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

**MEMORANDUM OF APPEAL**

(**Under Sections 16(e) read with 18(1) of the National Green Tribunal Act, 2010)**

**Appeal No.** 17 **of 2026**

Munidei Majhi & 3 Ors. …Appellants

-Vs-

The Ministry of Environment, Forest and Climate Change & 4 Ors.

…Respondents

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//Certified to be True Copies of the respective originals//
Dated on this 13th day of July 2026

Through
A Yogeshwaran
Counsel for the Appellants
Ph : 9566254546 | Email : yogeshwaranadv@gmail.com

**Annexure - A30**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 04/2026/EZ**

IN THE MATTER OF:

Munidei Majhi and 3 Ors.

...Applicants

Versus

The Ministry of Environment, Forest and Climate Change & 3 Ors.

....Respondents

NOTARY S. Chaudhuri Bidhannagar Court Kolkata Regd. No.-6584 Exp. Dt.-21-08-2028 GOVT. OF INDIA

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Place: Kolkata

Dated: 23rd March, 2026

Respondent No. 1

Through

Anamika Pandey

Advocate

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 04/2026/EZ**

NOTARY
S. Chaudhuri
Bidhannagar Court
Kolkata
Regd. No.-6584
Exp. Dt.-21-08-2026
GOVT. OF INDIA

IN THE MATTER OF:

Munidei Majhi and 3 Ors.

...Applicants

Versus

The Ministry of Environment, Forest and Climate Change & 3 Ors.

....Respondents

BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST-NORTH 24 PARGANAS

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1, MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE (MOEF&CC).**

**MOST RESPECTFULLY SHOWETH:**

I, Shri Sujoy Dutta, S/o Shri Samir Dutta, aged about 45 years, working as Assistant Commissioner (Forestry) at the Sub office Kolkata of Bhubaneswar Regional Office under the Ministry of Environment, Forest & Climate Change, having its office at IB – 198, Sector- III, Salt Lake City, Kolkata - 700 106 do hereby solemnly affirm and state on oath as under: -

1. That I am the Respondent No. 1 in the above-mentioned Original Application and am well acquainted with the facts of the case based on official records. I am competent and duly authorised to swear this affidavit.

2. That the averments made in the Original Application, insofar as they relate to Respondent No. 1, are denied except those which are specifically admitted herein.

3. That the present affidavit is being filed on behalf of Respondent No.1 – Ministry of Environment, Forest and Climate Change (MoEF&CC) in response to the appeal filed by the appellants challenging the Stage-I (In-Principle) approval dated 05.01.2026 granted under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 4.911 ha of forest land for construction of an access road from Sijimali Bauxite Mines (Hill Top) to SH-44 in Rayagada District, Odisha.

4. That the impugned approval was granted after due examination of the proposal submitted by the Government of Odisha through the PARIVESH portal, in accordance with the provisions of the Forest

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(Conservation) Act, 1980, rules made thereunder, and the applicable guidelines.

5. That the appellants have alleged that the proposal for diversion of forest land for construction of the access road ought not to have been considered separately and that the same should have been treated as part of the mining project.

**STATEMENT OF FACTS:**

6. That it is submitted that the proposal for diversion of 4.911 hectares of forest land for construction of an access road from Sijimali Bauxite Mines (Hill Top) to SH-44 was submitted by the State Government of Odisha through the PARIVESH portal under Online Proposal No. FP/OR/OTHERS/523366/2025, with Odisha Industrial Infrastructure Development Corporation (IDCO) as the user agency.

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7. That the proposal was examined by the Ministry based on the records and recommendations forwarded by the State Government, including compliance submitted in response to the queries raised by the Ministry through the PARIVESH portal.

8. That the proposal was considered by the Advisory Committee (AC) in its meeting dated 30.07.2025. After detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhubaneswar and Nodal Officer, Government of Odisha, the Committee deferred the proposal with the following observation:

*The proposed road is primarily designed to support the movement of heavy vehicles for the mineral evacuation from the Sijimali Bauxite 98 11-91/2012FC I/126445/2025 Mine. Therefore, the proposal for road construction can only be considered once the proposal for the diversion of forest land for the said mining lease is approved. The State government shall therefore submit the proposal after obtaining the in-principle approval for the diversion of forest land in the Sijimali Bauxite Mine.*

9. That the proposal was returned to the State Government online on 07.08.2025 through the PARIVESH portal with the observation that the State government shall therefore submit the proposal after obtaining the in-principle approval for the diversion of forest land in the Sijimali Bauxite Mine.

10. That the Advisory Committee in its meeting dated 2.12.2025, after due diligence, has recommended the proposal of Sijimali Bauxite Mine for "Stage-I/ In-principle" approval subject to conditions.

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11. That thereafter, the State Government through the office of the Principal Chief Conservator of Forests & HoFF, Odisha again submitted the road proposal with the reply vide letter dated 17.12.2025, stating that the Advisory Committee in its meeting held on 02.12.2025 had already recommended the Stage-I (in-principle) approval for diversion of 708.204 ha of forest land for the Sijimali Bauxite Mine.(A copy of the compliance communication is annexed herewith as **Annexure R-1**.)

12. That, subsequently, based on the recommendation of the Advisory Committee and as per the approval of the competent authority, the Ministry conveyed Stage-I (In-Principle) approval on 31.12.2025 for diversion of 708.204 hectares of forest land (564.581 ha in Rayagada Forest Division and 143.623 ha in Kalahandi (South) Forest Division) for the Sijimali Bauxite Mining Project in favour of M/s Vedanta Limited, subject to fulfilment of stipulated conditions under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. (A copy of the said approval is annexed herewith and marked as **Annexure R-2**.)

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13. That the State Government therefore clarified that since the mining proposal had already obtained Stage-I approval dated 31.12.2025, the proposal for diversion of forest land for construction of the access road could now be considered further in accordance with the statutory procedure.

14. It is humbly submitted that the Regional Office of the Ministry proceeded to process the proposal for diversion of 4.911 hectares of forest land for the access road, and accordingly, the Ministry granted Stage-I (in-principle) approval dated 05.01.2026 for diversion of 4.911 ha of forest land for construction of the said access road, subject to strict conditions including compensatory afforestation, payment of Net Present Value (NPV), soil conservation measures, and mandatory compliance with the Forest Rights Act, 2006 prior to Stage-II clearance. A copy of the said approval is annexed herewith and marked as **Annexure R-3.**

15. It is humbly submitted that the Advisory Committee considered both proposals viz., the road project and the mining project, in a comprehensive manner. After due diligence, in-principle approval for the mining proposal was granted by the Central Government on 31.12.2025, followed by Stage-I approval for the road project on 05.02.2026. This approach reflects that the Advisory Committee examined the matter holistically, with due diligence, to avoid any fait accompli situation.

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16. That it is further submitted that the grant of Stage-I approval dated 05.01.2026 does not permit commencement of any activity on the forest land unless the user agency fulfils the stipulated conditions and obtains working permission from the State Government, thereby ensuring that statutory safeguards relating to forest conservation, compensatory afforestation and compliance with the Forest Rights Act, 2006 are fully complied with prior to diversion of forest land.

17. That therefore the allegation of the appellants that the Ministry has granted approval without due consideration or in violation of law is incorrect and denied. The proposal was processed strictly in accordance with the statutory procedure and after receipt of recommendations from the State Government.

18. It is also pertinent to mention that the Hon'ble NGT in its order dated 7.11.2012 in Appeal No. 7 of 2012 in the matter of Shri Vimal Bhai and other vs Union of India and other inter-alia observed as under:

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19. Cumulative reading of Section 2 (A) of the FC Act and 16(e) of the NGT Act, leads to an irresistible conclusion that under the said Sections an Appeal is provided for only against an order passed by the State Government or other authorities. In other words, the Legislature in its wisdom has kept the order of approval/clearance passed by the Central Government under FC Act beyond the scope of appeal.

20. In view of the discussions made above and reasons assigned we come to the conclusion that the order dated 08th November, 2011 (Annexure A/1), according Stage - I Forest Clearance cannot be assailed by filing an Appeal at this stage and as such the present Appeal is premature and has to be dismissed. Liberty is however granted to the Appellants to prefer an Appeal as and when the State Government passes the final order, permitting the Project Proponent to use the Forest land for nonforest purpose, if they feel aggrieved. In the event such an Appeal is filed, it would be open for the said Appellants to raise all the points which have been raised in the present Appeal and also other points which would be available to them in law and also bring to the notice the infirmities/omissions and commissions committed by the MoEF (Central Government) while granting Stage - I and Stage - II forest clearances.

Therefore, the instant appeal challenging the Stage I Approval of the Central Government is premature, not maintainable and liable to be

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quashed in light of the aforesaid order of the Hon'ble NGT. (True copy of the order dated 07.11.2012 of the Hon'ble NGT is annexed herewith and marked as Annexure R-4.)

That the Answering Respondent craves leave to file additional documents or information, if necessary, *pendente lite*.

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Sujoy Dutta
**DEPONENT**

**VERIFICATION**

I, the Deponent above named, do hereby verify that the contents of the above Affidavit are true and correct to my knowledge and belief derived from official records, and that nothing material has been concealed therefrom.

Verified at Kolkata on this 23rd day of March, 2026.

Sujoy Dutta
**DEPONENT**

S. CHAUDHURI
★NOTARY★
GOVT. OF INDIA
Regd. No.-6584/06
Bidhannagar Court
Dist.-North 24 Pgs

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**Annexure - A31**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

Appeal No. 04 of 2026

**IN THE MATTER OF:**

Munidei Majhi & 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**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

Appeal No. 04 of 2026

**IN THE MATTER OF:**

Munidei Majhi & ors. ... **PETITIONER**

**Versus**

Ministry of Environment, Forest and Climate Change & 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 Respondnent 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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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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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

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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.

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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.

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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

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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

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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

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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 cor.1sideration 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.

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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.

NOTARY, RAYAGADA-765001 BRAJA SUNDAR NAYAK Reg. No.ON-84/2009 Exp.20.05.2029 GOVT. OF ODISHA

23.4.26

DEPONENT

Divisional Forest Officer
Rayagada Division

**VERIFICATION**

NO: 4129 DATE: 24.04.26 TIME: 12.00 pm

Solemnly verified at Rayagada on this 23rd 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.

भारत INDIA एक रुपया ONE RUPEE Re.1

23.4.26

DEPONENT

Divisional Forest Officer
Rayagada Division

Braja Sundar Nayak
NOTARY, Rayagada-Odisha

Annexure-A/12

Through E-mail

STATE FOREST HEADQUARTERS, ODISHA
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS & HOFF
PLOT NO.GD-2/12, ARANYA BHAWAN, CHANDRASEKHARPUR
BHUBANESWAR-751023
E-mail: nodal.pccfodisha@gmail.com

Memo No. 8467 /9F(Others)-343/2025
Dated, Bhubaneswar, the 15th 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/ 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 (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

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 Foersts, 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.

15/4/2025
Chief Conservator of Forests (Nodal)

Memo No. 8469 /Dt. 15.04.2025

Copy forwarded to the Consultant (Env.), IDCO, Bhubaneswar for information.

