

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

Appeal No. 04 of 2026

**IN THE MATTER OF:**

Munidei Majhi &amp; ors.

...PETITIONER

**Versus**

Ministry of Environment, Forest and Climate Change

... RESPONDENT

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**DEPONENT****Through: -****Utkarsh Chandra and****Sanjay Kumar Singh***Utkarsh***Advocate****C-24, Nangal Dewat,****Sector D, Vasant Kunj,****New Delhi, Delhi- 110070**

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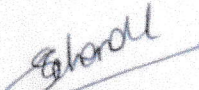
Ministry of Environment, Forest and Climate Change &amp; Ors.

... RESPONDENT

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 2****MOST RESPECTFULLY SHOWETH:**

I, Sachin Annasaheb Ohol, S/o Annasaheb Mahadeo Ohol, aged 32, presently working as Divisional Forest Officer, Rayagada Forest Division, Odisha, having office at Rayagada, Odisha, being conversant with the facts of the case, do hereby solemnly affirm and state as under:

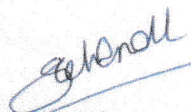
1. That, it is humbly submitted, I am well conversant with the facts and circumstances of the present case, as such I am competent to swear this present affidavit.

  
Divisional Forest Officer  
Rayagada Division

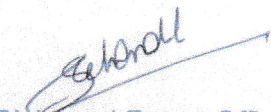
2. At the outset all the contentions and averments made in the present appeal of the petitioners are denied unless specifically admitted herein.
3. That, the averments made in paragraph 1, it is humbly submitted that the Ministry of Environment, Forest and Climate Change, Regional Office, Bhubaneswar, has granted stage 1 approval on 05.01.2026, under section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Abhiniyam, 1980, for the diversion of 4.911 hectares of forest land for non- forestry purposes in favour of Odisha Industrial Infrastructure Development Corporation. The said approval pertains to the construction of an access road from Sijimali Bauxite Mines (Hill top) to SH-55 in Kashipur, Tahasil of Rayagada District under Rayagada Forest Division, Odisha, in respect of Online Proposal No. FP/OR/OTHERS/523366/2025.
4. That, the averments made in paragraph 2, it is humbly submitted that the issue regarding submission of the proposal as a standalone project was specifically examined during the appraisal process. In this regard, the Nodal Officer had raised as Essential details Sought (EDS) on 15.04.2025 seeking clarification from Respondent no. 3 (IDCO) in light of sub- para (f) of para 7.8 of chapter 7 of the Consolidated Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules framed thereunder.

And whereas, in response, the Respondent no. 3 furnished a clarification (Annexure- A/1), which was duly examined at the appropriate levels, inter alia, indicating that the proposed road is not solely for the use of Respondent no. 4 and also serves connectivity needs of nearby habitations, including villages such as Dumerpadar, Porland, Sagabari, Bichapinda and Malipadar. The contention that the proposal has been illegally obtained by Respondent no. 3 or that the same represents an impermissible splitting of the project is baseless and liable to be rejected.

A copy of the clarification furnished is herein marked as Annexure- A/1.

  
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Rayagada Division

5. That the averments made in paragraph 3, it is humbly submitted that, the Ministry of Environment, Forest and Climate Change, government of India has granted Stage-I (in-principle) approval under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 708.204 hectares of forest land (comprising 564.581 hectares in Rayagada Forest Division and 143.623 hectares in Kalahandi (South) Forest Division, including 11.195 hectares earmarked for Safety Zone) out of the total mining lease area of 1548.786 hectares for Sijimali Bauxite Mines in Rayagada and Kalahandi Districts, Odisha. The said approval has been accorded in favour of Vedanta Limited vide Online Proposal No. FP/OR/MIN/QRY/470250/2024, dated 31.12.2025.
6. That, it is humbly submitted that, the averments made in paragraph no. 4 are denied as being misconceived and factually incorrect. The characterization of Respondent No.3 as "masquerading" as the User Agency is wholly unwarranted and is emphatically denied. It is respectfully submitted that the proposal dated 10.02.2025 was submitted by Respondent No. 3 (IDCO) in its capacity as the User Agency for the subject proposal, and the same has been processed accordingly under the applicable statutory framework. The mere reference in the application to the intended use of the road for facilitating transportation does not alter the legal identity of the proposal or the competence of Respondent No. 3 to submit the same.
- It is further submitted that the issue relating to the nature of the proposal and its treatment as a standalone project has already been specifically examined during the appraisal process, as stated in paragraph 4 of this counter.
- In view of the above, the allegation that the application has been improperly submitted by Respondent no. 3 is baseless and liable to be rejected.
7. That, the averments made in paragraph 5, it is humbly submitted that,, the proposal for diversion of 4.911 Ha of forest land in village Sagabari & Porlang has been examined and considered in accordance with the Consolidated

