there have been few nallahs crossing the stretch. For smooth movement of construction machineries in these depression areas we have leveled by filling loose materials as slag, and provided RCC hume pipe culverts for free flow of water. At few places there have been cutting of earth for 2 to 3 ft to maintain the level. So these small level differences will not cause any hindrance to the movement of the animal when passing the conveyer corridor.</p> <p>It is therefore, confirmed and assured that the designing of culverts/ bridges over the natural streams/rivers/canals is 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.</p>
Para 4	<i>As per condition No. XXII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.</i>
Violation	As mentioned in violation in Para-1.
Reply	<p>The forest land has not been used for any purpose other than that specified in the proposal. The corridor has been leveled to provide access for the construction of the pipe conveyer, power transmission line and water pipe line etc.</p> <p>It is therefore, confirmed and assured that the forest land has not been used for any purpose other than that specified in the proposal.</p>
Para 5	<i>As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.</i>

Jindal Steel & Power Ltd.

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Violation	As mentioned in Para. 2.
Reply	<p>JSPL has started the construction of the coal conveyer and other associated facilities such as the power transmission line, road and the underground water pipelines after making the formation layer of width of about 10 m.</p> <p>It is therefore, confirmed and assured that layout plan of the proposed Forest land is not changed.</p>

We also once again confirm and assure you that there is no change in the purpose of the diversion and there is no change in the layout of the project. We therefore request you to kindly close the observations and allow us to continue with the construction of the Coal Conveyer and other associated acutities.

Thanking you,
Yours faithfully,

for Jindal Steel & Power Limited

(Alok Kumar Sahu)

Associate Vice President- Environment Management Dept

Jindal Steel & Power Ltd.

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Registered Office D. P. Jindal Marg, Hisar, 125 005, Haryana



STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HOFF
PLOT NO.GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR - 751023

[E-mail: nodal.pccfodisha@gmail.com]

Memo No. 7745 /9F(PSC)-105/2022

Dated, Bhubaneswar, the 04th April, 2025

To

The Divisional Forest Officers

Bonai/ Sambalpur/ Nabarangpur/ Dhenkanal/ Malkangiri/ Jharsuguda/
Sundargarh/ Cuttack/ Angul/ Keonjhar/ Kalahandi South Forest Division

Sub: 67th meeting of Project Screening Committee (PSC) of the proposals filed in
PARIVESH 2.0 to be held on 09.04.2025 (Wednesday) at 04.00 PM through Video
Conferencing.

I am directed to inform you that the 67th meeting of the Project Steering Committee
(PSC) is scheduled to be held on 09.04.2025 (Wednesday) at 04.00 PM through Video
Conferencing under the chairmanship of Addl. PCCF, Forest Diversion & Nodal Officer, FC
Act for processing the following proposal as per Van (Sanrakshan Evam Samvardhan)
Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023.

Sl. No.	Name of the Project & Project Proponent	Forest Division
1	Proposal for diversion of 19.256 ha forest land for mining in Narayanposhi Iron & Manganese Mine under Bonai Forest Division by M/s JSW Steel Ltd.	Bonai
2	Proposal for diversion of 12.33 ha of forest land for construction of Lapanga-Brajarajnagar 132 KV D/C Line from Lapanga GSS to Loc No.51 and 220 KV D/C Budhipadar under Sambalpur and Jharsuguda Forest Division by OPTCL.	Sambalpur/ Jharsuguda
3	Proposal for diversion of 7.007 ha forest land for heightening of 400 KV D/C Line from Loc. No.22 to Loc. No.30 under passing of 132 KV D/C Lapanga-Brajarajnagar Line under Sambalpur Forest Division by OPTCL.	Sambalpur
4	Proposal for diversion of 8.943 ha of forest land for construction of Bypass Rpad pm NH-26 for Nabarangpur Town under Nabarangpur Forest Division by Executive Engineer, R&B Division.	Nabarangpur
5	Proposal for diversion of 50.203 ha of forest land setting up Integrated Advanced Specialty Steel and Auto Components Complex under Dhenkanal Forest Division by M/s Kalyani Steels Limited.	Dhenkanal
6	Proposal for diversion of 6.72 ha of forest land for construction of Approach Road to Analjodi H.L. Bridge under Malkangiri Forest Division by Executive Engineer, R&B Division.	Malkangiri
7	Proposal for diversion of 227.62 ha of forest land for coal mining in Basundhara (West) Extension OCP under Sundargarh Forest Division by M/s MCL.	Sundargarh
8	Proposal for diversion of 32.71 ha forest land for construction of New BG Railway Line between Dubari Station & Tata Steel Plant at Kalinga Nagar under Cuttack Forest Division by East Coast Railway.	Cuttack
	Proposal for change in land use pattern for 6.682 ha of forest land diverted for laying of railway line with 1.212 ha forest land and 5.47 ha forest land for infrastructural facilities like pipe conveyor, 33 KV Transmission Line Water Pipeline (underground) and Service Road under Angul Forest Division by M/s JSPL.	Angul

CA store
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Today

DRP Section kindly
look into it.