15/4/2025
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, 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 Diversion & 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)**

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11044

**No. HO-CGM(Env)/394/2024** **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) Adhiniyam, 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 (I) (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. | 1. There are 5 villages namely Dumerpadar, Porlang, Sagabari, Bichapinda & 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.<br>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.<br>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.<br>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 |

**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
IDCO, IDCO Towers, Janpath, Bhubaneswar – 751022, Odisha, INDIA
+91- 0674 - 2541525, 2540820 | Fax: 2542956 / 2541982
cgmenv@idco.in | www.idco.in

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Divisional Forest Officer
Rayagada Division

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

| | | |
|---|---|---|
| | | 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.<br>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<br>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) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023. |
| 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. | **Latitude** / **Longitude**<br>**Start Point**: 83° 6' 5.532" / 19° 30' 27.829"<br>**End Point**: 83° 5' 15.470" / 19° 30' 37.983" |

**Encl: As above**

Yours faithfully,

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

**True Copy Attested**

Divisional Forest Officer
Rayagada Division

**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
IDCO, IDCO Towers, Janpath, Bhubaneswar – 751022, Odisha, INDIA
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**Sri Ashok Kumar Mishra**
**Consultant-cum-CGM(Env)**

idco Your power to grow ISO 9001 & 14001 Corporation | ODISHA NEW OPPORTUNITIES

**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., 5th Floor, Module C/2, Fortune Towers, Chandrasekharpur, Bhubaneswar for information and necessary action.

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

**True Copy Attested**

Divisional Forest Officer
Rayagada Division

**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
IDCO, IDCO Towers, Janpath, Bhubaneswar – 751022, Odisha, INDIA
+91- 0674 - 2541525, 2540820 | Fax: 2542956 / 2541982
cgmenv@idco.in | www.idco.in

**JOINT FIELD VERIFICATION MEMORANDOM OF TAHASILDAR KOLNARA, REVENUE SUPERVISOR KOLNARA, REVENUE INSPECTEOR 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 compromising 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 |
| Total | | | | | Ac.145.99 | Ac.95.00 |

It is geeddative the identified land below 25 Ha. Hence the land is not bifurcated in the land bank

FORESTER
Kumtelpeta Section

TAHASILDAR, KOLNARA
TAHASILDAR, KOLNARA

Priyanka Behera, Tarabai beat
FOREST GUARD

REVENUE SUPERVISOR, KOLNARA
Revenue Supervisor
Kolnara Tahasil

FOREST GUARD

REVENUE INSPECTOR, REKHAPADAR

True Copy Attested

Divisional Forest Officer
Rayagada Division

₹2
NCT OF DELHI COURT FEE
DLCT1236471L2405N
12-DEC-2024

# 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 Secretar Forest, Environment & Climate Change Department, Odisha, one of the above-named respondents, do here 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**

(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 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 23rd day of April 2026.

Accepted subject to the terms of fees.

**Advocates: -**

Utkarsh Chandra
D/13059/2023

Sanjay Kumar Singh
D/842/97 (R)

23.4.26
Client
Divisional Forest Officer
Rayagada Division

**IN THE NATIONAL GREEN TRIBUNAL**
**EASTERN ZONE BENCH AT KOLKATA**

**APPEAL NO. 04/2026**

**Munidei Majhi and Others** **Appellant(s)**

**Versus**

**MoEF&CC & Ors** **Respondent(s)**

| Sr No | Particulars | Dated | Pages |
|---|---|---|---|
| 1. | Affidavit of Odisha Industrial Infrastructure Development Corporation | **19.05.2026** | |
| 2. | | | |

**On behalf of Respondent No. 3**

**Kolkata**
**Date:**

**Through**

**IN THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH AT KOLKATA**

**APPEAL NO. 04/2026**

**Munidei Majhi and Others** **Appellant(s)**

**Versus**

**MoEF&CC& Ors** **Respondent(s)**

**AFFIDAVIT ON BEHALF OF THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION, RESPONDENT NO.3**

I, Harischandra Rout, son of Late Birabhadra Rout, aged about 57 Years, presently posted as Addl. C.G.M.(Land) I/c C.G.M.(Environment) having my office at Odisha Industrial Infrastructure Development Corporation(IDCO), IDCO Tower, Janpath, Bhubaneswar, Dist-Khordha do hereby solemnly affirm and state on oath as under:

1. That I am duly authorised by Respondent No.3 Corporation, in the above captioned matter and competent to swear this Affidavit on his behalf and as such I am otherwise well acquainted with the facts and circumstances of the case
2. As such, save what would be borne out by the admitted records or what may be specifically admitted by me hereinafter, all statements and/or allegations contained in the said Affidavit should be deemed to have been denied and disputed by me as if each one has been set out hereunder and denied in seriatim.

Harischandra Rout
Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

Sensitivity: Public (C1)

3. That it is submitted that there is no illegality in the grant of Stage-I Forest Clearance to the Respondent Corporation and the same has been done in accordance with the due procedure as laid down by the law. In this regard, a brief background of the Respondent Corporation is being given to lay down the position of law in this regard.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

4. The Respondent Corporation was established in the year 1981 under the provisions of the Odisha Industrial Infrastructure Development Corporation Act, 1980 with the specific objective of creating industrial infrastructure facilities in the identified Industrial Estate/Areas for rapid and orderly establishment and growth of Industries, trade and commerce. It has been declared as the Nodal Agency for providing industrial infrastructure in the State of Odisha, which is the reason for the said Respondent Corporation to be the project proponent for the road in question.

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Govt. of Odisha
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Valid till.
3/5/2031
BHUBANESWAR

5. Moreover, it is submitted that the Respondent Corporation is also the nodal agency for providing land to large projects in the Industrial Estate and Areas. It arranges to obtain or acquire land for all such projects in any location of the State for establishment and smooth operation of industries.

6. The answering Respondent also submits that the proposed road which includes the diversion of a small patch of 4.911

Sensitivity: Public (C0)

ha of forest land in favour of the answering Respondent, is an important utility project as it is intended not only for the transportation of industrial goods but also connected through State Highway-44 (SH-44) and an existing rail network which will facilitate better public convenience.

7. It is humbly submitted that the acquisition of land for development of linear projects, including roads, is one of the functions of the answering Respondent. Moreover, a perusal of Section 14 (ii) (c) of the OIIDC Act, 1980 will reveal that one of the functions of the Corporation is to undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith. This provision clearly enables and empowers the Respondent Corporation to obtain the approval for constructing any road including any access road for industrial development within the State, which will be beneficial for the public at large.

Add. Chief General Manager (Land)
IDCO, Bhubaneswar

19/5/26

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**PRELIMINARY OBJECTIONS:**

1. It is submitted that the Appeal challenges a Stage–I, i.e. in-Principle approval/Forest Clearance which is granted subject to the conditions imposed by the Ministry of Environment, Forests and Climate Change vide the **Annexure-R3-1** and after compliance of all such

Sensitivity: Public (C1)

conditions Ministry of Environment, Forests and Climate Change have granted Stage-II clearance of Forest Diversion Proposal vide **Annexure-R3-2.**

2. That the Divisional Forest Officer has stipulated mandatory safeguards to be undertaken by the Project proponent which have been laid down in the Working Permission. It is specifically stated that no tree felling, removal of vegetation or execution of any activity involving damage to forest produce shall be undertaken without prior written approval of the competent authority. The said Working Permission also mandates the strict adherence to all applicable provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the Rules of 2023 and the Stage-I approval conditions. It is submitted that there is no violation of any of the conditions of the working permission. Copy of letter of DFO Rayagada is enclosed at **Annexure-R3-3.**

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

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3. The answering Respondent undertakes to abide by all the conditions imposed upon it.

**In the process of Forest Diversion Proposal, the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been complied and Certificate in that respect has been issued by the Collector-Cum**

Sensitivity: Public (C1)

**Chairperson, DLC, FRA, Rayagada as enclosed at Annexure-R3-4.**

**PARA WISE REPLY:**

1. That the contents of paragraph No.1 needs no reply as they are matters of record.
2. That the contents of paragraph No.2 are denied. It is submitted that there is no illegality in the Respondent No.3 applying for and obtaining forest clearance. It has been decided in the meeting held on dated 21.04.2024 under the chairmanship of Chief Secretary, Odisha to acquire the parcel of land, required for construction of road from Sijimali Mines Top to SH-44. As per the decision taken, IDCO will acquire the required quantum of land and transfer the same to Govt. in P.W Deptt., and further NOC will be issued in favour of M/s Vedanta Ltd for construction of the said Road. As the proposed road will be owned by the Govt. of Odisha in Public Works Department, IDCO requested Chief Engineer, DPI Road, Bhubaneswar to issue necessary instruction to the Executive Engineer, PWD Rayagada to conduct the detailed survey and submit the required land details for the proposed road. In response to IDCO letter, The Executive Engineer Rayagada (R&B) Division No-I has submitted the land schedule, Road alignment with Revenue Maps and approved alignment reports for the

Addl. Chief General Manager (Land)
IDCO. Bhubaneswar

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proposed land. Accordingly IDCO has filled land alienation/acquisition proposal in respect of land measuring Ac.27.957 (i.e. Non Forest Govt. land-Ac.15.426, Forest land-Ac.12.135 &Pvt. land-Ac.0.396) under Kashipur Tahasil in Rayagada district. Since, Public Works Department, Govt. of Odisha is the owner of the road, IDCO on behalf of State Government has filed Forest Diversion Proposal for non forestry use of 4.911 Ha of forest land coming within the Road alignment. And the road is also meant for public use apart from transportation of Bauxite from Sijimali Mines. Further, IDCO has filed Forest Diversion Proposal on behalf of Govt. (as the land will be owned by the Govt. in Public Works Deptt.) in respect of Forest land measuring Ac.12.135 (4.911 Ha). In the mean time Govt. of India in MOEF C&C Deptt. have granted Stage-II clearance in respect of the applied Forest land for its non-forest use. The Appellant have filed a separate Appeal against the Stage II Clearance.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

19/5/26

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The impugned portion of the road is part of a 35 km stretch of road to facilitate industrial use among other regular uses of a regular road under the control and ownership of the Public Works Department. The said road is proposed to be constructed by M/s Vedanta Limited as directed by the State Government, as minuted in the

Sensitivity: Public (C1)

meeting dated 24.01.2024 of the Chief Secretary,Odisha wherein the statutory clearances and its responsibility is of the answering Respondent No. 3, the financial cost of construction will be borne by R4 M/s Vedanta Limited. Copy of the Minutes is enclosed at **Annexure-R3-5**.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

3. That the contents of the said paragraph No.3 do not pertain to the Respondent Corporation, hence needs no reply.
4. That the contents of the said paragraph No. 4 are denied. It is submitted that the Respondent Corporation has not masqueraded as the User Agency, but in fact is the nodal agency for undertaking infrastructure development in the State. Further, in this regard, the contents of para 4-7 in the preceding section are reiterated and not being repeated for the sake of brevity.
5. That the contents of the said paragraph are denied. It is reiterated that the said road obviously is not for exclusive use of R 4 but for public use as well and is part of the larger road and rail network. Moreover, the said road, once constructed, will be under the ownership/custodianship of the PWD as clarified by the Minutes of the Meeting dated 24.01.2024 headed by the Chief Secretary of the State of Odisha.

19/5/2026

SEAL OF THE NOTARY PUBLIC
N. K. Panda
Govt. of Odisha
Regd. No.-12/95
Valid till - 31/5/2031
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6. That the contents of the said paragraph No. 6 do not pertain to the Respondent Corporation. However, it is

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submitted that there is no prohibition under the Guidelines of 2023 as mentioned by the Appellant for considering approach roads such as the subject road as part of the mining projects as stand-alone projects. Further, it is submitted that:-

i. 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 access to the Mining Lease area for operationalization of the mines. The road proposed is solely not meant for the Vedanta limited, for which is going to be constructed by the state Public Works Department.

ii. The project should not be considered as a standalone linear project of Sijimali mine rather it should be treated as normal linear road project.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

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7. That the contents of the said paragraph No. 7 are matters of record. However, it is submitted that the Appellant has only selectively reproduced a part of the Guidelines 7.8 and has not reproduced para 7.8 (f)(4) which reads as follows:

*.....4. The State Government/User Agency shall ensure that dispensation considered by the Ministry is not misused in any way and likely tendencies to detach linear projects from main proposal of mining should not be encouraged. To the extent possible,*

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*linear infrastructure such as roads/railways/conveyor belts, etc. ancillary to mining should be included in the main proposal* ***and under inevitable circumstances only, such proposals submitted by the User Agency should be considered as standalone projects.***

That this makes it clear that there is no absolute prohibition per se in the law and there is an exception carved out to treat linear projects as standalone projects. Such cogent reasons were already given and have been considered by the FAC to grant the Stage I clearance. Notwithstanding the Preliminary Objections of the Respondent No. 3, it is submitted that there is no anomaly in the Stage I clearance granted by the Respodnent No 1.