  
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Rayagada Division

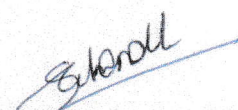
- Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Van (Sanrakshan Evam Samvardhan) Rules, 2023, as amended and updated from time to time.
8. That, the averments made in paragraph 6, it is humbly submitted that the proposal for diversion of 4.911 Ha of forest land in village Sagabari & Porlang has been examined and considered in accordance with the Consolidated Guidelines and Clarification issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Van (Sanrakshan Evam Samvardhan) Rules, 2023, as amended and uploaded from time to time.
9. That in reply to the averments made in paragraph 7, it is humbly submitted that, the reliance placed by the Appellant on the provision contained in Chapter 7.8(f) of the Consolidated Guidelines is misconceived and not applicable to the facts of the present case. The said provision pertains to situations where ancillary activities such as approach roads are intrinsically part of and proposed as components of a mining project by the project proponent itself, warranting their appraisal as an integrated mining proposal. In the present case, the proposal under consideration relates to diversion of forest land for construction of an access road undertaken by a separate user agency, and has been processed in accordance with the applicable provisions governing such proposals under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules and Guidelines framed thereunder, as amended from time to time. Therefore, the facts and circumstances of the present case are clearly distinguishable and the aforesaid provision does not operate as a bar to independent consideration of the proposal.
10. That in reply to the averments made in paragraph 8, it is humbly submitted that, while the Appellant seeks to rely upon Clause 7.8(f) of the Consolidated Guidelines, the said provision cannot be read in isolation or as laying down an inflexible or universally applicable mandate. The said clause applies to situations where ancillary infrastructure such as approach roads are integrally

proposed as part of the mining project by the project proponent itself, forming a composite mining proposal for appraisal.

In the present case, the proposal for diversion of forest land for construction of the access road has been submitted by a separate and distinct User Agency, i.e., Odisha Industrial Infrastructure Development Corporation (IDCO), and has been processed as an independent linear infrastructure proposal, in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules and Guidelines framed thereunder, as amended from time to time. The mere fact that the said road may facilitate connectivity to a mining area does not, by itself, render the proposal legally inseparable from the mining project, nor does it automatically attract the requirement of composite appraisal under Clause 7.8(f), particularly when the proposal has been conceptualized, submitted and examined as a separate infrastructure activity by a different User Agency.

It is further submitted that Clause 7.8(f)(1), relating to supplementary linear projects conceived after commencement of mining operations, cannot be construed to imply that all linear infrastructure proposals prior to commencement of mining must mandatorily be subsumed within the mining proposal. Such an interpretation is not borne out from the plain language of the guideline and would amount to reading into the provision conditions that are not expressly stipulated. The competent authorities, after due consideration of the proposal and the relevant provisions of law, have processed the same in accordance with the applicable statutory framework. The identity of the User Agency, the nature of the proposal, and the manner in which it has been placed for consideration are all relevant factors which have been duly taken into account.

In view of the above, the contention of the Appellant that the subject proposal could only have been processed as part of the mining project is untenable, legally unsustainable and liable to be rejected.

  
Divisional Forest Officer  
Rayagada Division

11. That the averments made in paragraph 9, it is humbly submitted that, the approval granted has been issued after due examination of the proposal in accordance with provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules and guidelines framed thereunder, as amended from time to time. The reliance placed by the Appellant on the extracted portion of the guidelines is misplaced and does not render the approval illegal or vitiated, for the reasons already submitted hereinabove. The proposal has been processed by the competent authority following the prescribed procedure and upon due consideration of all relevant aspects.

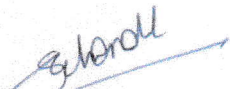
In view of the above, the contention that the impugned approval is liable to be quashed is denied and is not sustainable in law.

