

**BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE, KOLKATA**

ORIGINAL APPLICATION NO. 61 OF 2025

IN THE MATTER OF:

Satam Patnaik

...Applicant

Versus

State Of Odisha & Ors.

...Respondents

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BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE, KOLKATA

ORIGINAL APPLICATION NO. 61 OF 2025

IN THE MATTER OF:

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...Applicant

Versus

State Of Odisha & Ors.

...Respondents

**Counter Affidavit on Behalf of Respondent No. 8 (Deputy Director
General of Forests (C), Ministry of Environment, Forest and
Climate Change)**

I, Dr. Timir Haran Mahato, S/o Shri P.C. Mahato, aged about 50 years, working as the Scientist 'E' at Ministry of Environment, Forest and Climate Change, Regional Office, A/3, Chandrasekharpur, Bhubaneswar-751023, Odisha, do hereby solemnly affirm and state as follows:

1. That I am in my official capacity of Scientist 'E', in the Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar, in the above-mentioned application, and I am duly authorized to swear this affidavit on behalf of the Respondent No. 8.
2. That I have read and understood the contents of the Original Application filed by the Applicant, Satam Patnaik, and I am competent to depose the facts and circumstances pertaining to this case based on official records and my official capacity.

Timir Haran Mahato

3. That this counter affidavit is filed in response to the allegations made by the Applicant regarding the alleged violations of the Forest Conservation Act, 1980 by Jindal Steel and Power Ltd. in the Kaliakata RF and Durgapur RF, Angul, Odisha.

STATEMENT OF FACTS:

4. It is humbly submitted that prior approval of the Central Government under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 {formerly known as Forest (Conservation) Act, 1980} is required for carrying out any non-forestry activity on forest land. That, any contravention to the above provisions would amount to a violation of the Adhiniyam, 1980 and will attract the penal provisions under Section 3A and 3B of the Adhiniyam.
5. That the Ministry of Environment, Forest and Climate Change, through its Regional Office, Bhubaneswar, has acted in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in dealing with the forest diversion proposal of Jindal Steel and Power Ltd. for 6.682 ha of forest land in Kaliakata RF and Durgapur RF for the purpose of an integrated pipe conveyer, power transmission line, underground water pipeline, and service road and accordingly issued the Stage-I Approval with conditions on 13.07.2015. (True Copy of the Stage-I Approval Order is annexed herein as "Annexure No. R8/1 (A-D)").

Linear Hasdon Mahab


B.K. NAYAK
NOTARY
CUTTACK TOWN
Regd. No. ON-29/03

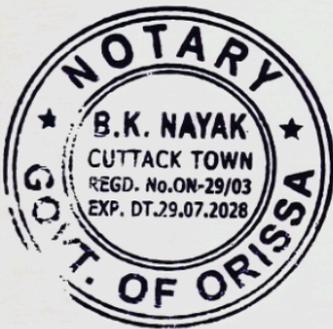
6. That, after receipt of the satisfactory compliance report on the conditions of the Stage I Approval from the State Government, the Answering Respondent accorded Stage-II Approval on 28.02.2017 with conditions. (True Copy of the Stage-II Approval dated 28.02.2017 is annexed as "**Annexure No. R8/1 (E-G)**")
7. That the Applicant's allegations regarding violations, including the construction of a road wider than the approved 4 meters and the unauthorized felling of trees, were brought to the attention of this Respondent through a complaint received on 03.10.2024.
8. That, taking cognizance to the said complaint, this Respondent promptly issued letters to the Additional Chief Secretary, Forest, Environment & Climate Change Department, Government of Odisha on 09.10.2024 and 13.01.2025, directing them to enquire about the alleged violations and take necessary action as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. (True Copy of the letter dated 09.10.2024 and 13.01.2025 are annexed herein as "**Annexure No. R8/2 and R8/3**")
9. That, this office received a detailed report of a site inspection conducted on 12.03.2025 by the Divisional Forest Officer, Angul, from the office of the Principal Chief Conservator of Forests & HoFF, Government of Odisha letter dated 23.04.25 on the complaint of the applicant which is annexed herein as **Annexure No. R8/4**.