8. That the contents of the said paragraph No. 8 are denied in view of the submissions made in the preceding paragraphs.
9. That the contents of the said paragraph No. 9 deserve no response.
10. That the contents of the said paragraph No. 10 does not relate to the answering Respondent hence deserve no response.
11. That the contents of the said paragraph No. 11 does not relate to the answering Respondent hence deserve no response.

Hemi Chandra Rath
Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

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12. That the contents of the said paragraph No. 12 are denied. The contents of the preliminary objections in para 1-3 are reiterated as true and correct and may be read along with the response to this paragraph.

13. That the contents of the said paragraph No. 13 are denied, save what are matters of record. It is reiterated that while the road is essential for the evacuation of mined material as and when such legal mining is made possible, the subject road, once constructed, will be owned by the PWD for various other public purposes.

14. That the contents of the paragraph No.14, 15, 16,17,18 19 & 20 merit no response as it do not pertain to the answering respondent.

15. That in response to the Paragraph no.21, contents of the preliminary submissions may be read as a response to this paragraph.

16. That in response to the contents of the paragraph No.22, it is submitted that, the process followed up to the grant of Stage I of the Forest Clearance is in accordance with law. It is reiterated that ultimately the road is being constructed for the benefit of the public at large and would be owned by the State Public Works Department.

17. That the contents of the Paragraph No.23 is a matter of record and as per the decision taken at Govt. level i.e. as

Harischandra Rut
Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

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per the minutes of meeting held under the chairmanship of Chief Secretary, Odisha as mentioned above.

18. That the contents of the paragraph No.24 merit no response as it is a matter of record. However, admittedly on 24.01.2024 under the Chairmanship of the Chief Secretary, Odisha, the answering Respondent among others agreed that the land for the access road project would be acquired by the Respondent Corporation while the ownership would ultimately get transferred to the Public Works Department of the State. It is again clarified that ultimately the road project is being developed for the long-term purpose of enhancing connectivity in the region. The proposed road, will cross existing village roads at multiple locations to supplement the movement of the village community apart from facilitating industrial development in the region.

Harischandra Rath
Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

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19. That the contents of the paragraph No.25 merit no response except what is a matter of record. The contents of the preliminary objections may be read as part of the response to this paragraph.

20. That the contents of the paragraph No.26 are matters of record and merit no response to that extent. It is submitted that, Forest Diversion proposal has been filled by the Respondent Corporation on the basis of land

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details obtained from the concerned Executive Engineer Rayagada, R&B Division-I.

21. That the contents of the paragraph No. 27 are denied as wrong, false and misleading. The detailed contents of paragraph no.07 of the preliminary submissions are reiterated as true and correct and may be read along with the response to this paragraph.

22. That the contents of the paragraph 28 are denied, save matters of record. That it submitted that Section 2(g) *interalia* defines 'engineering operations' which includes the formation or laying out of "means of access to a road", among others. Further, Section 2(f) defines '*development*' to mean the carrying out of building, engineering, quarrying or other operations in, on over or under land and includes redevelopment. Thus, development clearly includes undertaking engineering operations such as 'means of access' for development of roads. This is also one of the primary functions of IDCO as per Section 14(i) of the IDCO Act, 1980 which requires IDCO to promote and assist in the rapid and orderly establishment, growth and development of industries, trade and commerce in the State. Further as per Sec-15 of the said Act- The Corporation to acquire and hold such property, both movable and immovable, as the Corporation may deem necessary for the performance of

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any of its activities, and to lease, sell, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the Corporation. Additionally, it is pertinent to submit that a perusal of Section 14 (ii) (c) of the Act will reveal that one of the functions of the Corporation is to undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith. This provision clearly enables and empowers the Respondent Corporation to obtain the approval for constructing the access road, which will not only be beneficial for any industrial development such as Vedanta, but also for the public at large.

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23. That the contents of paragraph No.29 deserve no specific response. The contents of the preliminary objections may be read as part of the response to this paragraph.

24. That the contents of paragraph No.30 deserve no specific response. The contents of the preliminary objections may be read as part of the response to this paragraph. Hence no comment is offered.

25. That the contents of paragraph No.31 is vehemently denied and it is reiterated that the position taken by the officers is in accordance with law and while the subject road

will facilitate industrial development in the State, it is also being built for the larger public purpose of connectivity. The Appellants have given no cogent reason for rendering the Stage-I Clearance illegal.

26. That the contents of the paragraph No.32 are denied for the reasons mentioned in the preliminary submissions.

27. That the contents of paragraph No.33 are denied except what are matters of record. A reference to a road which will also enable the evacuation of mining material does not render it illegal if the clearance is also being granted for larger public service.

28. That the contents of paragraph No.34 are denied except what is matter of record.

29. That the contents of paragraph No.35 are denied except what is matter of record.

30. That the contents of paragraph No.36 is denied as it does not relate to the answering Respondent.

31. That the contents of paragraph No.37 has no relevance to the present list and hence there is no need to reply.

32. That the contents of paragraph No.38 is totally denied except what is matters of record and it is further submitted that a due process has been followed for the subject road with a detailed application of mind by the competent authorities.

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33. That the contents of the paragraph No.39 are denied as devoid of any merit.

34. That the contents of Paragraph No.40 is completely denied and the record shows that there is total application of mind before granting the impugned clearance which in any case cannot be challenged at this stage.

35. That the contents of paragraph No.41 is totally denied and the record shows that there is total application of mind before granting the impugned clearance which in any case cannot be challenged at this stage.

36. That the contents of the paragraph No.42 are denied. It is submitted and humbly reiterated that there is complete compliance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as is evidenced by the Letter dated 31.01.2025. In the process of Forest Diversion Proposal, the provisions of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been complied and Certificate in that respect has been issued by the Collector-Cum Chairperson, DLC, FRA, Rayagada as enclosed at **Annexure-R3-4**.

37. That the contents of the paragraph No.43 are vehemently denied. In any case, the construction of a road which is part of a larger network for public welfare can never

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result in destruction of traditional beliefs, cultural and religious practices of any communities.

38. That the contents of the paragraphs under the heading 'Grounds' are summarily denied in view of the submissions made in the instant pleading. That the averments which have not been specifically denied is hereby denied.

39. That in view of the submissions made here in above, this Appeal may be dismissed as such by this Hon'ble Tribunal.

40. That This Deponent also reserves the right to file the further affidavit as and when necessary.

41. That I state that the contents of the present Affidavit have been drafted by my counsel basing on official records available and the contents of the same are true to my knowledge and nothing material has been concealed there from.

Harischandra Rout
DEPONENT
19.05.2026.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

The above named deponent being identified by ....R. Rath.... Adv. Appears before me and states on oath that the contents of this affidavit are true to the best of his/her knowledge.

19/5/2026
Notary Public / Executive Magistrate, BBSR

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Annexure - R3-1

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**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional Office, Bhubaneswar**

Online Proposal No.: **FP/OR/OTHERS/523366/2025**

Dated: **05/01/2026**

To,

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar-751 001

**Subject:** **Stage-I/In-principle approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to State Govt. letter No.FE-DIV-FLD-0025-2025-10894/FE&CC dated 09.05.2025, PCCF&HoFF, Odisha's letter No.11767/9F (Others)-343/2025 dated 29.05.2025, letter No.25316/9F(Others)-343/2025 dated 17.12.2025 and Online Proposal No. FP/OR/OTHERS/523366/2025 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under Section 2 (1)(ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment, Forest & Climate Change hereby conveys ***'Stage-I/in-principle'*** approval under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use 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, subject to the fulfillment of the following conditions:

**1. General Conditions**

| S. No | Conditions |
|---|---|
| 1.1 | Legal status of forest land proposed for diversion shall remain unchanged. |
| 1.2 | The user agency shall transfer online, the Net Present Value (NPV) of 4.911 ha forest |

| S. No | Conditions |
|---|---|
| | land being diverted under this proposal, 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.5-3/2011-FC (Vol-I) dated 06.01.2022 and 22.03.2022. The requisite funds shall be transferred through online portal in CAMPA account of the State concerned. |
| 1.3 | At the time of payment of Net Present Value (NPV) at the then prevailing 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. |
| 1.4 | The Govt. non forest land of 6.07 ha identified in village Tingarjhola, Kalnara Tahasil of Rayagada District under Rayagada Forest Division for raising compensatory afforestation shall be transferred and mutated in the name of Forest Department before handing over of forest land to the user agency by the State Government. The identified non-forest shall be notified as Protected Forest under Section 29 of the Indian Forest Act, 1927 or local forest Act. The Nodal Officer, after notification of such non forest land, shall uploaded a copy of said notification on the PARIVESH portal. |
| 1.5 | The user agency shall transfer the cost of raising and maintaining the compensatory afforestation and additional compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The Schemes may include appropriate provision for anticipated cost increase for works scheduled for subsequent years. |
| 1.6 | The User Agency shall ensure that the Compensatory Afforestation (CA) sites are cleared of all encroachments prior to handing them over to the State Forest Department (SFD). The SFD shall, ensure that the CA sites are free from encroachments, properly fenced and duly planted at the cost of the User Agency. |
| 1.7 | Compensatory afforestation shall be raised over 6.07 ha of non forest land identified in village Tingarjhola under Kalnara Tahasil of Rayagada District under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department as per approved plan/scheme and maintained thereafter, at the cost of user agency. |
| 1.8 | Additional Compensatory afforestation shall be raised over 5.00 ha of degraded forest land identified in Pedakonda Extn. RF under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department as per approved plan/scheme and maintained thereafter, at the cost of user agency. |
| 1.9 | The species to be planted in the CA/Addl. CA schemes shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular |

| S. No | Conditions |
|---|---|
| | intervals. |
| 1.10 | The KML files of the area to be diverted and the CA/Addl. CA areas shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be. |
| 1.11 | All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (https://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance. |
| 1.12 | The compliance report of the Stage-I approval shall be uploaded on e-portal ( https://parivesh.nic.in/). |
| 1.13 | The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. |
| 1.14 | The boundary of the proposed forest land for diversion, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates. |
| 1.15 | The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable. |
| 1.16 | The Forest Department shall undertake plantation of tall indigenous tree species along both sides of the proposed road, at the cost of the User Agency, to mitigate dust pollution resulting from the movement of heavy vehicles associated with mining activities. |
| 1.17 | Considering that the proposed area features a medium slope and the road will be used by heavy vehicles, the User Agency shall implement appropriate engineering and safety measures to prevent soil erosion. |
| 1.18 | Overburden shall not be disposed beyond the designated road width. Muck generated from earth cuttings shall be fully utilized for filling works. Any excess muck shall be disposed strictly in accordance with a Muck Disposal Plan. No muck or debris shall be permitted to roll down hill slopes. The user agency shall submit an undertaking to this effect along with the compliance for final approval. |
| 1.19 | Retaining walls, breast walls, and drainage structures shall be constructed at appropriate locations to ensure slope stability and prevent erosion along the alignment. |
| 1.20 | The State Forest Department shall undertake comprehensive soil conservation measures at the CA sites, with the cost to be borne by the user agency. |

| S. No | Conditions |
|---|---|
| 1.21 | The user agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No. S.O. 254 (E) dated 25.01.2016. |
| 1.22 | The user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.23 | The user agency shall submit an undertaking to ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads. |
| 1.24 | The designing of new culverts/bridges and redesigning the existing ones 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, so that it does not hamper movement of wild animals including fishes & amphibians migration. |
| 1.25 | Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas. |
| 1.26 | The user agency shall provide adequate under passes in wildlife areas/wildlife crossing, if any, for the safe movement of wildlife. |
| 1.27 | No labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas. |
| 1.28 | No additional or new path will be constructed inside the forest area for any activity related to the project work. |
| 1.29 | The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner. |
| 1.30 | The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change. |
| 1.31 | The forest land shall not be used for any purpose other than that specified in the proposal. |
| 1.32 | The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change. |
| 1.33 | No damage to the flora and fauna of the adjoining area shall be caused. |

| S. No | Conditions |
|---|---|
| 1.34 | The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area. |
| 1.35 | The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Integrated Regional Office of this Ministry by the end of March every year. |
| 1.36 | 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. |
| 1.37 | The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. |
| 1.38 | Any other direction issued by the Ministry as a result of Hon'ble Supreme Court order will have bearing on this approval. |
| 1.39 | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Chapter 1 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023. |

**2. Standard conditions**

**3. Specific Conditions**

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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.