12. That the contents of para 10 to 12 needs no reply.

13. That in reply to the averments made in paragraph 13, it is humbly submitted that, while the proposed road may facilitate access to the mining area, mere functional or logistical linkage with a mining activity does not, by itself, render a proposal legally inseparable or mandate its consideration only as part of the mining project.

It is further submitted that infrastructure such as roads, pipelines and allied facilities may, depending on the facts and manner of proposal, be conceived, submitted and appraised as independent projects, particularly when undertaken by a separate User Agency and processed as a distinct proposal under the applicable statutory framework.

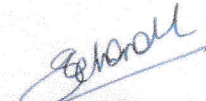
The provisions of the applicable guidelines do not lay down that every infrastructure having nexus with a mining activity must invariably be subsumed within the mining proposal, and such an interpretation would be overbroad and not supported by the statutory scheme. In the present case, the proposal has been considered independently by the competent authority, taking into account its specific scope, alignment and nature and therefore the contention of the Appellant is misconceived and liable to be rejected.

  
Divisional Forest Officer  
Rayagada Division

14. That the averments made in paragraph 14- 27, it is humbly submitted that, the Appellant has sought to draw inferences of legal impermissibility merely on the basis of functional linkage between the proposed road and the mining activity. It is not disputed that various documents, including the EIA reports and related proceedings, refer to the requirements of road connectivity for transportation of mineral. However, such references only indicate the intended use of utility of the road and do not, by themselves, determine the legal character of the proposal or the identity of the User Agency for the purpose of forest clearance.

It is respectfully submitted that the proposal for diversion of forest land has been submitted by Odisha Industrial Infrastructure Development Corporation (IDCO), a statutory entity, and has been processed as a distinct linear infrastructure proposal in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules and Guidelines framed thereunder, as amended from time to time.

The Appellant's contention that IDCO was "only facilitating" and therefore could not have applied is legally untenable, as the applicable statutory framework does not prohibit a duly competent agency from undertaking infrastructure development and seeking necessary approvals, even if such infrastructure may ultimately be utilized for broader industrial or public purposes. The minutes of meetings, DPR preparation, and other administrative communications relied upon by the Appellant do not alter the legal position, as such internal or inter-departmental arrangements pertain to implementation modalities and do not determine the validity of the proposal submitted before the competent authority under the Act. It is further submitted that the proposal has been examined by the competent authority on its own merits, taking into account the nature of the land, alignment of the road and applicable statutory provisions. The mere fact that the DPR or

  
Divisional Forest Officer  
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technical inputs may have been prepared with reference to the mining project does not render the proposal invalid or vitiated.

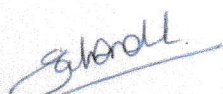
The allegation that the proposal constitutes a "fraud on the process" is baseless, unsubstantiated and emphatically denied. There has been no concealment, misrepresentation or suppression of material facts and the proposal has been processed transparently in accordance with law. In view of the above, the attempt of the Appellant to characterize the proposal as an impermissible or colourable exercise is misconceived, baseless and is liable to be rejected.

15. That, the contents of paragraph 28 to 30 needs no reply
16. That the averments made in paragraph 31- 43 are denied as being misconceived, selective and based on an incomplete and erroneous appreciation of the statutory appraisal process and the material on record.

At the outset, it is humbly submitted that the Appellant has attempted to portray the processing of the proposal as mechanical and pre- determined, whereas the records clearly demonstrate that the proposal has undergone multi- tier scrutiny at Divisional, State and Central levels, including deliberation by the Forest Advisory Committee (FAC).

It is submitted that the site inspection report of the Assistant Commissioner (F) and the observations of the Deputy Director General of Forests (Central) were duly placed before and considered during the appraisal process, including by the FAC. The FAC, while deliberating on the proposals, has taken note of the interlinkage between the access road and the mining project, as well as the concern regarding a possible fait accompli situation.

Accordingly, the FAC observed that while the proposal for the road may be considered as a separate proposal, its consideration should follow the approval of the mining proposal, thereby ensuring appropriate sequencing in line with the concerns emerging during appraisal. The said approach demonstrates application of mind and conscious decision-making, balancing

  
Divisional Forest Officer  
Rayagada Division

the interlinkage of the proposals with the need to avoid premature consideration.