Contd.....P/2

Sl. No.	Name of the Project & Project Proponent	Forest Division
10	Proposal for diversion of 9.1542 ha forest land for expansion of Integrated Steel Plant under Keonjhar Forest Division by M/s Sree Metaliks Ltd.	Keonjhar
11	Proposal for diversion of 11.947 ha of forest land for construction of Sardega-Barpali Railway Line (Phase-II) by East Coast Railway.	Sundargarh
12	Proposal for diversion of 107.596 ha of forest land for Upper Indravati Pumped Storage Project under Kalahandi South Forest Division by OIIPC Ltd.	Kalahandi South

OFFICE OF

To,

Sub

Therefore, you are requested to examine the proposal properly and let this office know the deficiencies, if any, so that the same shall be discussed in the PSC meeting. The VC link will be provided before the meeting.

4/4/2025
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

Memo No. 7746

/Dt. 04.04.2025

Copy forwarded to the Collector & District Magistrate, Sundargarh/ Sambalpur/ Jharsuguda/ Nabarangpur/ Dhenkanal/ Malkangiri/ Cuttack/ Angul/ Keonjhar/ Kalahandi for information and necessary action. They are requested to depute their representatives to attend the PSC meeting through VC on the scheduled date and time. The VC link will be circulated before the meeting.

4/4/2025
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

Memo No. 7747

/Dt. 04.04.2025

Copy forwarded to the Regional Chief Conservator of Forests, Rourkela/ Sambalpur/ Koraput/ Angul/ Bhawanipatna for information and necessary action. They are requested to attend the PSC meeting through VC on the scheduled date and time. The VC link will be circulated before the meeting.

4/4/2025
Dy. C.F. (Nodal)-cum-Member Secretary
Project Screening Committee

In view of the observation, the PSC raised EDS and returned back the proposal to user agency with direction to comply the deficiencies noted above and submit the correct revise proposal for scrutiny. The DFO, Cuttack Forest Division has requested to identify suitable ACA land for plantation of balance no. of seedlings.

09 CHANGE IN LAND USE PATTERN FOR 6.682 HA OF FOREST LAND DIVERTED FOR LAYING OF RAILWAY LINE WITH 1.212 HA FOREST LAND AND 5.47 HA FOREST LAND FOR INFRASTRUCTURAL FACILITIES LIKE PIPE CONVEYOR, 33KV TRANSMISSION LINE, WATER PIPELINES(UNDERGROUND) AND SERVICE ROAD BY JINDAL STEEL AND POWER LTD. (JSPL).
PROJECT CATEGORY: RE-DIVERSION
FOREST AREA- 6.682 HA
FOREST DIVISION- ANGUL FOREST DIVISION
PROPOSAL NO- FP/OI/REDIV/479437/2024

The diverted 6.682 ha of forest land for Jindal Steel & Power Ltd includes 1.212 ha forest land for Railway link line RoW and 5.47 ha forest land for infrastructure facilities for Coal Pipe Conveyor RoW which is spread over a length of 3647 Mtr and width of 15 Mtr, Pipe conveyor width of 7 Mtr. 33 KV overhead transmission line width of 4 Mtr and service road with underground water pipeline below it having width of 4 Mtr. These are the facilities in the approved land use.

The proposal was previously discussed in the 64th PSC meeting held on dated 18.02.2025 and raised EDS to User Agency to comply the deficiencies noted on KML wise project area, required NOC from competent authority for pipeline / Rail link passing through NH-63 and report of the DFO, Angul Forest Division on violation committed.

On further scrutiny of the online proposal on Parivesh Portal, it is found that the report of the DFO, Angul Forest Division related to violation committed by the User Agency which has been raised by the Deputy Inspector General, MoEF&CC, Regional Office, Bhubaneswar vide their letter No.5-ORC248/2015-BIU dated 13.01.2025 has not been uploaded.

In view of the observation, the PSC accepted the proposal and directed the user agency to submit the proposal at the level of DFO, Angul Forest Division for taking necessary action in the matter. The DFO, Angul Forest Division has requested to upload the report of violation committed by the user agency alongwith Part-II and Site Inspection report.

10 PROPOSAL FOR DIVERSION OF 9.1542 HA FOREST LAND OUT OF TOTAL ALLOTTED AREA 133.833 HA AS PER PROVISION UNDER SECTION 2 (I) (II) OF THE VAN (SANRAKSHAN EVAM SAMVARDHAN) ADINIYAM, 1980 TO BE UTILIZED FOR FUTURE EXPANSION (INTEGRATED STEEL PLANT) BY M/S SREE METALIKS LIMITED AT VILLAGE ANRA, TEHSIL BANSPAL, DIST KEONJHAR, ODISHA
PROJECT CATEGORY: INDUSTRY
FOREST AREA- 9.1542 HA (VILLAGE FOREST)
PROPOSAL NO- FP/OR IND/497356/2024
FOREST DIVISION- KEONJHAR FOREST DIVISION

The M/s Sree Metaliks Ltd. is a private limited company, established Iron Ore Beneficiation Plant and Palletization Plant at village Anra and Amuni under Banspal Tahasil of Keonjhar District.