"The State Govt. or a Senior Office not below the Rank of a Divisional Forest Officer, having jurisdiction over the forest land proposed to be diverted, duly authorized in this behalf by the State Govt. can pass an order for tree cutting and commencement of work of a linear project in forest land for a period of one year ("**working permission**" means permission granted to linear project before final approval to mobilize the resources to commence the preliminary project work other than black topping). Such order shall be passed only after full realization of funds for compensatory afforestation, Net Present Value (NPV), Wildlife conservation Plan, plantation of dwarf species of medicinal plants, and all other compensatory levies, specified in the Stage-I (in-principle) approval from the User Agency, and where ever applicable, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department, declaration of PF/RF and compliance of other statues including ST&OTFD (Recognition of Forest Rights) Act, 2006" as stipulated in Para 11.1 of Chapter-11 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan)

Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023.

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

**Your's faithfully**

(Sujoy Dutta)
Assistant Commissioner (Forestry)

PARIVESH
CPC GREEN
e-Compliance
e-Payments
e-Processing

Signature Not Verified

Digitally Signed by : Shri Sujoy Dutta
Technical Officer, IRO

Date: 05/01/2026

Annexure-R3-2

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**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional office**

Online proposal no:
**FP/OR/OTHERS/523366/2025**

Date **06/05/2026**

## CORRIGENDUM

**Subject:** **Stage-II/ Final Approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to this Regional Office's letter of even number dated 05.05.2026 on the subject cited above, whereby final approval was conveyed for the proposal mentioned therein, and to state that the words "Stage-I/In-principle approval" appearing in the subject line shall be read as "Stage-II/Final Approval".

All other contents, terms and conditions stipulated in the final approval letter shall remain unchanged.

**Yours Faithfully,**

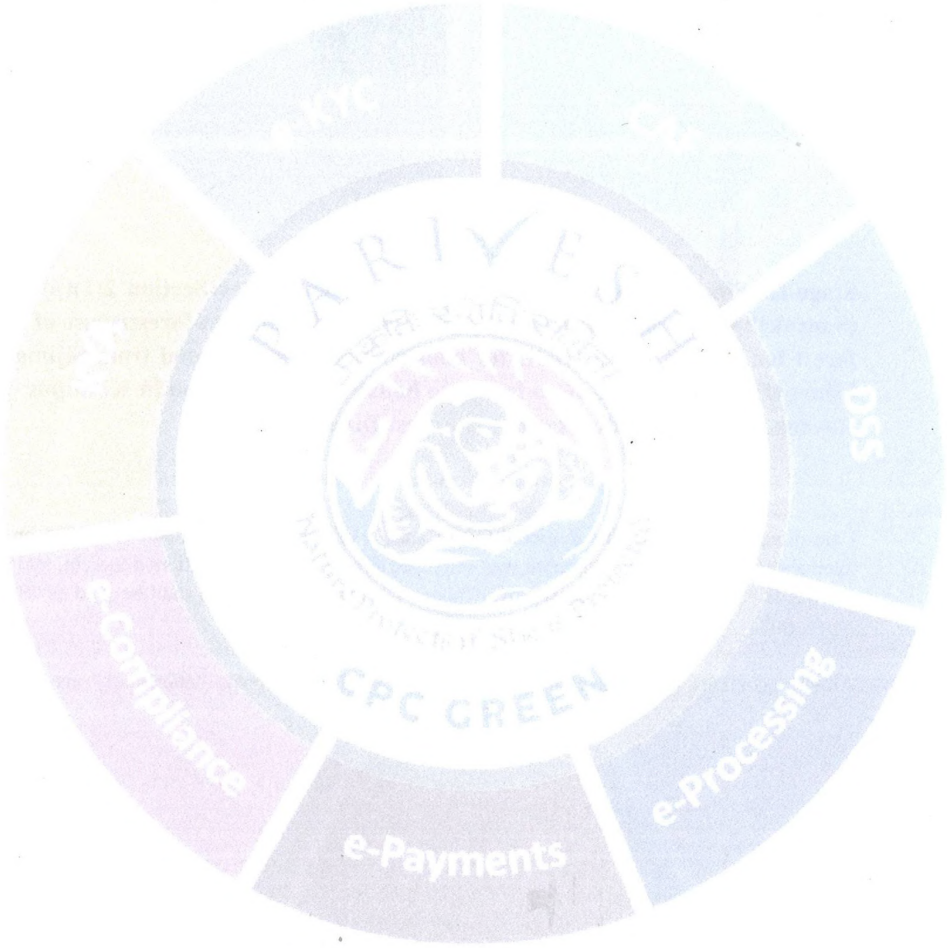
**(Vasanta Kiran Babu)**
**Dy. Inspector General of Forests (C)**

**To,**

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar – 751 001.

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.




Signature Not Verified

Digitally Signed by : Shri Vasanta Kiran Babu
Deputy Inspector General of Forest, IRO

Date: 06/05/2026

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**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional Office, Bhubaneswar**

Online Proposal No.: **FP/OR/OTHERS/523366/2025**

Dated: **05/05/2026**

To,

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar-751 001

**Subject:** **Stage-I/In-principle approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to State Govt. letter No.FE-DIV-FLD-0025-2025-10894/FE&CC dated 9.05.2025 and Online Proposal No.FP/OR/Others/523366/2025, wherein prior approval of the Ministry of Environment, Forest & Climate Change for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, was sought in accordance with Section-2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change, the *in-principle* approval for diversion of the said forest land was accorded by Ministry vide this office letter No. FP/OR/Others/523366/2025 dated 5.01.2026, subject to fulfillment of certain conditions. The State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.8119/9F (Others)-343/2025 dated 21.04.2026 and submission of the compliance report by the State Govt. in *Parivesh* web portal on 23.04.2026, ***Stage-II/final*** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, subject to the fulfillment of the following conditions:-

**1. General Conditions**

| S. No | Conditions |
|---|---|
| 1.1 | The State Govt. shall ensure that the legal status of diverted forest land shall remain unchanged. |
| 1.2 | The State Govt. shall ensure that the user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India . |
| 1.3 | The State Govt. shall ensure that the State Forest Department will raise compensatory afforestation over 6.07 ha of non-forest land identified in village Tingarjhola, Kalnara Tahasil of Rayagada District under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| 1.4 | The State Government shall ensure that the identified non-forest shall be notified as Protected Forest under Section 29 of the Indian Forest Act, 1927 or local forest Act. The Nodal Officer, after notification of such non forest land, shall uploaded a copy of said notification on the PARIVESH portal |
| 1.5 | The State Govt. shall ensure that the State Forest Department will raise Additional compensatory afforestation over 5.00 ha of degraded forest land identified Pedakonda Extn. RF under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| 1.6 | The State Forest Department shall ensure that the species to be planted in the CA & Additional CA schemes shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. |
| 1.7 | The State Govt. shall ensure the compliance on FRA, 2006 as per Van (Sanrakshan Evam Samvardhan) Rules and guidelines issued from time to time before handing over of the diverted forest land to user agency. |
| 1.8 | The State Govt. shall ensure that the KML files of the area to be diverted and CA areas shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency |
| 1.9 | The State Government shall immediately repair/reconstruct the damaged boundary pillars and ensure proper demarcation of the diverted forest land on the ground.The State Government shall also take appropriate action against the responsible person(s) for damage/disturbance of forest boundary pillars under the provisions of the Indian Forest Act, 1927 and the applicable local Forest Act, if any. |

| S. No | Conditions |
|---|---|
| 1.10 | The State Govt. shall ensure that the State Forest Department shall undertake plantation of tall indigenous tree species along both sides of the proposed road, at the cost of the User Agency, to mitigate dust pollution resulting from the movement of heavy vehicles associated with mining activities. |
| 1.11 | The State Government shall ensure that the User Agency shall implement appropriate engineering and safety measures to prevent soil erosion as the proposed area features a medium slope and the road will be used by heavy vehicles. |
| 1.12 | The State Govt. shall ensure that overburden shall not be disposed beyond the designated road width. Muck generated from earth cuttings shall be fully utilized for filling works. Any excess muck shall be disposed strictly in accordance with a Muck Disposal Plan. No muck or debris shall be permitted to roll downhill slopes. |
| 1.13 | The State Govt. shall ensure that retaining walls, breast walls, and drainage structures shall be constructed at appropriate locations to ensure slope stability and prevent erosion along the alignment. |
| 1.14 | The State Govt. shall ensure that the State Forest Department shall undertake comprehensive soil conservation measures at the CA sites, with the cost to be borne by the user agency. |
| 1.15 | The State Govt. shall ensure that the user agency explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.16 | The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.17 | The State Govt. shall ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads. |
| 1.18 | The State Govt. shall ensure that the designing of new culverts/bridges and redesigning the existing ones 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, so that it does not hamper movement of wild animals including fishes & amphibians migration. |
| 1.19 | The State Govt. shall ensure that speed regulating signage will be erected along the road at regular intervals in the Forest Areas. |
| 1.20 | The State Govt. shall ensure that the user agency shall provide adequate under passes in |

| S. No | Conditions |
|---|---|
| | wildlife areas/wildlife crossing, if any, for the safe movement of wildlife. |
| 1.21 | The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas. |
| 1.22 | The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner. |
| 1.23 | The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency. |
| 1.24 | The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change. |
| 1.25 | The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change. |
| 1.26 | The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused. |
| 1.27 | The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area. |
| 1.28 | The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Regional Office of this Ministry by the end of March every year regularly. |
| 1.29 | Any order passed by the Hon'ble Courts or Tribunals in respect of the present project shall be complied with immediately, and any additional stipulation(s)/condition(s) imposed therein shall be implemented by the State Government/ User Agency. |
| 1.30 | The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency. |
| 1.31 | The State Govt. and user agency shall ensure compliance to provisions of the all Acts, |

| S. No | Conditions |
|---|---|
| | Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. |
| 1.32 | Any other direction issued by the Ministry as a result of Hon'ble Supreme Court order will have bearing on this approval. |
| 1.33 | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023. |

**2. Standard conditions**

**3. Specific Conditions**

| S. No | Conditions |
|---|---|
| 3.1 | In strict compliance with the statutory mandate under Para 16(7) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the issuance and continued operational validity of this Stage-II clearance are inherently subject to the final adjudication of Appeal No. 04/2026/EZ (Munidei Majhi & Ors. Vs. The Ministry of Environment, Forest and Climate Change & Ors.), presently pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata. |

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

Signature Not Verified

Digitally Signed by : Shri Vasanta Kiran Babu

Deputy Inspector General of Forest, IRO

Date: 05/05/2026

Yours faithfully

(Vasanta Kiran Babu)

Dy. Inspector General of Forests (C)

Annexure-R3-3

**OFFICE OF THE DIVISIONAL FOREST OFFICER: RAYAGADA FOREST DIVISION**
**Email: dforgda17@gmail.com, dfo.rayagada@odisha.gov.in**

**Office Order No 52 4F (Misc.) 1984/2026.**
**Dated, Rayagada the 27 th February, 2026.**

**Subject:-** 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 - **Regarding Working Permission.**

Whereas, Stage-I (In-Principle) approval has been accorded by the Regional Office, Government of India, Ministry of Environment, Forest & Climate Change, Bhubaneswar vide Letter dated 05.01.2026 for diversion of 4.911 Ha. of forest land in favour of IDCO 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, Odisha. (Proposal No. FP/OR/OTHERS/523366/2025), subject to fulfillment of 39 No's General conditions (1.1 to 1.39).