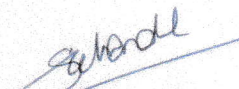
It is further submitted that the said sequencing was duly adhered to in the present case, inasmuch as the proposal for the access road was processed and taken forward only after the FAC, in its meeting dated 02.12.2025, recommended Stage-I approval of the mining proposal. Thus, the road proposal did not precede or pre-empt the consideration of the mining project, and the concern noted by the FAC and other authorities stood fully addressed.

The contention of the Appellant that the proposal ought to have been reconsidered again by the FAC prior to grant of approval is misconceived, as the statutory framework does not mandate repeated consideration once the relevant aspects have already been deliberated and the conditional sequencing indicated therein has been complied with.

The allegations regarding the sequence of EDS queries and responses are misleading and devoid of merits. The raising of queries, submission of replies and forwarding of proposals at various stages are part of the standard appraisal process and reflect continued scrutiny rather than absence of application of mind. The further allegation that the authorities were "waiting for an opportunity" to grant approval is baseless, speculative and emphatically denied. The timeline relied upon by the Appellant, when properly appreciated, reflects a logical and procedural progression of the proposal, including compliance with the sequencing requirements emerging from FAC deliberations.

It is also denied that there has been any lack of independent application of mind. The proposal has been examined at multiple levels and the approval has been granted after due consideration of all relevant materials, including FAC observations, inspection reports and EDS compliance.

The contention that the proposal has been processed by "circumventing" the requirement of considering the road as part of the mining proposal is untenable, for the reasons already submitted hereinabove, and is not reiterated

  
Divisional Forest Officer  
Rayagada Division

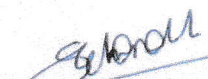
for the sake of brevity. The allegation of "fraud on the process" is serious in nature but wholly unsubstantiated, and is emphatically denied. There has been no suppression of facts, misrepresentation or deviation from the prescribed procedure at any stage of consideration of the proposal. In view of the above, the allegations of non-application of mind, procedural irregularity and illegality in grant of the impugned approval are devoid of merit and liable to be rejected.

At the outset, it is submitted that the provisions of the FRA, 2006 do not fall within the ambit of enactments specified under Schedule I of the National Green Tribunal Act, 2010, and therefore, alleged non-compliance thereof cannot be independently agitated before this Hon'ble Tribunal. To this extent, the present challenge is not maintainable.

Without prejudice to the above objection on maintainability, it is submitted that due compliance with the provisions of the FRA has, in fact, been ensured in the present case. The Project Administration-cum- Nodal Officer (FRA) compliance Certificate issued by the District Collector, Rayagada dated 31.01.2025, certifying completion of the process of identification and settlement of rights in respect of the land involved in the proposal.

The said certificate, inter alia, records that:

- The complete process of identification and settlement of rights under the FRA has been carried out for the 12.135 acres (includes the 11.650 acres in village Sagabari and 0.485 acres in village Porlang) proposed for development of road from Sijimali Bauxite mines top to SH-44 for facilitating Bauxite transportation by M/s Vedanta Ltd.
- The diversion of forest land for facilities managed by the Government as required under Section 3(2) of the FRA have been completed and the Gram Sabhas have given their consent to it.

  
Divisional Forest Officer  
Rayagada Division

The proposal does not involve recognized rights of Primitive Tribal Groups (PTG) and Pre- agricultural communities (PAC).

17. That in reply to the averments made under paragraph 44 to 47 it is humbly submitted that, the allegations made therein are denied as being misconceived, untenable in law and devoid of merit. It is respectfully submitted that the said grounds are repetitive in nature and substantially reiterate the allegations already addressed in detail in the foregoing paragraphs, and are therefore not reiterated herein for the sake of brevity. Without prejudice to the above, it is submitted that the impugned approval has been granted strictly in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the Rules framed thereunder and the applicable guidelines, as amended from time to time, after due examination at all levels. In view of the above, the grounds raised are baseless, unsupported by cogent material and liable to be rejected.
18. That I have gone through the statements made hereinabove and fully understood the same.
19. That the annexure/s is/are true/xerox of their originals/xerox copies.