ANNEXURE R - 6 (COLLY)

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL 28-11-24

To Memo No. 9506 /47/2023/IDRP/Dated. 28-11-2024
 The Regional Chief Conservator of Forests,
 Angul Circle, Angul.

Sub: - Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

- Ref:
1. No. 5003 /F& E.09.03.2017 of S.S to Govt. F& E Deptt. BBSR.
 2. Letter No.5-ORC248/2015-BHU dt. 13.07.2015 of GOI, MoEF (Stage-I)
 3. Letter No. 5-ORC248/2015-BHU dt. 28.02.2017 of GOI, MoEF. (Stage-II)
 4. Letter No.5007 dtd. 09.03.2017 of Special Secy. to Govt. FE&CC.
 5. Letter No. 5-ORC248/2015-BHU dt. 24.05.2019 of GOI, MoEF.
 6. Letter No. 5-ORC248/2015-BHU dt. 02.06.2023 of GOI, MoEF.
 7. Memo No.10979 dt. 08.06.2023 of PCCF, Nodal.
 8. This office memo No.2131 dtd. 30.03.2022.
 9. This office Memo No. 2857 dt. 05.05.2022 & 8785 dt. 02.12.2022.
 10. Letter No.7 dtd.20.04.2022 of AVP (Env.) JSPL.
 11. Your memo No. 3999 dt. 18.10.2024.

With reference to the above cited correspondence on the subject, it is to inform that as per memo No. 10978 dt. 08.06.2023 of Principal Chief Conservator of Forests, (Nodal) O/o the PCCF, Odisha, in which the undersigned has been directed to furnish a detailed report on the violation by the User Agency along with the action taken report through RCCF, Angul Circle.

In this regard, a site inspection was conducted by the undersigned on 5th July 2023 in presence of Mr. S.K. Sharma, Vice President, JSPL, Mr. Alok Sahu, AVP (Env.), JSPL and Range Officer, Angul Range and field staff.

Back ground of the case

The User Agency (JSPL) has received Stage-II clearance of the diversion 6.682 Ha. of forest land vide letter under reference (3). During the earlier inspection by the Divisional

1374

Forest Officer, Angul on dt. 30.03.2023, violations of a number of stage-II conditions were noticed. Accordingly, the user agency (JSPL) was issued show cause notice vide this office letter No. 2131 dtd. 30.03.2023. The User Agency has submitted its reply vide letter under reference-10 which was found to be untenable. Accordingly, violation was reported to the Regional Chief Conservator of Forests, Angul Circle vide letter under reference-9 for necessary action.

Approved Layout of the Project

Land use of Integrated pipe conveyor.		
1	Excavation width for Pipe conveyor foundation	7 meters
2	Transmission line foundation width	4 meters
3	Service road width including water pipeline	4 meters
TOTAL WIDTH		15 MTRS

Details of the violation found during site inspection on 15.11.2022.

4. *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Stage-II Clearance was given for construction for elevated pipe conveyor, electricity line structure and 4 meter wide service road. However, a road with width more than 10 meter has been constructed for the transportation of non-coal materials while no work has been started for conveyor belt which amounts to use of forest land for any purpose other than specified in the proposal and is in violation of condition No. XVII of Stage-II Approval for the Project (Photograph-1)

5. *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

The User Agency has filled the area with slag and stones thus increasing the height of and dimensions of the road without approval of the lay out for competent authority (Photograph-2) which is violation of condition No. XVIII of Stage-II approval for the Project.

6. *As per condition No. XVI of the Stage-I approval order, 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.*

A number of streams have been blocked due to road construction, in violation of Condition No. XVI of the Stage-I approval (see Photograph 3).

Therefore, it is reported that the User Agency (JSPL) has violated the *condition No. XVI of the Stage-I approval and condition No. XVII and XIII of Stage-II approval order.*

Detailed conditions are mentioned below:

6. As per condition No. XVI of the Stage-I approval order, 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.
7. As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.
8. As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.
9. As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.
10. As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.

Details of the Site Visit:-

- A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.
- B. No heavy vehicles were found to be moving on the road.
- C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency in last one year.
- D. On 29.10.2024, the Assistant Conservator of Forests, Angul Division, along with the Range Officers of Angul and Chhendipada, proceeded to the area. It was found that several RCC foundation structures for the conveyor belt had already been constructed, and some were still under construction along the Forest Road. It was also observed that trucks carrying construction materials were moving to and from the construction site. A copy of the enquiry report is enclosed for your reference.

Action taken: -

User Agency has been directed to stop all works that are being violation without permission from competent authority with immediate effect vide Memo No. 2141 dtd. 30.03.2022 violation of Stage-II condition were noticed.

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

Encl: - 1. State - I and Stage-II approval Order.