Whereas, the User Agency, IDCO, Bhubaneswar, vide letter No.2723 dated 31.01.2026, has applied for Working Permission to commence preliminary project activities over the approved 4.911 Ha. of forest land, as permissible under the Stage-I approval and applicable guidelines pending grant of Stage-II approval.

Whereas, the User Agency has deposited through the online MoEF&CC portal:

i. ₹47,03,658/- (Rupees Forty-Seven Lakhs Three Thousand Six Hundred Fifty-Eight only) towards Net Present Value (NPV) for 4.911 Ha. of forest land, in compliance with Condition 1.2 of the General condition Stage-I approval.

ii. ₹59,06,200/- (Rupees Fifty-Nine Thousand Six Thousand Two Hundred only) towards the cost of Compensatory Afforestation (CA) over 06.07 Ha. of non-forest land identified in village Tingarjhola under Kolnara Tahasil of Rayagada District/Division, as duly approved by the Principal CCF (FD & Nodal Officer, FC Act) vide Memo No. 587/9F(Others)-343/2025 dated 09.01.2026, in compliance with General Condition No1.11 of the Stage-I approval; and

iii. ₹54,15,400/- (Rupees Fifty-Four Lakhs Fifteen Thousand Four Hundred only) towards Additional Compensatory Afforestation (ACA) over 05.00 Ha. of degraded forest land identified in Pedakonda Ext.RF (5.00 Ha.) under Gunupur Range, as duly approved by the Principal CCF (FD & Nodal Officer, FC Act) vide Memo No. 587/9F(Others)-343/2025 dated 09.01.2026, in compliance with General Condition No1.11 of the Stage-I approval.

Whereas, in compliance with General Condition No.1.4 of the Stage-I approval, the identified non-forest land for Compensatory Afforestation has been duly transferred and mutated in favour of the Forest Department, as certified by the Tahasildar, Kolnara vide Letter No. 585/2026 dated 27.02.2026. Further, in compliance with General Condition No.1.13, the User Agency has submitted the certificate of complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 issued by the District Collector, Rayagada vide Letter No.157/2024 dated 03.02.2025.

Now, therefore, in pursuance of Specific Condition No. 3 of the Stage-I approval order dated 05.01.2026 and in accordance with Para 11.1, Chapter 11 of the Consolidated Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as communicated by the Ministry of Environment, Forest and Climate Change, Government of India vide letter no.659 dated 08.01.2026, a reasoned order is hereby issued granting Working Permission to the User Agency to mobilize the resources to commence the preliminary project work other than black topping, concretization, laying of railway tracks, charging of transmission lines, etc. over 4.911 ha Forest Land of the above project coming under Rayagada Forest Division.

This Working Permission shall remain valid for a period of one year from the date of issue of this order or until grant of Stage-II approval, whichever is earlier.

It is expressly clarified that no tree felling, removal of vegetation, or execution of any activity involving damage to forest produce shall be undertaken without prior written approval of the competent authority. The User Agency shall strictly adhere to all applicable provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, Rules 2023, the Stage-I approval conditions, and all instructions issued by the Government of India and Government of Odisha.

Any violation of the above conditions shall render this Working Permission liable for withdrawal without prejudice to action under the applicable legal framework.

27.2.26

(Sri Sachin Annasaheb Ohol, IFS)
Divisional Forest Officer,
Rayagada Division

Memo No. 1096 / Dt. 27/02/2026

Copy submitted to the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. Of Odisha for favour of kind information and necessary action with reference to his Memo No. 662/FE&CC dated.08.01.2026.

Divisional Forest Officer,
Rayagada Division

Memo No. 1097 / Dt. 27/02/2026

Copy submitted to the Principal Chief Conservator of Forest (Forest Diversion & Nodal Officer, FC Act), O/o. the Pr. CCF, Odisha and the Pr. CCF(WL) & CWLW, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Memo No. 661/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1098 / Dt. 27/02/2026

Copy submitted to the Regional Chief Conservator of Forest, Koraput Circle, Koraput for favour of kind information and necessary action with reference to Memo No. 662/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1099 / Dt. 27/02/2026

Copy submitted to the Collector, Rayagada for favour of kind information and necessary action with reference to Memo No 663/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1100 / Dt. 27/02/2026

Copy forwarded to the Range Officer, Kashipur Range for information and necessary action.

Divisional Forest Officer,
Rayagada Division

Memo No. 1101 /4F Date. 27/02/2026.

Copy forwarded to the Consultant (Env), IDCO, IDCO Tower, Janapath, Bhubaneswar for information and necessary action.

Divisional Forest Officer,
Rayagada Division

Annexure-R3-4

**INTEGRATED TRIBAL DEVELOPMENT AGENCY, RAYAGADA**

e-Mail-itdarayagada@gmail.com, Contact No.06856-235165, Pin Code-765001

No. 157 /XF113/2024 Dated. 03 .02.2025

**To**

**The Chief General Manager (Env),**
**Industrial Infrastructure Development Corporation,**
**Odisha, Bhubaneswar**

Sub: Issuance of FRA Certificate for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite Transportation by M/s Vedanta in Rayagada district.

Ref: Your letter No.HO-CGM(Env)/394/2024 Dated.31.08.2024

Sir,

In inviting a reference to the letter on the subject cited above, I am to send herewith the FRA certificate in Form-I to an extent of 12.135 Acre for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite Transportation by M/s Vedanta in village Porlang & Sagabari under Kashipur Tahasil of Rayagada district .

This is for information and necessary action.

Yours faithfully,

3/2/25

**Project Administrator-**
**Cum-Nodal Officer, FRA**
**ITDA, Rayagada**

Memo No. 158 /2025 Dated. 03 .02.2025

Copy submitted to the Additional District Magistrate, Rayagada for favour of kind information and necessary action with reference to District Office (Revenue Section) Letter No.2570/XXXV-08/2024 (Part-II) dated.06.09.2024.

3/2/25

**Project Administrator-**
**Cum-Nodal Officer, FRA**
**ITDA, Rayagada**

*FORM – I*
*(for linear projects)*
*Government of Odisha*
*Office of the District Collector, Rayagada.*

No. 150/XI-117/25 Date:- 31/01/2026

## TO WHOM SOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forest (MoEF) Government of India's letter No.11-9/98-FC (Pt.) dated-3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear project, it is to certify that **12.135 Acre** (includes 11.650 acre in village Sagabari and 0.485 Acre in village Porlang) proposed to be diverted in favour of **Odisha Industrial Infrastructure Development Corporation (IDCO), Bhubaneswar** for development of **road from Sijimali Bauxite mines top to SH-44 for facilitating Bauxite Transportation by M/S Vedanta Ltd.** in **Rayagada district** falls within jurisdiction of **Kashipur Tahasil**. The detail land schedule is enclosed at **Annexure-I**.

It is further certified that:

(a) The complete process of identification and settlement of rights under the FRA has been carried out for the **12.135 Acre** (includes 11.650 acre in village Sagabari and 0.485 Acre 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. A copy of records of all consultations and meetings of the Sub-Divisional Level Committee(s) and District Level Committee are enclosed as **Annexure-II and Annexure-III**.

(b) The diversion of forest land for facilities managed by the Government as required under section3 (2) of the FRA have been completed and the Gram Sabhas have given their consent to it.

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

Encl: As above.

31/01/26

**Parul Patwari, IAS,**
**Collector-Cum-Chairperson,**
**DLC, FRA, Rayagada.**

Annexure-I

**Name of Tahasil- Kashipur**

**Name of RI Circle- Adatakiri**

**Name of District- Rayagada**

| Sl No | Village | Khata No. | Plot No. | Total Area(Ac.) | Alloted Area (Ac.) | Kissam |
|---|---|---|---|---|---|---|
| 1 | Porlang | 35 | 280 | 16.00 | 0.485 | Pahada (DLC listed land) |
| 2 | Sagabari | 156 | 4(P) | 26.38 | 7.274 | Pahada (DLC listed land) |
| 3 | | | 5(P) | 32.75 | 4.376 | Pahada (DLC listed land) |
| **Total Area(Ac.)** | | | | | **12.135** | |

**N.B: No IFR titles have been issued on the above proposed plots**

30/1/15

Collector, Rayagada

Annexure - II 607 07.12.24

**PROCEEDING OF THE SUB-DIVISIONAL LEVEL COMMITTEE MEETING HELD ON 19.11.2024 AT 11.00AM IN THE CONFERENCE HALL OF SUB-COLLECTOR OFFICE, RAYAGADA ON IMPLEMENTATION OF SCHEDULE TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (Recognition of Forest Rights Act-2006).**

The SDLC meeting of Rayagada Sub-Division was held in the Conference Hall of Sub-Collector's Office, Rayagada on 19.11.2024 at 11.00 AM. The Sub-Collector-cum-Chairman, SDLC, Rayagada presided over the meeting.

At the outset, the Chairman-Cum-Sub-Collector welcomed the members present in the meeting and focused on the guidelines and procedures involved in the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act-2006).The list of Members present in the meeting is enclosed at Annexure-I.

The following matters have been taken into consideration in the meeting.

**Discussion on IFR, CFR & CFRR Case Records**

The proposals of 374 IFR claims have been received from Rayagada, Kolnara and Kashipur Tehsils duly recommended by the concerned FRC and Gram Sabha/ Palli Sabha. The members of SDLC verified and scrutinized all the claims. On verification 114 claims are found correct and genuine. Accordingly SDLC has approved 114 IFR claims and decided to recommend before the DLC to issue title certificate in favour of the beneficiaries.