*S. Mohan*  
23.4.26  
**DEPONENT**

Divisional Forest Officer  
Rayagada Division

**VERIFICATION**

Solemnly verified at Rayagada on this 23<sup>rd</sup> day of April 2026 that the contents of paragraph no.1 and 2 are true to my knowledge and those in paragraphs 3 to 19 are true and correct to my knowledge and are based on information derived from the records, which I believe to be true and nothing material has been concealed therefrom.



*S. Mohan*  
23.4.26  
**DEPONENT**

Divisional Forest Officer  
Rayagada Division

*Braja Sundar Nayak*  
NOTARY, Rayagada-Odisha



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](mailto:nodal.pccfodisha@gmail.com)

Memo No. 8467  
Dated, Bhubaneswar, the

/91(Others)-343/2025

15<sup>th</sup> April, 2025

To

The Divisional Forest Officer  
Rayagada Forest Division

Sub: Proposal for diversion of 4.911 ha of forest land for construction of access road from Sijimali Bauxite Mines (Hill Top) to SH-44 to facilitate bauxite transportation in Kashipur Tahasil of Rayagada District under Rayagada Forest Division applied by IDCO

Ref: Your Memo No.1967 dated 07.04.2025

In inviting a reference to the aforesaid memo on the captioned subject, this is to inform you that during scrutiny and verification of the diversion proposal submitted by you, the following shortcomings have been noticed:

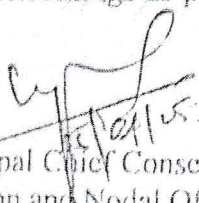
1. As per sub-para (f) of para 7.8 of Chapter-7 of Consolidated Guidelines and Clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023, the approach road/ conveyer belt and other additional activities related to mining shall be considered as part of the Mining Project and should therefore be processed accordingly. But the UA has applied access path as standalone project. As per sub para (f) (3) the UA needs to submit the cogent and convincing reason/ justification of not including such linear infrastructure at the inception stage. So, the UA should submit the required clarification.
2. 6.07 ha non-forest Govt. land identified for CA in village Tingarjhola under Kolanara Tahasil out of which 3.0 ha is non-forest category (DSS Analysis report) and balance area is MDF/ VDF. But the DFO, Rayagada Forest Division has proposed to plant 1214 Nos. of plant over entire non-forest land in ANR mode @ 200 seedlings per ha. So, it needs clarification from DFO, Rayagada Forest Division.
3. The Joint verification report of Non-forest Govt. land identified in village Tingarjhola under Kolanara Tahasil duly signed by both the forest and revenue officials is not enclosed.
4. The GPS reading of start and end point of the road has not been enclosed with the proposal.

True Copy Attested

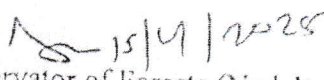
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*Sachin*  
Divisional Forest Officer  
Rayagada Division

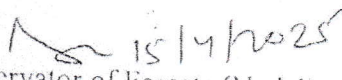
In view of the above, you are requested to comply the shortcomings as pointed out above and submit the same for early processing of the proposal.

  
Additional Principal Chief Conservator of Forests  
(Forest Diversion and Nodal Officer, FC Act)

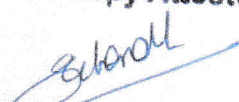
Memo No. 8468 /Dt. 15.04.2025  
Copy forwarded to the Regional Chief Conservator of Forests, Koraput Circle for information and necessary action with reference to Memo No.1968 dated 07.04.2025 of the DFO, Rayagada Forest Division to his address.

  
Chief Conservator of Forests (Nodal)

Memo No. 8469 /Dt. 15.04.2025  
Copy forwarded to the Consultant (Env.), IDCO, Bhubaneswar for information.

  
Chief Conservator of Forests (Nodal)

**True Copy Attested**

  
Divisional Forest Officer  
Rayagada Division



OFFICE OF THE DIVISIONAL FOREST OFFICER : RAYAGADA FOREST DIVISION

E.Mail: [dforgda17@gmail.com](mailto:dforgda17@gmail.com), [dfo.rayagada@odisha.gov.in](mailto:dfo.rayagada@odisha.gov.in)

Letter No. 2075 4F (Misc.) 1984/2025.

Dated, Rayagada the 16 th April, 2025.