2. Approved Layout of the Project.

3. Show cause Notice to JSPL.

4. Reply to the Show Cause by the JSPL.

5. Show cause notice intimation to RCCF, Angul vide Memo No. 2857 dt. 05.05.2022 and resubmit vide Memo No. 8785 dtd. 02.12.2022.

6. Photo graph of site inspection on dtd. 29.03.2022 (5 (five) numbers).

7. Photo graph of site inspection on dtd. 05th July ,2023(4(four) numbers).


Divisional Forest Officer
Angul Division.

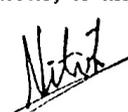
Memo No. 9507 / Dated. 28-11-2024

Copy submitted to the Principal Chief Conservator of Forests, Forest Diversion & Nodal Officer, F.C. Act, O/o the Principal Chief Conservator of Forests, Odisha for favour of information and necessary action with reference to your memo No. 15416 dt. 01.08.2024.


Divisional Forest Officer
Angul Division

Memo No. 9508 / Dated. 28-11-2024

Copy forwarded to the Range Officer Angul for information and to take necessary action. He is instructed to check further violation and deviations, if any, be intimated to the undersigned.


Divisional Forest Officer
Angul Division

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL

Memo No. 2934 /47/2025/DRP/Dated. 29.03.2025-

To,

The Regional Chief Conservator of Forests,
Angul Circle, Angul.

Sub: -

Diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated pipe conveyor (including power transmission Line, underground water pipeline, service road) and railway line for transportation of coal to their Coal Washery located inside their integrated Steel Plant premises located in Angul district, Odisha and outward movement of finished steel and other by-products there from by M/s Jindal Steel & Power Ltd.

: - Submission of a detailed and comprehensive report with specific views/comments on the violation committed by the user agency for the aforementioned project, as instructed by the PCCF, Nodal O/o the PCCF & HoFF, Odisha, Bhubaneswar.

Ref:

1. Your memo No.1165 dt.06.03.2025.
2. Letter No.241 dt.01.03.2025 of JSPL on EDS reply of 64th PSC meeting observations.

With reference to the above-cited correspondence on the subject, this is to inform you that, as per Memo No. 2944 dated 06.02.2025 of the Addl. Principal Chief Conservator of Forests (Nodal), O/o the PCCF & HoFF, Odisha, Bhubaneswar the undersigned has been directed to furnish a comprehensive report with specific views/comments on the violation by the User Agency, along with the KML file of the forest land.

In this regard, a site inspection was conducted by the undersigned on 12th March 2025, as requested vide your memo No. 1165 dated 06.03.2025, in the presence of Mr. S.K. Sharma, Vice President, JSPL, Angul; Mr. Neeraj Kalla, Vice President - Mines, JSPL, Angul; Mr. Pradeep Narada, GM, JSPL, Angul; the Range Officer, Angul Range; and the concerned Forester and Forest Guard of the Range.

Back ground of the case:-

The User Agency i.e., Jindal Steel and Power Limited, Angul, has received Stage-II forest clearance vide letter No. 5-ORC248/215-BHU dated 28.02.2017 of the MoEF & CC, Govt. of India, for the aforementioned diversion proposal of 6.682 ha of forest land. During earlier inspections by the Divisional Forest Officer, Angul, on 30.03.2022, violations of several Stage-II conditions were noticed. Accordingly, the User Agency, i.e., Jindal Steel and Power Limited, Angul, was issued a show-cause notice vide this office letter No. 2131 dated 30.03.2022. The User Agency submitted its reply vide Letter No. 7 dated 20.04.2022, which was reported to the Regional Chief Conservator of Forests, Angul Circle, with observations and views vide this office Memo No. 2857 dated 05.05.2022 and No. 8785 dated 02.12.2022.

Approved Layout of the Project

Land use of Integrated pipe conveyor.		
1	Excavation width for Pipe conveyor foundation	7 meters
2	Transmission line foundation width	4 meters
3	Service road width including water pipeline	4 meters
TOTAL WIDTH		15 MTRS

Details of the violation reviewed during site inspection on 12.03.2025.

1. *As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.*

Observation during Site inspection on 15.11.2022: Stage-II Clearance was given for construction for elevated pipe conveyor, electricity line structure and 4-meter-wide service road. However, a road with width more than 10 meter has been constructed for the transportation of non-coal materials while no work has been started for conveyor belt which amounts to use of forest land for any purpose other than specified in the proposal and is in violation of condition No. XVII of Stage-II Approval for the Project.