Secondly, the rest 258 IFR claims have been found incomplete due to various reasons which shall be returned to the concerned Gram Shabha through concerned Tahsildars for reverification and resubmission to the SDLC.

| Sl. No. | Name of the Block | Name of GP | Name of Village | Approved Claims |
|---|---|---|---|---|
| | | Pitamahal | Podi | 07 |
| | | Tadama | Perigaon | 45 |
| | | Kuli | Nandabadi | 06 |
| | | Dangalody | Kundam | 02 |
| 2 | Kolnara | Rekhapadar | Muteli | 19 |
| | | Bankili | Badisola | 04 |
| 3 | Kashipur | Siripai | Balkapai | 13 |
| | | Siripai | Sirlijhodi | 11 |
| | | Siripai | Leliguma | 07 |
| Total | | | | 114 |

The following 03 nos of Community Right and 03 nos of Community Forest Resources Right claims have been received from the Tahasildar Kashipur after due compliance from Gramsabha. Accordingly, the committee has decided to recommend before the DLC to issue title.

| Sl. NO. | Name of the Block | Village | CFR | CRR |
|---|---|---|---|---|
| 1 | Kashipur | Leliguma | 01 | 01 |
| 2 | | Balkapai | 01 | 01 |
| 3 | | Sirlijhodi | 01 | 01 |
| Total | | | 03 | 03 |

**PROPOSAL FOR ISSUE OF NOC FOR DIVERSION OF FOREST LAND TO AN EXTENT OF Ac 12.135 FOR DEVELOPMENT OF ROAD FROM SIJIMALI BAUXITE MINES TOP TO SH-44**

As per the letter No. 2269 dated 24.09.2024 of the Project Administrator-cum-Nodal Officer, FRA, ITDA, Rayagada, the proposal of diversion of an area Ac 12.135 of forest land to non-forest purpose for development of road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite transportation by M/S Vedanta Ltd. Under Kashipur Tahasil in Rayagada District has been discussed in the meeting.

As per the guideline provided by the Ministry of Environment and Forest (MoEF) Government of India 5th February 2013 there is certain relaxation in respect of linear project that resolution/consent of the Gram Shabha of the area may not be required for the project like construction of roads, canals, laying of pipelines/Optical fibers and transmission lines.

Accordingly, report received from Tahasildar and BDO Kashipur have been taken into the consideration for this linear Project It is ascertained that no Primitive Tribal Goups (PTG) or Pre-Agriculture Communities (PAC) are staying in the area.

The committee has decided to recommend the proposal of diversion of the following area 12.135 Ac for the purpose of linear project to the DLC for issuing Certificate under Forest Right Act. (The report of Tahasildars and BDOs are enclosed)

| Sl. No. | Name of Tahasil | Name of Village | Khata No | Plot No. | Area (Ac) |
|---|---|---|---|---|---|
| 1 | Kashipur | Sagabari | 156 | 4 (P) | 7.274 |
| 2 | | Sagabari | 156 | 5 (P) | 4.376 |
| 3 | | Porlang | 35 | 280 (P) | 0.485 |
| Grand Total | | | | | 12.135 |

**Other Matter**

The Tahasil level FRA Cell Committee under Rayagada Sub-Division were instructed by the Chairman to follow up the guidelines laid down by the Government from time to time regarding implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act-2006) and do the needful with regard to the FRA application received as and when at their level and place the same after proper scrutiny and verification in all respect.

The meeting ended with vote of thanks to the Chair and participants.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Memo No 5826 /2024 Dated: 19/11/2024

Copy to all the members of the Committee for information and necessary action.

Copy to concerned FRC committee for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Memo No 5827 /2024 Dated: 19/11/2024

Copy to all the Tahasildars of this Sub division for information and necessary action.

Copy to all the WEOs of this Sub division for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Memo No 5828 /2024 Dated: 19/11/2024

Copy submitted to Collector-Cum- Chairman, District level (FRA) Committee, Rayagada/ PA-ITDA, Rayagada for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Annexure - III

**Proceedings of the District Level Committee meeting held on 18.12.2024 on implementation of Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Amendment Rule, 2012**

Date of Meeting : 18.12.2024
Time : 10:30 A.M
Venue : Sadbhabana Sabhagruha, Collectorate, Rayagada

The District Level Committee (DLC) meeting on implementation of Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Amendment Rule, 2012 was convened on 18.12.2024 at 10:30 A.M in the Sadbhabana Sabhagruha, Collectorate, Rayagada under the Chairmanship of the Collector-cum-Chairperson, DLC, FRA, Rayagada. The following members attended the meeting.

- Collector-cum-Chairperson, DLC, FRA, Rayagada
- Divisional Forest Officer, Rayagada
- Divisional Forest Officer, Paralakhemundi (Virtual)
- Sub-Collector-Cum-Chairperson, SDLC, Gunupur
- Sub-Collector-Cum-Chairperson, SDLC, Rayagada
- Project Administrator-Cum-Nodal Officer, ITDA, Rayagada
- District Welfare Officer, Rayagada
- ADWO, ITDA, Rayagada
- ADWO, Sub-Collector Office,Rayagada
- Sri Igan Gomango, Zillaparishad Member, Gunupur
- Sri Barratom Vara Prasad Rao, Zillaparishad Member, K.Singhpur

At the outset the Project Administrator-cum-Nodal Officer, ITDA, Rayagada welcomed all the members present in the meeting and the Collector-cum-Chairperson, DLC, FRA, Rayagada initiated the agenda wise discussion.

**Agenda No.1:**
**Discussion on IFR cases received from SDLC, Gunupur & Rayagada**

The Project Administrator-Cum-Nodal Officer, ITDA, Rayagada apprised that the following IFR cases were received from the SDLC, Gunupur duly approved in the SDLC meeting held on dated.24.10.2024 (Copy enclosed) and SDLC Rayagada duly approved in the SDLC meeting held on dated 19.11.2024 and 29.11.2024(Copy enclosed).

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village | No. of IFR Cases received | No. of cases approved | No. of Cases to be Remanded | Total Area to be Aproved (in Acre) |
|---|---|---|---|---|---|---|---|
| 1 | Gunupur | Gunupur | Garamul | 15 | 15 | 0 | 28.330 |
| 2 | | Gudari | Parikupuda | 12 | 12 | 0 | 19.800 |
| 3 | | | Rengam | 3 | 3 | 0 | 6.200 |
| 4 | | Chandrapur | Raibiji | 15 | 15 | 0 | 33.865 |
| 5 | | | Bakaguda | 11 | 11 | 0 | 19.257 |
| 6 | | | Siripadara | 17 | 16 | 1 | 60.939 |
| 7 | | | Patsanda | 9 | 9 | 0 | 5.567 |
| 8 | | | Nauduguda | 19 | 19 | 0 | 30.646 |
| 9 | | | Balakabaju | 16 | 16 | 0 | 30.660 |
| 10 | | | Batalaguda | 5 | 5 | 0 | 16.989 |
| 11 | | | Ghogopadar | 20 | 20 | 0 | 43.278 |
| 12 | | Padmapur | Gundripadar | 7 | 7 | 0 | 0.169 |
| 13 | | | Nandra | 14 | 14 | 0 | 0.457 |
| 14 | | | Dakrapanga | 14 | 14 | 0 | 23.290 |
| 15 | | | Rajpur | 23 | 23 | 0 | 0.480 |
| 16 | | | Pangedikua | 10 | 10 | 0 | 0.526 |
| 17 | | | Santinagar | 36 | 36 | 0 | 6.211 |
| 18 | | | Sribhalabapur | 25 | 25 | 0 | 5.720 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 19 | | Bissamcuttack | Libharakana | 15 | 14 | 1 | 9.560 |
| 20 | | | Badajamiti | 14 | 11 | 3 | 17.810 |
| 21 | | | Dachupai | 10 | 10 | 0 | 25.010 |
| 22 | | | Rekhapai | 2 | 2 | 0 | 3.460 |
| 23 | | | Goudaguda | 3 | 1 | 2 | 1.000 |
| 24 | | | Lakhabhata | 15 | 15 | 0 | 12.284 |
| 25 | | | Kalipanga | 16 | 6 | 10 | 7.694 |
| 26 | | | Sanyasiguda | 18 | 17 | 1 | 17.120 |
| 27 | | | Kumbhia | 14 | 14 | 0 | 34.190 |
| 28 | | | Lelingpadar | 22 | 19 | 3 | 27.220 |
| 29 | | | Dedipada | 29 | 29 | 0 | 41.206 |
| 30 | | Muniguuda | Sana Manjurikupa | 6 | 6 | 0 | 7.101 |
| 31 | | | Sana Siringul | 11 | 11 | 0 | 7.527 |
| 32 | | | Kathabadi | 18 | 18 | 0 | 13.919 |
| 33 | | | Ghatana | 20 | 20 | 0 | 41.686 |
| 34 | | | Sakadagaon | 18 | 8 | 10 | 8.007 |
| **Total** | | | | **502** | **471** | **31** | **607.178** |
| 35 | Rayagada | Kalyansingpur | Kangsari | 10 | 10 | 0 | 17.61 |
| 36 | | | Siripur | 23 | 23 | 0 | 36.759 |
| 37 | | | Pipiliguda | 10 | 10 | 0 | 8.46 |
| 38 | | | Sadalasa | 19 | 19 | 0 | 9.074 |
| 39 | | | Talaramba | 24 | 24 | 0 | 14.815 |
| 40 | | | Kusumasila | 10 | 10 | 0 | 10.105 |
| 41 | | | Kaliaguda | 10 | 10 | 0 | 35.92 |
| 42 | | Kashipur | Kichikhal | 25 | 25 | 0 | 38.61 |
| 43 | | | Gobarghati | 50 | 50 | 0 | 82.88 |
| 44 | | | Balkapai | 13 | 13 | 0 | 20.39 |
| 45 | | | Sirlijhodi | 11 | 11 | 0 | 23.62 |
| 46 | | | Irripiput | 41 | 41 | 0 | 69.33 |
| 47 | | | Gumuraput | 29 | 29 | 0 | 40.33 |
| 48 | | | Kiajhol | 35 | 35 | 0 | 74.83 |
| 49 | | | Leliguma | 7 | 7 | 0 | 5.60 |
| 50 | | Kolnara | Muteli | 19 | 19 | 0 | 41.376 |
| 51 | | | Badisola | 9 | 9 | 0 | 0.173 |
| 52 | | | Tarapali | 10 | 10 | 0 | 12.45 |
| 53 | | | Hazaridang | 10 | 10 | 0 | 20.820 |
| 54 | | | Rainasikabadi | 27 | 27 | 0 | 22.180 |
| 55 | | | Fakiri | 3 | 3 | 0 | 1.05 |
| 56 | | | Dengasargi | 32 | 32 | 0 | 36.251 |
| 57 | | | Bankili | 13 | 13 | 0 | 6.401 |
| 58 | | | Kamasing | 21 | 21 | 0 | 15.318 |
| 59 | | | Arabi | 20 | 20 | 0 | 34.57 |
| 60 | | Rayagada | Podi | 7 | 7 | 0 | 9.504 |
| 61 | | | Perigoan | 44 | 44 | 0 | 117.916 |
| 62 | | | Nandabadi | 6 | 6 | 0 | 13.008 |
| 63 | | | Kundam | 2 | 2 | 0 | 4.132 |
| **Total** | | | | **540** | **540** | **0** | **823.482** |
| **Grand Total** | | | | **1042** | **1011** | **31** | **1430.66** |

The Project Administrator-Cum-Nodal Officer, ITDA, Rayagada placed the above IFR cases before the Committee for examination and consideration. The Committee after careful examination approved 1011 IFR cases.

The following 31 IFR cases would be remanded back to the SDLC, Gunupur for re-examination of the cases on following grounds.

1. In 9 IFR cases from Muniguda and 11 from Bissamcuttack Tahasil it is found that the allotted area is more than the available area of concerned plot as per Bhulekh.
2. One case from Chandrapur, where allotted plot is not available in the said khata as per Bhulekh.
3. 10 cases from Bissamcuttack , where it is found that the signature of the concerned officials missing.

**Agenda No.2:**
**Discussion on CR/CFR cases received from SDLC, Rayagada**

The following 18 CFR and 18 CFRR cases have been received from the SDLC, Rayagada.