B.K. NAYAK
NOTARY
CUTTACK TOWN
Regd. No.ON-29/03

Timir Harkan Mahapatra

10. That the Applicant has not provided conclusive evidence to substantiate the claim that this Respondent has failed to perform its duties under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Further if any violation of the conditions of the approval granted under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is observed, the State Government is the responsible authority to take appropriate action as per law.

11. That in view of the aforementioned facts and circumstances, this Hon'ble Tribunal may kindly be pleased to pass appropriate order(s)/directions as the Hon'ble Tribunal may deem fit and proper in the interest of justice.



Timir Haran Mahato

DEPONENT

(डा० तिमिर हरण महतो)
(DR. TIMIR HARAN MAHATO)
शैक्षणिक 'E' / Scientist 'E'
शास्त्र प्रवक्ता / Asst. of India
पर्यावरण, वन और जलवायु परिवर्तन विभाग
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय / Regional Office
भुवनेश्वर / Bhubaneswar

VERIFICATION

Verified at Cuttack on this 04 day of Dec, 2025, that the contents of the above affidavit are true and correct to the best of my knowledge based on official records, and no part of it is false, and nothing material has been concealed therefrom.

Place:

Date:

Timir Haran Mahato

VERIFICANT

(डा० तिमिर हरण महतो)
(DR. TIMIR HARAN MAHATO)
शैक्षणिक 'E' / Scientist 'E'
शास्त्र प्रवक्ता / Asst. of India
पर्यावरण, वन और जलवायु परिवर्तन विभाग
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय / Regional Office
भुवनेश्वर / Bhubaneswar



The deponent being identified by Self Adv/Clerk swears on oath & solemnly affirms before me on dt: 06/12/2025 that the facts stated above are true to his/her knowledge.

M. Anubhram
Notary for Cuttack Town
Govt. of Orissa
Regn. No. ON-29/03



Telephone : 0674-2301213, 2301248, 2302452, 2302453, Fax: 0674- 2302432, E-mail: roez.bsr-mef@nic.in

No.5-ORC248/2015-BHU

13th July, 2015

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 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.10F(Cons)14/2015-6870/F&E dated 27.04.2015 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.

2. 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 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 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), Khata 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.

Contd...2

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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 conductor and trees.

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- 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, 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)

o/c

प्रेषित / Despatcher

दिनांक / Dated. 14.7.15



Telephone: 0674- 2301213, 2301248, 2302452, 2302453. Fax: 0674-2302432. E-mail: roe2.bsr-mef@nic.in

No.5-ORC248/2015-BHU

28th February, 2017

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 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,

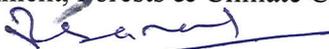
I am directed to refer to State Govt. letter No. No.10F(Cons)14/2015-6870/F&E dated 27.04.2015 and No.7111/F&E dated 30.04.2015, wherein prior approval of the Ministry of Environment, Forest & Climate Change for diversion of 6.682 ha of forest land for laying of infrastructural facilities like integrated 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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- 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 conveyor 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 conveyor, 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.

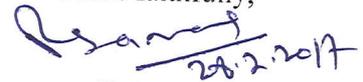


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- xix) The State Government shall complete the settlement of rights, in term of Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act on the forest land to be diverted and submit the documentary evidence as per this Ministry in it's letter No.11-9/1998-FC (pt.) dated 03.08.2009 read with 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.