Reviewed observations during Site inspection on 12.03.2025: The road formation consists of a Kachha road of 12-15 meter width. Currently, the road is being used for the transportation of construction materials for the pipe conveyor and for the movement of heavy cranes and excavators needed for the construction of the pipe conveyor structures. Out of the total stretch length of 3.65 km in both Durgapur and Kaliakata Reserved Forests, construction activities for the pipe conveyor over a length of 2.65 km have either been completed or are currently under construction on the specified side of the 15-meter-wide corridor. Drone survey map is enclosed as **(Annexure-I)**

According to the representatives of the User Agency (U/A), the construction activity over the remaining portion of 1 km will be completed as soon as possible. RCC structures, with an average height of 6.5 to 7.5 meters from the ground/Kachha road, have been erected. Steel galleries are placed in series on these RCC structures, inside which the closed pipe conveyor will run. A clear height of 6.5 to 7.5 meters has been maintained for the passage of wild animals, including elephants, below the elevated pipe conveyor structure. The average distance between adjacent pillars was 24 meters.

Hence, it is observed that the construction of the elevated pipe conveyor is ongoing and is expected to be complete soon as per the U/A. No work for the construction of

the transmission line has started, as observed on-site. The U/A has applied for a change of land use from the overhead 33kV transmission line to an underground 33kV transmission cable line, which will reduce the Right of Way (RoW) width from 4 meters for the overhead transmission line to 1.2 meters. The underground cabling of the 33kV transmission line will eliminate the chances of electrocution compared to the overhead transmission lines.

2. *As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.*

Observation during Site inspection on 15.11.2022: The User Agency has filled the area with slag and stones thus increasing the height of and dimensions of the road without approval of the lay out by the competent authority which is violation of condition No. XVIII of Stage-II approval for the Project.

Reviewed observations during Site inspection on 12.03.2025: The same violation has been noticed but it is also observed that the original ground level is undulating for which the U/A has clarified that, they have laid the slag and stones to prepare a leveled road for safe movement of heavy machineries and equipment, bringing it from their own source without sourcing them from adjacent forest land as per the condition No. xi of Stage II approval, viz., "Earth or any material shall not be brought from or the debris resulting during construction shall not be disposed of in the adjoining forest area by the U/A".

3. *As per condition No. XVI of the Stage-I approval order, 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.*

Observation during Site inspection on 15.11.2022: A number of streams have been blocked due to road construction, in violation of Condition No. XVI of the Stage-I approval.

Reviewed Observations during Site Inspection on 12.03.2025: It was observed that only three culverts on the nalas crossing the road stretch have been recently constructed by the user agency. The locations and photographs of these culverts are submitted herewith. Further, according to the Bhuvan drainage channel data and the drone survey conducted on 12.03.2025, we found that six channel crossings for the natural flow of water. Out of these, three culverts have already been constructed by the user agency recently. During the site inspection, the user agency was requested to immediately construct the remaining three culverts and inform the undersigned to take further action on this matter. The elevation map created by the drone survey is enclosed herewith as (Annexure-II).

There is a deep meander of the stream flowing adjacent to the road stretch constructed by the user agency. The U/A has constructed a long retaining wall to arrest the inundation of debris and soil flow into the nala on the diverted route side. Location and photographs of the retaining wall along the road are submitted herewith.

It was earlier reported that the User Agency (JSPL) has violated the *condition No. XVI of the Stage-I approval and condition No. XVII and XIII of Stage-II approval order during the Site inspection on 15.11.2022.*

As per the Reviewed observations during Site inspection on **12.03.2025**, it is observed that, there is noticeable progress in construction of Elevated Pipe conveyor along the diverted route but other activities like Transmission line etc. have not been started yet.

Detailed stage-II conditions are mentioned below: -

1. As per condition No. XVI of the Stage-I approval order, it was previously observed that 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.
2. As per condition No. XXIII of the Stage-I approval order, Forest land shall not be used for any purpose other than that specified in the proposal.
3. As per condition No. XXV of the Stage-I approval order, layout plan of the proposed Forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate change.
4. As per condition No. XVII of Stage-II approval order, the forest land shall not be used for any purpose other than that specified in the proposal and in no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate change.
5. As per condition No. XVIII of the Stage-II approval order, the layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change.

Details of the Site Visit: -

- A. The user agency has removed some of the slag and stones from the diverted areas hence height of the road embankments has been reduced at some of the places to the forest floor.