To

The Consultant (Env), IDCO,  
IDCO Tower, Janapath,  
Bhubaneswar.

Sub: - Proposal for diversion of 4.911 Ha. Forest Land in village Sagabari and Porlang under Kashipur Tahasil for Construction of Road from Sijimali Bauxite Mines top to SH -44 under Rayagada District/Division.

Ref: - Memo No.8467dt.15.04.2025 of the Addl. Principal Chief Conservator of Forests (FD & Nodal), O/o the PCCF, Odisha, Bhubaneswar.

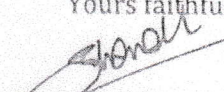
Sir,

With reference to the above cited memo number on the captioned subject, it is to inform you that, the Addl. Principal Chief Conservator of Forests (FD & Nodal), O/o the PCCF, Odisha, Bhubaneswar vide his memo no.8467 dt.15.04.2025 (Copy enclosed) has raised EDS due to some shortcomings are noticed on the proposal for diversion of 4.911 Ha. Forest Land in village Sagabari and Porlang under Kashipur Tahasil for Construction of Road from Sijimali Bauxite Mines top to SH -44 under Rayagada District/Division.

Hence, you are requested to comply point no.1, 3 & 4 of the shortcomings pointed out by the Addl. PCCF (FD & NO), O/o the PCCF, Odisha, Bhubaneswar at an early date and submit the compliance to this office for taking further action at this end.

Encl:- As above.

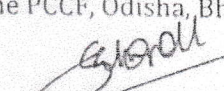
Yours faithfully,

  
Divisional Forest Officer,  
Rayagada Division

Memo No. 2076/

Dt. 16-04-2025

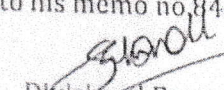
Copy submitted to the Regional Chief Conservator of Forests Koraput Circle, Koraput for favour of kind information and necessary action with reference to memo no.8468 dt.15.04.2025 of the Addl. PCCF (FD & NO), O/o the PCCF, Odisha, Bhubaneswar to his address.

  
Divisional Forest Officer,  
Rayagada Division

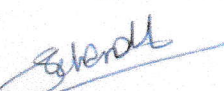
Memo No. 2077/

Dt. 16-04-2025

Copy submitted to the Addl. Principal Chief Conservator of Forests (Forest Division & Nodal Officer, F.C. Act), O/o. the PCCF, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to his memo no.8467 dt.15.04.2025.

  
Divisional Forest Officer,  
Rayagada Division

**True Copy Attested**

  
Divisional Forest Officer  
Rayagada Division

**Sri Ashok Kumar Mishra**  
Consultant-cum-CGM(Env)



No. HO-CGM(Env)/394/2024

11044

Date: 17/04/2025

To,

Divisional Forest Officer  
Rayagada Forest Division  
Rayagada

Sub: Proposal for diversion of forest land measuring 4.911 ha in the village Sagabari and Porlang under Kashipur Tahasil for construction of road from SH-44 to Sijimali Bauxite Mines (hill top) under Rayagada District- **EDS raised by Nodal Officer on 15/04/2025.**

Ref:- Your letter No.2075, dt.16/04/2025.

Sir,

In connection with the above mentioned subject, the replay to EDS raised by Nodal Officer, O/o PCCF, Odisha on the above mentioned project on 15/04/2025 is complied as under:-

| SN | Details of EDS  | Reply of EDS   |
|----|---|--|
| 1  | As per sub-para (f) of para 7.8 of Chapter 7 of Consolidated Guidelines and Clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023, the approach road/ conveyor belt and other additional activities related to mining shall be considered as part of the Mining Project and should therefore be processed accordingly. But the UA has applied access path as standalone project. As per sub para (l) (3) the UA needs to submit the cogent and convincing reason/ justification of not including such linear infrastructure at the inception stage. So, the UA should submit the required clarification. | <p>1. There are 5 villages namely Dumerpadar, Porlang, Sagabari, Bichapinda &amp; Malipadar having no road connectivity to the mainland below the valley. Around 1500 people are residing in these villages and they are facing hardship for their day-to-day family maintenance especially for health security.</p> <p>2. The people are disconnected with the market system due to lack of road connectivity. Mostly they are dependent on barter system for their day-to-day needs.</p> <p>3. Government has proposed to make a road connecting to all these villages for their ease of living. Beside this, the proposed road will facilitate to dispose any horticultural crop grow-up by the tribal community residing in the inaccessible remote area in hilltop.</p> <p>4. Further government has leased out a bauxite mines to M/s Vedanta limited, which is located at the hilltop of same landscape. This road will provide</p> |