28.2.2017
Conservator of Forests (Central)

o/c

प्रेषित / Despatcher

दिनांक / Dated 28.2.2017

SPEED POST



भारत सरकार / Government of India
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change
 एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office
 ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur
 भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



Telephone: 0674 - 2301213, 2302432, 2301248, 2302452, 2302453. E-mail: roe.z.bsr-mef@nic.in

File No. 7(28)2023-FCE(JSPL-KaliakataRF)

Date 09.10.2024

To

The Additional Chief Secretary,
 Forest, Environment & Climate Change Department,
 Govt of Odisha, Bhubaneswar,
 At- New Forests Secretariat, Kharavela Bhawan
 Gopa Bandhu Marg, Keshari nagar
 Bhubaneswar
 Odisha 751001

Sub: Complaint regarding "no Action has been initiated against JSPL, Angul till date for Violation of Forest Diversion (Kaliakata RF)"-reg.

Sir,

With reference to the subject cited above I am directed to draw your kind attention that this office has received a letter dated 3rd October vide mail from Shri Satam Patnaik regarding JSPL (Jindal Steel and Power Limited), Angul. The public grievance addresses the non-action against JSPL for violating conditions related to the diversion of forest land in the Kaliakata Reserve Forest (RF) area. The complainant cites multiple official communications and approvals, starting from 2015, which laid out specific conditions for the use of 6.78 hectares of forest land. Despite these conditions, the company allegedly constructed a road far exceeding the approved dimensions, cut down additional trees unlawfully, and caused environmental harm by disturbing local wildlife and the livelihoods of the indigenous ST communities. The copy of the public grievance is attached herewith. (Copy of the letter enclosed).

It is requested to get the matter enquired and necessary action may be taken. Action taken report may be submitted to this Office.

Yours faithfully,

Padma Mahanti

Encl: As above

(Padma Mahanti)
 Deputy Inspector General of Forests(C)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Odisha, Bhubaneswar, Aranya Bhawan, Chandrasekharpur, Bhubaneswar- 751023, For Kind Information and necessary action please.



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



Telephone: 0674 - 2301213, 2301248, 2302452, 2302453. E-mail: roez.bsr-mef@nic.in

No.5-ORC248/2015-BHU

13th January, 2025

To

The Addl. Chief Secretary,
Forest, Environment & CC Department,
Government of Odisha,
Bhubaneswar - 751001.

Sub: No action has been initiated against JSPL, Angul till date for violation of forest diversion (Kaliakata RF) - regarding.

Sir,

With reference to subject cited above, I am directed to enclose here with a copy of representation dated 03.10.2024 received from Shri Satan Patnaik, Amalapada, Angul, Odisha on the above mentioned subject. It is alleged that the JSPL has constructed road (connecting SH-63 to JSPL Coal Washery) within the forest area at an elevated (4-5 ft. height) slag based road more than 10 meters width instead of approved width of 2.5 meters resulting cutting down of additional trees. The copy of representation is enclosed herewith for kind reference.

This office vide letter of even number dated 28.02.2017 has accorded final/Stage-II approval for diversion of 6.682 ha of forest land for laying of infrastructure facilities like integrated pipe conveyor (including power transmission line, underground pipeline, service road) and railway line for transportation of coal to their coal washery located inside integrated steel plant premises of the M/s JSPL. Further, this office vide letter of even number dated 02.06.2023 has requested the State Govt. to furnish a detailed report on the gross violation by the user agency along with action taken so far to this office which is still awaited from the State Govt.

It is therefore requested to kindly enquire into the matter and submit a detailed report to this office. It may be ensured that no work has been carried out by the user agency in violation of stipulated conditions of final/Stage-II approval granted to the project on 28.02.2017.

Yours faithfully,

Padma Mahanti

(Dr. Padma Mahanti)

Dy. Inspector General of Forests (C)

Encl: As above.

Copy to the PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023 for kind information and necessary action.