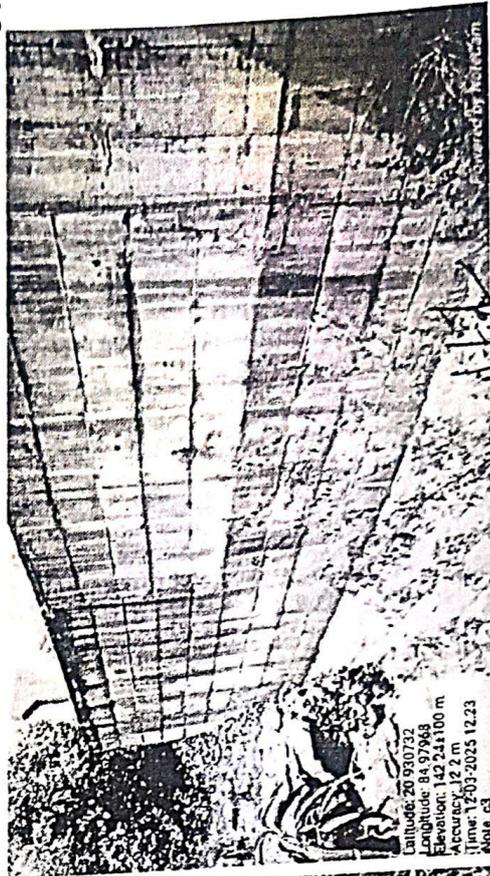
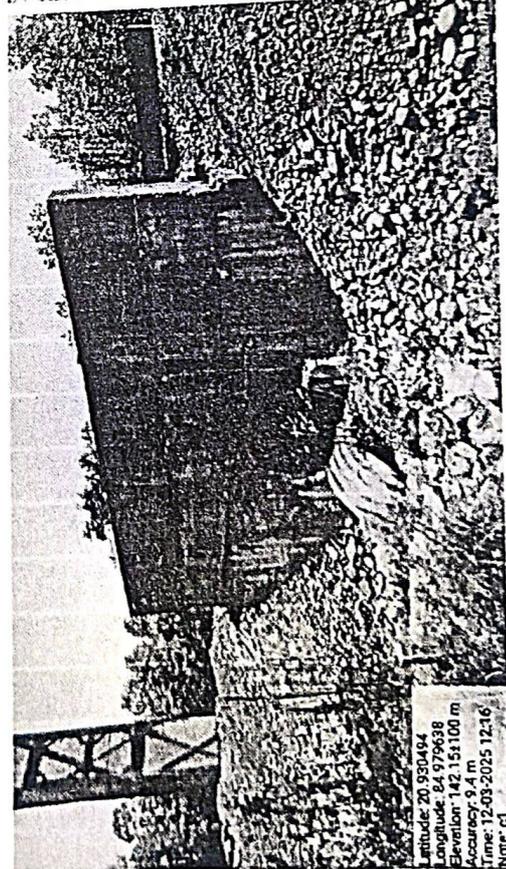
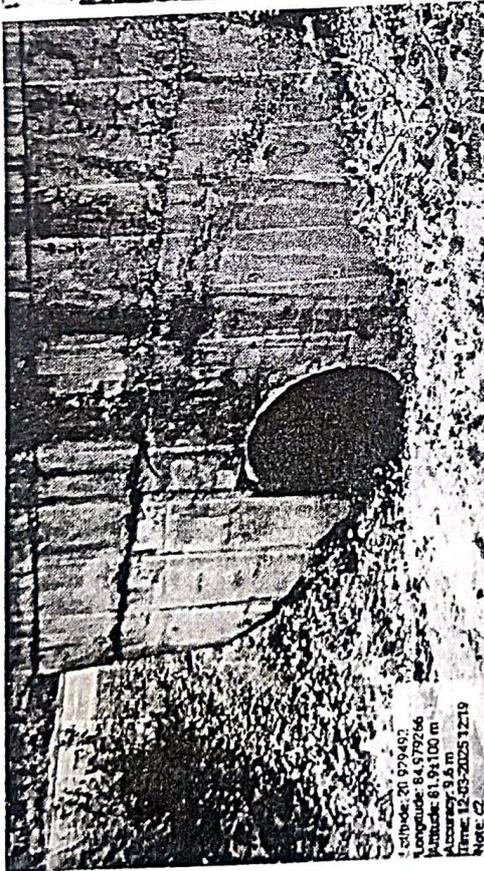
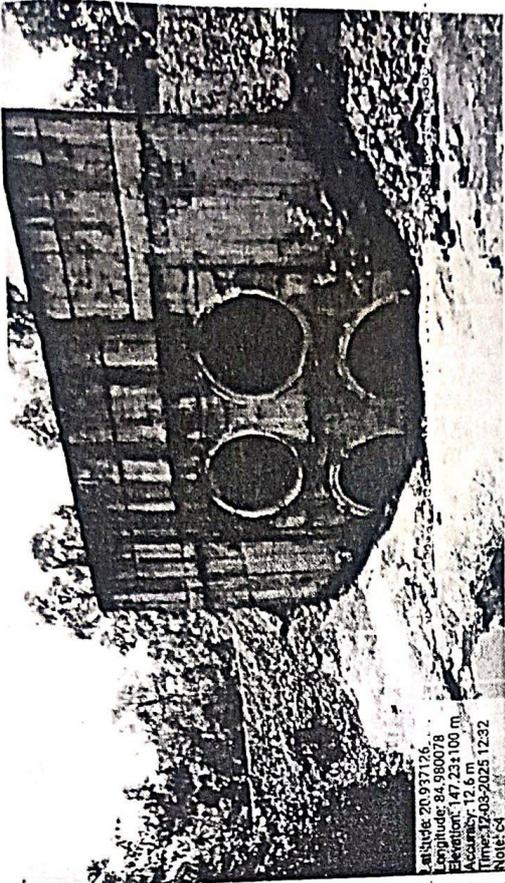
- B. No heavy vehicles carrying coal were found to be moving on the road except the equipment and machineries deployed for construction of elevated Pipe conveyor structures.
- C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency since 15.11.2022.
- D. As per site inspection on 12.03.2025, Pipe conveyor structure over a length of 2.65 kms is either completed or under construction which are visible and remaining 1 km length will be completed soon.