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village | No. of CFR Cases | No. of CFRR Cases | Total | No. of cases found okay | No. of Cases to be Returned | Total Area to be Aproved (in Acre) |
|---|---|---|---|---|---|---|---|---|---|
| 1 | Rayagada | Kashipur | Leliguma | 1 | 1 | 2 | 2 | 0 | 22.980 |
| 2 | | | Iripiput | 1 | 1 | 2 | 2 | 0 | 81.950 |
| 3 | | | Kiajhola | 1 | 1 | 2 | 2 | 0 | 22.270 |
| 4 | | | Uppersupel | 1 | 1 | 2 | 2 | 0 | 38.490 |
| 5 | | | Gumuraput | 1 | 1 | 2 | 2 | 0 | 20.170 |
| 6 | | | Perpa | 1 | 1 | 2 | 2 | 0 | 33.148 |
| 7 | | | Adajore | 1 | 1 | 2 | 0 | 2 | |
| 8 | | | Adatakiri | 1 | 1 | 2 | 0 | 2 | |
| 9 | | | Nikesh | 1 | 1 | 2 | 0 | 2 | |
| 10 | | | Bahardulki | 1 | 1 | 2 | 2 | 0 | 32.780 |
| 11 | | | Balmaska | 1 | 1 | 2 | 2 | 0 | 52.490 |
| 12 | | | Kichikal | 1 | 1 | 2 | 2 | 0 | 28.432 |
| 13 | | | Ghobarghati | 1 | 1 | 2 | 2 | 0 | 54.340 |
| 14 | | Kolnara | Tarapalli | 1 | 1 | 2 | 2 | 0 | 453.450 |
| 15 | | | Rainasikabadi | 1 | 1 | 2 | 2 | 0 | 75.700 |
| 16 | | | Andupadu | 1 | 1 | 2 | 2 | 0 | 671.855 |
| 17 | | | Kamasingi | 1 | 1 | 2 | 2 | 0 | 46.000 |
| 18 | | | Badagumuda | 1 | 1 | 2 | 2 | 0 | 132.240 |
| | Total | | | 18 | 18 | 36 | 30 | 6 | 1766.295 |

On verification 15 CFR and 15 CFRR cases found eligible and 3 CFR and 3CFRR cases of village Adajore, Adatakri and Pukesh found that the kissam of the suit land stands recorded as Pahada & Parbat. Hence, the committee after careful examination approved 15 CFR and 15 CFRR cases and decided to remand back the 3 CFR & 3 CFRR cases to SDLC, Rayagada for verification of SABIK record whether the allotted plots were in Jungle kissam or the allotted plots included in DLC.

**Agenda No.3:**

**Discussion on Conversion of Forest Village to Revenue Village cases received from SDLC,Rayagada**

The following cases have been received from SDLC, Rayagada for conversion of Forest village to Revenue village.

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village |
|---|---|---|---|
| 1 | Rayagada | Kashipur | Iripiput |
| 2 | | | Kiajhola |
| 3 | | | Gumuraput |

After careful examination the committee approved all the 3 cases for conversion of forest village to Revenue village and recommended for submission to the Board of Revenue, Odisha, Cuttack for further action at their end.

**Agenda No.4:**

**Discussion on issuance of FRA certificate for diversion of Forest Land to lay 18"/12" Dia. Underground Natural Gas Pipeline along with Optical Fiber Cable**

The Chief Manager (Const.), GAIL (India) Limited has submitted proposal for issuance of FRA certificate for diversion of Forest land to an extent of 25.2276 Ha. To lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 Mm Dia. Optical Fibre Cable (OFC) in Rayagada district vide Letter No.GAIL/SAPI/FOREST-RAYAGADA/FRA/CTC/04/2023 DATED. 22.06.2023.

| Sl No. | Name of the Tahasil | Area ( In Ha.) |
|---|---|---|
| 1 | Rayagada | 3.7571 |
| 2 | Kolnara | 4.4724 |
| 3 | K.Singhpur | 4.5350 |
| 4 | Kashipur | 7.5544 |
| 5 | Gunupur | 1.0188 |
| 6 | Ramanaguda | 3.8899 |
| Total | | **25.2276** |
| 7 | Gunupur | 0.3147 |
| Total | | **0.3147** |

The Pallisabha/Gramsabha of village-Naura, under Gunupur Tahasil has approved the proposal in its Special Gramasabha meeting held on dated 16.09.2024. Similarly, the Pallisabha/Gramsabha of village-Patraput, Jarling, Suluri & Kataki under Ramanaguda Tahasil have approved the proposal in Special Gramasabha meeting held on dated. 13.09.2024 & 14.09.2024. Accordingly the Sub-Collector-cum-Chairperson, SDLC, Gunupur has recommended the proposal after due approval in its SDLC meeting held on dated. 24.10.2024 for issuance of FRA Certificate in favour of GAIL (India) Limited.

The Sub-Collector-cum-Chairperson, SDLC, Rayagada has submitted the report in respect of Rayagada, Kolnara, K.Singhpur and Kashipur Tahasil with a recommendation for issuance of FRA Certificate in favour or GAIL (India) Limited after due approval in SDLC meeting held on dated. 30.07.2024.

After verification of the reports received from the SDLC, Gunupur & Rayagada, the DLC approved the proposal for issuance of FRA certificate in favour of GAIL (India) Limited for diversion of Forest land to an extent of 25.2276 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 Mm Dia. Optical Fibre Cable (OFC) in Rayagada district. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-I**.

Further The Chief Manager (Const.), GAIL (India) Limited has submitted proposal for issuance of FRA certificate for diversion of Forest land to an extent of 0.3147 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 MM Dia. Optical Fibre Cable (OFC) in Rayagada and vide Letter No. GAIL/SAPI/FOREST-RAYAGADA/FRA/CTC/05/2023 DATED. 22.06.2023. This patch of land is coming under the Paralakhemundi Forest Division. Accordingly the DFO, Paralakhemundi has been intimated to join the DLC Meeting.

The DFO, Paralakhemundi has joined the meeting virtually and the committee has approved proposal for issuance of FRA certificate in favour of GAIL (India) Limited for diversion of Forest land to an extent of 0.3147 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 MM Dia. Optical Fibre Cable (OFC) in Rayagada district. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-II**.

**Agenda No.5:**

**Discussion on issuance of FRA certificate in favour of Vedanta Limited, Lanjigarh for Linear project for Y-connection Railway line**

The Head-Legal, Land & External Affairs, Vedanta Limited has submitted a proposal for diversion of forest land for non-forest purpose to an extent of 1.148 Ha in village Anajodi under Muniguda Tahasil for Linear project for Y-connection Railway line. In this connection the SDLC, Gunupur has submitted a report and recommended for issuance of FRA Certificate in favour of Vedanta Limited, Lanjigarh after due approval in SDLC meeting held on dated.24.10.2024.

The committee has approved the proposal for issuance of FRA Certificate to an extent of 1.148 Ha. in favour of Vedanta Limited, Lanjigarh for Linear project for Y-connection Railway line. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-III.**

**Agenda No.6:**

**Discussion on issuance of FRA certificate for Tikiri-Bhalumaska Railway Road Doubling project**

The Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada applied for issuance of certificate for Tikiri-Bhalumaska Railway Road Doubling project to an extent of 57.322 Ha. vide letter dated.08.05.2023. The Sub-Collector-Cum-Chairperson, SDLC, Rayagada has submitted the report after due approval in SDLC Meeting held on dated. 29.11.2024 and recommended for issuance of FRA certificate in favour of the Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada. Accordingly the committee approved the project and decided to issue FRA Certificate to an extent of 57.322 Ha. in favour of the Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada.

**Agenda No.7:**

**Discussion on issuance of FRA certificate for diversion of Forest Land for non-forest purpose for Development of Road from Sijimali Bauxite Mines top to SH-44**

The Chief General Manager (Env.) IDCO, Bhubaneswar has requested for issue of FRA certificate for Ac.11.650 in village Sagabari and Ac.0.485 in village Porlang vide letter No.26050 dated.06.09.2024. The report in this regard has been received from SDLC, Rayagada after due approval in its meeting held on dated.19.11.2024. After careful examination the committee has approved for issuance of FRA certificate in favour of the Chief General Manager (Env.) IDCO, Bhubaneswar for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite transportation by M/S Vedanta Ltd.

The meeting ended with vote of thanks to the Chair and the members.

P.A.-Cum-Nodal Officer,
ITDA,Rayagada

District Welfare Officer,
Rayagada

Divisional Forest Officer,
Rayagada

Divisional Forest Officer,
Paralakhemundi
Dist-Gajapati

Collector-cum-Chairperson
DLC, FRA, Rayagada

Memo No. 2677/2024 Dated.18.12.2024

Copy submitted to the Director (ST), ST & SC Development Department, Odisha, Bhubaneswar for favour of kind information.

Collector-Cum-Chairperson,DLC,
FRA,Rayagada

Memo No. 2678/2024 Dated.18.12.2024

Copy submitted to the Chief Conservator of Forest, Odisha for favour of kind information.

Collector-Cum-Chairperson,DLC,
FRA,Rayagada

**Annexure - A33**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 04 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi …Appellant

*-Versus-*

MoEF&CC & Ors. …Respondent (s)

**INDEX** **NDoH: 07.05.2026**



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Date: 06.05.2026
Place: Kolkata

**DRAWN AND FILED BY:**

Eisha Krishn, Mansi Bachani,
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**SETTLED BY:**
Shri Sanjay Upadhyay
*[Senior Advocate]*

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 04 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi …Appellant

*-Versus-*

MoEF&CC & Ors. …Respondent (s)

**PRELIMINARY REPLY ON BEHALF OF THE RESPONDENT NO. 4, M/S VEDANTA LIMITED TO THE APPEAL NO. 04 OF 2026 (EZ)**

1. That this Hon'ble Tribunal is currently seized of the abovementioned Appeal, wherein the Appellant had challenged the Stage-I Clearance dated 05.01.2026 granted by the Respondent No. 1, Ministry of Environment, Forests and Climate Change (hereinafter, 'MoEF&CC') to Respondent No. 3, Odisha Industrial Development Corporation (hereinafter, 'IDCO') for non-forestry use of 4.911 ha of forest land for construction of a road from Sijimali Bauxite Mines (Hill Top) to SH-44 in Rayagada District in the State of Odisha.
2. That this Hon'ble Tribunal issued Notice on 27.02.2026 and the instant case was, thereafter, listed on 23.03.2026 when Respondent No. 4, M/s Vedanta Limited (hereinafter, the 'answering Respondent') was granted time for filing its Reply and the case was directed to be listed on 18.05.2026.
3. That, however, subsequently on 13.04.2026 an I.A. No. 44/2026/EZ was filed by the Appellant in the instant Appeal and mentioned on the same date before a different composition of this Hon'ble Bench, albeit without prior intimation to any of the Respondents. It was only on 15.04.2026 that a Notice dated 15.04.2026 alongwith an Order dated 13.04.2026 was sent by the Appellant informing about the prior listing of the present Appeal on 24.04.2026.
4. That ultimately on 24.04.2026, this Hon'ble Tribunal granted the answering Respondent time to file its Reply and directed for the case to be listed on 07.05.2026. Accordingly, in pursuance of the Orders of this Hon'ble Tribunal

dated 23.03.2026 and 24.04.2026, the present Reply is being filed by the Respondent No. 4, M/s Vedanta Ltd. (hereinafter referred as "Answering Respondent") in response to the allegations made in the present Appeal.

5. That the Answering Respondent, at the outset, submits that all those averments in the Appeal that have not been specifically admitted are herewith denied and are not to be construed as having been accepted by the Answering Respondent as if *traversed seriatim*.

6. That the Respondent No.4 seeks to place on record its Preliminary Objections/Submissions against the Appeal, which in its humble opinion, are crucial for a holistic adjudication of the present matter. The Respondent No.4 craves leave to file a detailed para wise response as and when necessary.