Padma Mahanti

Dy. Inspector General of Forests (C)

प्रेषित / Despatcher
दिनांक / Dated.....

o/c



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

No. 8992 /9F(MG) - 406/2010
Dated, Bhubaneswar, the 23rd April' 2025

To

✓ The Deputy Director General of Forests (Central)
Government of India, Ministry of Environment, Forest & Climate Change
Regional Office, A/3, Chandrasekharpur
Bhubaneswar-751023

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 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. L.No.5-ORC248/2015-BHU dt.02.06.2023 of MoEF & CC, GoI, Regional Office, Bhubaneswar.
2. L.No.5-ORC248/2015-BHU dt.13.01.2025 of MoEF & CC, GoI, Regional Office, Bhubaneswar.

Sir,

Apropos to the above, the GoI, MoEF & CC, Regional Office, Bhubaneswar vide letters under reference has requested to furnish a detailed report on the violation committed by the user agency to comply the petition of Sri Satam Pattanaik of Amalapada, Angul. The compliance has been submitted by the RCCF, Rourkela based on the compliance submitted by the DFO, Angul which is as follows:-

A site inspection was conducted by the DFO, Angul Division on 12th March 2025 in the presence of Mr. S.K. Sharma, Vice President, JSPL, Angul; Mr. Nceraj Kalla, Vice President - Mines, JSPL, Angul; Mr. Pradeep Nanda, GM, JSPI., Angul; the Range Officer, Angul Range; and the concerned Forester and Forest Guard of the Range. The DFO, Angul Division has

submitted the comprehensive report vide his Memo No.2934 dated 29.3.2025 (Copy enclosed) which is furnished below: -

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.

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 is 24 meters. Hence, it is observed that the construction of the elevated pipe conveyor is ongoing and is expected to be completed 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 (R o W) width from 4 meters for the overhead transmission line to 1.2 meters. The underground cabling of the 33kV transmission line will further 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.

Observations during Site inspection on 12.03.2025:

It is 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.

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, it is found 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. As per the 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 by the DFO: -

- 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 2.65kms is either completed or under construction which are visible and remaining 1km length will be completed soon.

Action taken by the DFO: - 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.

In view of the above, the detailed report as sought by Govt. of India, MoEF & CC, Regional Office, Bhubaneswar vide the letters under reference in connection with the violation committed by the JSPL, Angul is sent herewith for favour of kind information and necessary action.

Encl: One set Report of DFO, Angul

Yours faithfully

Cy
22/4/25
Additional Principal Chief Conservator of Forests
Forest Diversion & Nodal Officer, FC Act

Memo No. /Dated.

Copy forwarded to the OSD-cum-Special Secretary to Government, FE & CC Department, Govt. of Odisha for favour of kind information and necessary action with reference to Memo No.2672 dt.31.01.2025.

No 22/4/2025
Chief Conservator of Forests (Nodal)

Memo No. /Dated-

Copy forward to the Regional Chief Conservator of Forests, Angul for information and necessary action with reference to his office memo No.1592 dt. 31.03.2025.

No 22/4/2025
Chief Conservator of Forests (Nodal)

Memo No. /Dated-

Copy forwarded to the Divisional Forest Officer, Angul Division for information and necessary action with reference to Memo No.1593 dated 31.3.2025.

No 22/4/2025
Chief Conservator of Forests (Nodal)

Encl: -1. Stage – 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 dt. 02.12.2022.
6. Photo graph of site inspection on dt. 12th March, 2025 (4(four) numbers).
7. Photo graph of Drone Survey, **Annexure-I**
8. Photo graph of Drone Survey, **Annexure-II**

DFO ANGUL Site Inspection Report

OFFICE OF THE DIVISIONAL FOREST OFFICER ANGUL DIVISION ANGUL

Memo No. 2934 /47/2025/DRP/Dated. 29 03 2025-

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 Nanda, 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. XVI 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.

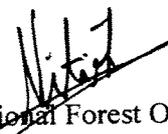
- B. No heavy vehicles carrying coal were found to be moving on the road except the equipment and machineries deployed for construction of elevated Pipe conveyor structures.
- C. No additional adverse use in violation of Forest Clearance conditions have been made by the user agency since 15.11.2022.
- 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.

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

Encl: - 1. Stage – 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 (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.