Action taken: - The User Agency has been directed to carry out the construction of the pipe conveyor structure for coal transportation from their allotted Utkal mines, as per the approved land use. Further, during the site inspection, they were requested to carry out the 33 kV underground power cable line and service road with water pipelines below, after obtaining permission from the MoEF & CC. Additionally, they were requested to submit the diversion proposal along with all connected documents for a change in land use for the aforementioned proposal immediately, to facilitate further action.

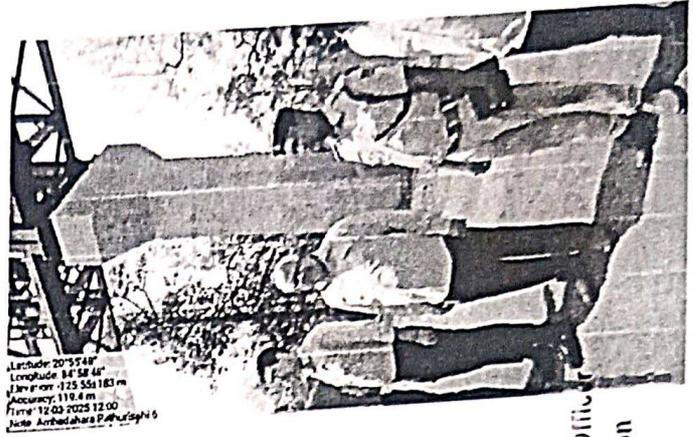
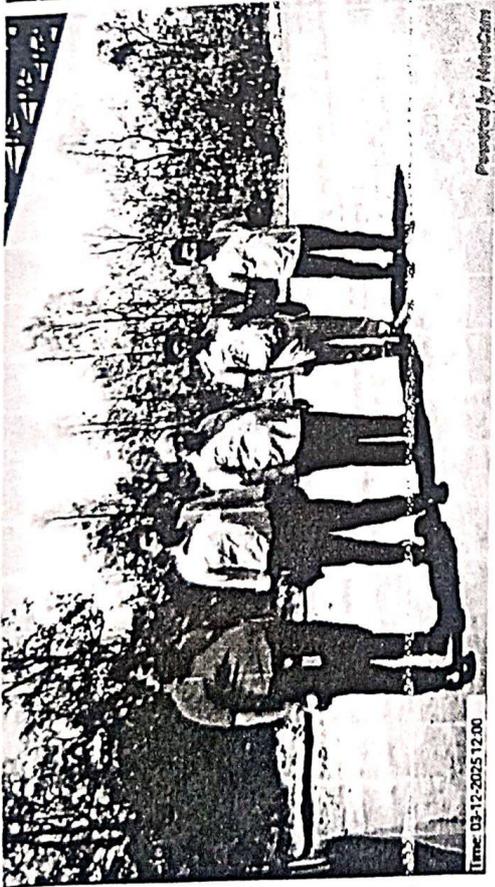
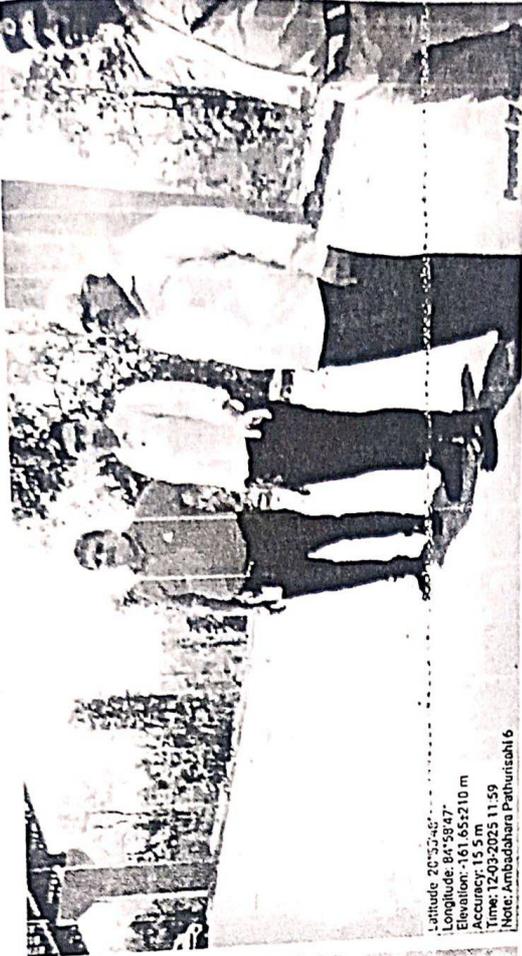
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2. Approved Layout of the Project.
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6. Photo graph of site inspection on dtd. 29.03.2022 (5 (four) numbers.
7. Photo graph of site inspection on dtd. 05th July ,2023(4(four) numbers.
8. Photo graph of site inspection on dtd. 12th March, 2025 (4(four) numbers.