**Odisha Industrial Infrastructure Development Corporation**  
(A Government of Odisha Undertaking)  
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**True Copy Attested**

*[Signature]*  
Divisional Forest Office  
Rayagada Division

Sri Ashok Kumar Mishra  
Consultant-cum-CGM(Env)



|             |  | <p>access to the ML area for operationalization of the mines. The road proposed is solely not meant for the Vedanta limited, for which it is going to be constructed by the state PWD department.</p> <p>5. The project should not be considered as a stand alone linear project of Sijimali mine rather it should be treated as normal linear road project</p> <p>6. From the above points it does not attract the provision of sub-para (f) of para 7.8 of Chapter 7 of Consolidated Guidelines and Clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023.</p> |  |          |           |             |               |                 |           |                |                 |
|-------------|--|---|--|----------|-----------|-------------|---------------|-----------------|-----------|----------------|-----------------|
| 2           | 6.07 ha non-forest Govt. land identified for CA in village Tingarjhola under Kolanara Tahasil out of which 3.0 ha is non-forest category (DSS Analysis report) and balance area is MDF/ VDF. But the DFO, Rayagada Forest Division has proposed to plant 1214 Nos. of plant over entire non-forest land in ANR mode @ 200 seedlings per ha. So, it needs clarification from DFO, Rayagada Forest Division. |   |  |          |           |             |               |                 |           |                |                 |
| 3           | The Joint verification report of Non-Forest Govt. land identified in village Tingarjhola under Kolanara Tahasil duly signed by both the forest and revenue officials is not enclosed.  | JV Report Attached  |  |          |           |             |               |                 |           |                |                 |
| 4           | The GPS reading of the start and end point of the road has not been enclosed with the proposal.  | <table border="1"> <thead> <tr> <th></th> <th>Latitude</th> <th>Longitude</th> </tr> </thead> <tbody> <tr> <td>Start Point</td> <td>83° 6' 5.532"</td> <td>19° 30' 27.829"</td> </tr> <tr> <td>End Point</td> <td>83° 5' 15.470"</td> <td>19° 30' 37.983"</td> </tr> </tbody> </table>  |  | Latitude | Longitude | Start Point | 83° 6' 5.532" | 19° 30' 27.829" | End Point | 83° 5' 15.470" | 19° 30' 37.983" |
|             | Latitude   | Longitude   |  |          |           |             |               |                 |           |                |                 |
| Start Point | 83° 6' 5.532"  | 19° 30' 27.829"   |  |          |           |             |               |                 |           |                |                 |
| End Point   | 83° 5' 15.470"   | 19° 30' 37.983"   |  |          |           |             |               |                 |           |                |                 |

Encl: As above

Yours faithfully,

Consultant-cum-CGM(Env)

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Divisional Forest Officer  
Rayagada Division

**Sri Ashok Kumar Mishra**  
**Consultant-cum-CGM(Env)**



**Memo No. \_\_\_\_\_ / Date: 17/04/2025**

Copy submitted to the Addl PCCF, Nodal, FC Act, O/o the PCCF for kind information & necessary action, with reference to memo No.2077, dt.16/04/2025 of Divisional Forest Officer, Rayagada Forest Division.

**Consultant-cum-CGM(Env)**

**Memo No. \_\_\_\_\_ / Date: 17/04/2025**

Copy submitted to the RCCF, Koraput Circle, Koraput for kind information & necessary action, with reference to memo No.2076, dt.16/04/2025 of Divisional Forest Officer, Rayagada Forest Division.

**Consultant-cum-CGM(Env)**

**Memo No. \_\_\_\_\_ / Date: 17/04/2025**

Copy forwarded to the CGM(Land), IDCO for information & necessary action.

**Consultant-cum-CGM(Env)**

**Memo No. \_\_\_\_\_ / Date: 17/04/2025**

Copy forwarded to the Project Head- Sijimali Bauxite Mine, M/s Vedanta Ltd., 5<sup>th</sup> Floor, Module C/2, Fortune Towers, Chandrasekharpur, Bhubaneswar for information and necessary action.