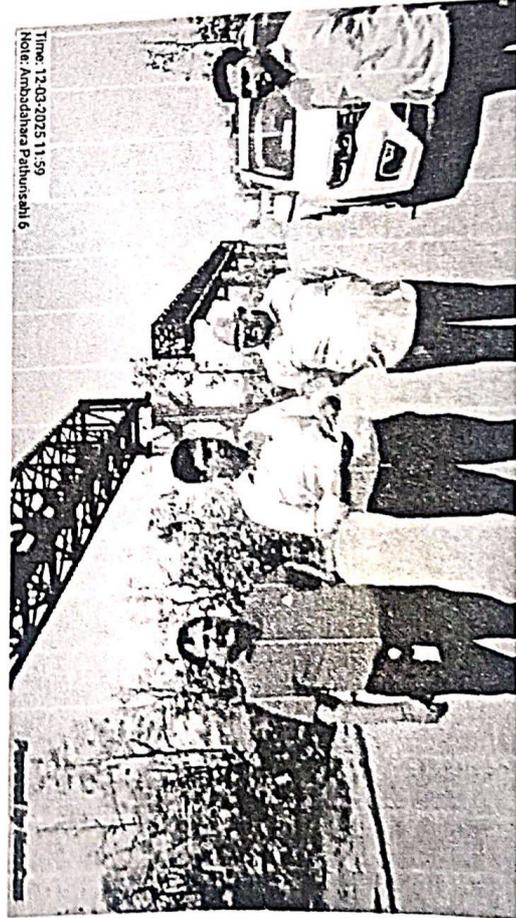

Divisional Forest Officer
Angul Division.



Divisional Forest Officer
 2-Angul, Division



W. J. Singh
 Divisional Forest Officer
 Angul, Division



BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,
KOLKATA Original Application No. 61/2025 /EZ

IN THE MATTER OF:

Satam Patnaik

... Applicant

Versus

State of Odisha & Ors.

... Respondent(s)

VAKALATNAMA

KNOW ALL to whom those present that I, NITISH KUMAR, Divisional Forest Officer, Angul, Po/Ps- Angul-759122 on behalf of Respondents No. 1,3,4,6 and 12, do hereby appoint:

MR. RAMAN YADAV (D/5326/2019), ADVOCATE

C-167, LGF, DEFENCE COLONY, NEW DELHI – 110024

Ph.: 011-45784866, M- 8800457781 E-mail- officeoframanyadav@gmail.com

(hereinafter called the Advocate(s) to be my/our Advocate(s) in the above- noted case authorized them:

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign, file verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees of each stage.

To file and take back documents, to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or subject to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of prosecution of the said case.

To appoint and instruct any other legal practitioner authorizing him to exercise the power and authority hereby conferred upon the advocate whenever he may thing fit to do so and to sign the power of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocate(s) or his/their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorized agent would appear in court on all hearing and will inform the Advocate(s) for appearance when the case is called. I/we undersigned to hereby agree not to hold the Advocate or his substitute responsible for the result of the said case. The appointment costs whenever ordered by the court shall be of the Advocates(s) which he shall receive and retain for themselves.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to he Advocate(s), remaining unpaid he shall be entitled to withdraw form the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above court. I/we hereby agree that one the fees is paid I/we will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 yrs. The original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the content of which have been understood by me/us on this 26 day of November, 2025.

Raman yadav

Advocate(s)

NITISH KUMAR
Divisional Forest Officer
Angul, Division Client

Service_O.A. 61 of 2025 titled Satam Patnaik vs State of Odisha before NGT Kolkata

1 message

Office of Raman Yadav <officeoframanyadav@gmail.com>Wed, Nov 26, 2025 at
7:52 PM

To: Satam Patnaik <satam.patnaik@gmail.com>, csori@nic.in, pankaj.malhan@jindalsteel.com, "mailsandipagarwal@gmail.com" <mailsandipagarwal@gmail.com>, fsec.or@nic.in, pccf.hoff@odisha.gov.in, dm-angul@nic.in, dfo angul <dfoangul@gmail.com>, msobb@rediffmail.com, roez.bsr-mef@nic.in, dirmines_odisha@rediffmail.com, dir.geology@orissaminerals.gov.in, ddm Talcher <ddm.talcher@orissaminerals.gov.in>, rccfangul@gmail.com
Cc: ADVOCATE GENERAL ODISHA <advgen@nic.in>

Dear Sir/Madam,

Please find attached the counter affidavit filed in the captioned matter by Respondent No. 6 on behalf of Respondent Nos. 1, 3, 4, 5, 6, 9, 10, 11, and 12. This is being served as an advance service for your kind perusal.

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Office of Raman Yadav
Advocate, Supreme Court of India
C-167, LGF Defence Colony, New Delhi -110024
Mobile: +91 88004 57781



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