**Consultant-cum-CGM(Env)**

**True Copy Attested**

*[Signature]*  
 Divisional Forest Officer  
 Rayagada Division

**JOINT FIELD VERIFICATION MEMORANDUM OF TAHASILDAR KOLNARA, REVENUE SUPERVISOR KOLNARA, REVENUE INSPECTOR REKHAPADAR, FORESTER REKHAPADAR, FOREST GUARD, REKHAPADAR, FOR IDENTIFICATION OF GOVT. WASTE LAND FOR AFFORESTATION**

In pursuance of instructions of higher authorities for identification of suitable patch of degraded forest land for compensatory afforestation, a joint field visit has been made on 24.04.2024 comprising of forest and Revenue department personnel. During land identification, the following schedule of land is verified on the spot and found feasible for compensatory afforestation. The schedule of land is given below.

| MOUZA        | KHATA No. | RECORDED TENENT | PLOT No. | KISSAM | TOTAL AREA IN Ac. | PROPOSED AREA IN Ac. |
|--------------|-----------|-----------------|----------|--------|-------------------|----------------------|
| Tingarjholla | 13        | PAHADA AAA      | 13       | PAHADA | 30.00             | 15.00                |
|              |           |                 | 14       | PAHADA | 42.32             | 30.00                |
|              |           |                 | 15       | PAHADA | 25.62             | 15.00                |
|              |           |                 | 62       | PAHADA | 21.40             | 15.00                |
|              |           |                 | 68       | PAHADA | 15.00             | 10.00                |
|              |           |                 | 69       | PAHADA | 11.65             | 10.00                |
| <b>Total</b> |           |                 |          |        | <b>Ac.145.99</b>  | <b>Ac.95.00</b>      |

As per gazette the identified land below 25 Ha. Hence the land is net but to 2 inchness on the land bank

*[Signature]*  
 FORESTER  
 Kuntelpeta Section

*[Signature]*  
 24.4.24  
 TAHASILDAR, KOLNARA  
 TAHASILDAR, KOLNARA

*[Signature]*  
 FOREST GUARD

*[Signature]*  
 REVENUE SUPERVISOR, KOLNARA  
 Kolnara Tahsil

FOREST GUARD

*[Signature]*  
 REVENUE INSPECTOR, REKHAPADAR

**True Copy Attested**

*[Signature]*  
 Divisional Forest Officer  
 Rayagada Division



## VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN ZONE  
BENCH, KOLKATA

Appeal No. 04/2026

In re:

Munidei Majhi & ors.

... APPLICANTS

Versus

Ministry of Environment, forest and Climate change & Ors

... RESPONDENT:

KNOW ALL to whom these presents shall come that I, Sachin Annasaheb Ohol, presently working Divisional Forest Officer, Rayagada Forest Division, on behalf of Respondent No. 2, the Principal Secretary, Forest, Environment & Climate Change Department, Odisha, one of the above-named respondents, do hereby appoint: -

Utkarsh Chandra, Advocate, D/ 13059/ 2023  
C-24, Nangal Dewat, Vasant Kunj, Sector - D,  
Vasant Kunj, New Delhi, Delhi - 110070.  
Mobile No. 8917347515; E-mail: [chandra.utkarsh06@gmail.com](mailto:chandra.utkarsh06@gmail.com)

(Hereinafter called the advocate/s) to be my/ our Advocate in the above noted case and authorize him: -  
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 pleading, appeal cross objections or petitions for execution 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.

To file and take back documents to admit and/ or deny the documents of opposite party.

To withdraw or compromise the said case or submit 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, cheque, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the 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 think 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 or his 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 the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

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 the Advocate remaining unpaid he shall be entitled to withdraw from 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 once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 23<sup>rd</sup> day of April 2026.

Accepted subject to the terms of fees.

Advocates: -

Utkarsh  
Utkarsh Chandra

D/13059/2023

Sanjay Kumar Singh  
Sanjay Kumar Singh

D/842/97 (R)

Sachin Annasaheb Ohol  
Client 23.4.26  
Divisional Forest Officer  
Rayagada Division