**PRELIMINARY OBJECTIONS**

A. **The present Appeal is infructuous since a Stage II Clearance has been granted to Respondent No.3, IDCO**

7. That at the outset, it has come to the knowledge of the answering Respondent that the project road in question has been granted the Stage II Clearance on 05.05.2026 which essentially means that present case has been rendered infructuous and is liable to be dismissed as the Stage-I clearance which has been impugned in the present *lis* has merged into the Stage -II Clearance. The respondent No.4 could obtain the Stage-II from the Parivesh portal only on 06.05.2026 and is marked and annexed as **ANNEXURE R/1 (Colly)** alongwith the Corrigendum dated 06.05.2026.

8. In this regard, the Respondent No.4 places reliance on Vimal Bhai and Ors vs Union of India & Ors (Appeal No. 07/2012) wherein vide Judgment dated 07.11.2012, this Hon'ble Tribunal dismissed Appeal challenging Stage-I Forest Clearance noting that as Appeal under Section 16(e) of the NGT Act, 2010 is only provided against an Order passed by the State Government or

other authorities. The Judgment goes on to state that, “in other words, the legislature in its wisdom has kept the Order of approval/clearance passed by the Central Government under FC Act beyond the scope of Appeal.”

9. This position was further corroborated by this Hon’ble Tribunal in the case titled Milind Pariwakam vs Union of India & Ors (2015 SCCOnLine NGT 845) a four Judge Bench of this Hon’ble Tribunal has clearly stated that only an Order passed under Section 2 of the FCA, 1980 is appealable under Section 16 of the NGT Act, 2010.

B. **Appellants are attempting to challenge the mining project of the Answering Respondent under the guise of challenging IDCO’s road project**

10. That it is respectfully submitted that the present proceedings are a clear attempt by the Appellants to indirectly assail and obstruct the mining project of the Answering Respondent under the guise of challenging the separate Stage I approval granted for the access road project of the Respondent No. 3, IDCO. Surprisingly the Stage I Clearance granted to the mine in December 2025, prior to the Stage I Clearance to the road, was a pre-requisite to the Stage I Clearance for the subject road and the same has not been challenged. While the impugned approval in the present Appeal pertains to the road project of IDCO, yet the pleadings are replete with allegations directed against the mining project of Respondent No. 4, M/s Vedanta Ltd. and approvals sought by it under separate statutory processes. In this regard, it is the humble submission of the Answering Respondent that the Appellants cannot be permitted to enlarge the scope of the present Appeal or convert the same into a collateral challenge to matters that are not the subject matter of the impugned approval. Such an approach is legally untenable and the instant Appeal deserves to be rejected on this ground alone. Illustratively, following are some

instances which demonstrate that the real grievance is against the mining project, not merely the road project:

i. While discussing their bonafides, the Appellants admit that they are aggrieved by the proposal to mine the forest land in question (Pg. 7-8 of appeal);

ii. While discussing the issue of non-application of mind by the FAC, reliance has primarily been placed on the Minutes of 7th FAC Meeting dated 30.07.2025 and 12th FAC Meeting dated 02.12.2025 which considered the Answering Respondent's proposal for diversion of 708.204 ha in mine lease area (Para 33-37/Pg. 19-22 of Appeal);

iii. Application for prior Environmental Clearance for mining is pending (Pg. 545-547); and

iv. Vedanta applied on 25.06.2024 for diversion of 708.204 ha for its mining project (Para 3/Pg. 10 r/w A2 @Pg. 39-91).

11. That, further, insofar as the Answering Respondent is concerned, all averments made by the Appellants are based on assumptions, conjectures and generalized allegations without any clear cause of action against the Answering Respondent. The Appellants merely seek to create an impression of *fait accompli* where none exists, as no mining activity has yet commenced and the same would be undertaken only after all permissions have been obtained and, consequently, in compliance with the law. Thus, the Appellants are mixing two separate issues in an attempt to stall the mining project of the Answering Respondent. In this regard, reliance is placed on the decision of the Hon'ble Supreme Court in the case of K.K. Modi v. K.N. Modi [(1998) 3 SCC 573] wherein it was held that proceedings filed for a collateral purpose, vexation, oppression, or misuse of court process amount to abuse of process.

C. **Appellants have challenged a Stage I approval, which is only an intermediate statutory step as opposed to complete diversion, making the instant Appeal premature**

12. That, moreover, the In-Principal Stage – I approval accorded to the Respondent No. 3, IDCO dated 05.01.2026 is conditional in nature and subject to compliance with the terms and conditions imposed by the Respondent No. 1, Ministry of Environment, Forest and Climate Change ('MoEF&CC'). The grant of such approval does not, by itself, amount to final diversion of forest land nor confer any unrestricted right to commence project activities. A cumulative reading of Section 2(A) of the Forest (Conservation) Act and Section 16(e) of the National Green Tribunal Act, 2010 reflect that an Appeal is provided only against order passed by the State Government while an Order of approval/clearance by the Central Government under the Forest (Conservation) Act is beyond the scope of an Appeal.

13. That it is further submitted that Working Permission has since been granted to the Respondent No. 3, IDCO on 27.02.2026 and enables the limited preliminary and preparatory activities connected with the access infrastructure. In this regard, this Hon'ble Tribunal in the case of *Vimal Bhai v. Union of India, Appeal No. 07/2012 (PB)* held that an Appeal is provided for only against an order passed by State Government and an order of approval/clearance by the Central Government under the Forest (Conservation) Act is beyond the scope of an Appeal. Accordingly, the Appeal in question pertaining to in-principle approval was held to be premature and unassailable, while the Appellants were given liberty to file their challenge once the final order is passed by the State Government. Similarly, in the case of *Milind Pariwakam v. Union of India, O.A. No. 52/2015*, this Hon'ble Tribunal yet again held that only an order passed under

Section 2 of the Forest (Conservation) Act is appealable under Section 16 of the NGT Act, 2010. Thus, it is clear that an Appeal challenging the In-Principle Stage I approval is premature, unassailable and liable to be quashed. In light of the established legal position, it is humbly submitted that the Appellants could not have challenged the In-Principal Approval as the same stands to be premature in light of the grant of the Working Permit to IDCO and accordingly, the current Appeal is liable to be dismissed on this ground alone. It is reiterated that now with Stage-II Clearance having been granted, the present Appeal is infructuous and is liable to be dismissed.

14. That the Respondent No.4 reserves its right to raise all its points on merits as and when required. Further, it is important to highlight that there are a catena of cases such as one held by the Hon'ble High Court of Kerala in the case of M/s Harrisons Malayalam Limited v. State of Kerala & Ors. [2018 (2) KLT 369] that public outcry ought not to influence adjudication (Para 163).

15. It is also settled law that sustainable development ought to balance the interests of industries, economy and the protection of the environment and reference in this regard is made to the cases of Indian Council of Enviro Legal Action v. Union of India [1996 (5) SCC 281 - Para 31, 33], Research Foundation for Science Technology & Natural Resource Policy v. Union of India [(2007) 15 SCC 193 – Para 10-12], G. Sundarrajan v. Union of India & Ors [2013 (6) SCC 620 – Para 201-204, 236-238] and Samaj Parivartana Samudaya v. State of Karnataka and Ors. [WP (C) No. 562 of 2009 – Para 17].

Date: 06.05.2026
Place: Kolkata

**DRAWN AND FILED BY:**

Mbachani

Eisha Krishn, Mansi Bachani,
Gitanjali Sanyal & Anubhav Anand
Advocates for Respondent No. 6

**SETTLED BY:**
Shri Sanjay Upadhyay
*[Senior Advocate]*

**IN THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 04 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi & Ors. ...Applicant

*-Versus-*

The Ministry of Environment, Forest and Climate Change & Ors. ...Respondent (s)

**AFFIDAVIT**

I, Satyapriya, S/o Shri Arvind Shankar Singh, aged about 50 years, am the authorized signatory for M/s Vedanta Limited Core-6, 3rd Floor, Scope Complex, 7, Lodhi Road, New Delhi-110003, do hereby solemnly affirms and declares as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Reply are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the Reply are true and correct to the best of my knowledge.

I identified the deponent who has signed in my presence
06/05/2026

**DEPONENT**

**VERIFICATION:**

Verified at New Delhi on this 06 MAY 2026 day of May, 2026 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

NOTARY GOVT. OF INDIA
NEELAM SHARMA
ADVOCATE
DELHI
REGD. NO.: 8227
EXPIRY DATE
04/09/2030

ATTESTED
NOTARY (Govt. of India)
Neelam Sharma, Advocate
Enrol. No.-D1281/2001
Ch. No. 165A, Gate No. 11,
Patiala House Courts,
New Delhi-110001
(M):9899408301

06 MAY 2026

**DEPONENT**

**ANNEXURE R/1**

सत्यमेव जयते

**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional Office, Bhubaneswar**

Online Proposal No.: **FP/OR/OTHERS/523366/2025** Dated: **05/05/2026**

To,

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar-751 001

**Subject:** **Stage-I/In-principle approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to State Govt. letter No.FE-DIV-FLD-0025-2025-10894/FE&CC dated 9.05.2025 and Online Proposal No.FP/OR/Others/523366/2025, wherein prior approval of the Ministry of Environment, Forest & Climate Change for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, was sought in accordance with Section-2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change, the *in-principle* approval for diversion of the said forest land was accorded by Ministry vide this office letter No. FP/OR/Others/523366/2025 dated 5.01.2026, subject to fulfillment of certain conditions. The State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.8119/9F (Others)-343/2025 dated 21.04.2026 and submission of the compliance report by the State Govt. in *Parivesh* web portal on 23.04.2026, ***Stage-II/final*** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, subject to the fulfillment of the following conditions:-

**1. General Conditions**

| S. No | Conditions |
|---|---|
| **1.1** | The State Govt. shall ensure that the legal status of diverted forest land shall remain unchanged. |
| **1.2** | The State Govt. shall ensure that the user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India . |
| **1.3** | The State Govt. shall ensure that the State Forest Department will raise compensatory afforestation over 6.07 ha of non-forest land identified in village Tingarjhola, Kalnara Tahasil of Rayagada District under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| **1.4** | The State Government shall ensure that the identified non-forest shall be notified as Protected Forest under Section 29 of the Indian Forest Act, 1927 or local forest Act. The Nodal Officer, after notification of such non forest land, shall uploaded a copy of said notification on the PARIVESH portal |
| **1.5** | The State Govt. shall ensure that the State Forest Department will raise Additional compensatory afforestation over 5.00 ha of degraded forest land identified Pedakonda Extn. RF under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| **1.6** | The State Forest Department shall ensure that the species to be planted in the CA & Additional CA schemes shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. |
| **1.7** | The State Govt. shall ensure the compliance on FRA, 2006 as per Van (Sanrakshan Evam Samvardhan) Rules and guidelines issued from time to time before handing over of the diverted forest land to user agency. |
| **1.8** | The State Govt. shall ensure that the KML files of the area to be diverted and CA areas shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency |
| **1.9** | The State Government shall immediately repair/reconstruct the damaged boundary pillars and ensure proper demarcation of the diverted forest land on the ground.The State Government shall also take appropriate action against the responsible person(s) for damage/disturbance of forest boundary pillars under the provisions of the Indian Forest Act, 1927 and the applicable local Forest Act, if any. |

| S. No | Conditions |
|---|---|
| 1.10 | The State Govt. shall ensure that the State Forest Department shall undertake plantation of tall indigenous tree species along both sides of the proposed road, at the cost of the User Agency, to mitigate dust pollution resulting from the movement of heavy vehicles associated with mining activities. |
| 1.11 | The State Government shall ensure that the User Agency shall implement appropriate engineering and safety measures to prevent soil erosion as the proposed area features a medium slope and the road will be used by heavy vehicles. |
| 1.12 | The State Govt. shall ensure that overburden shall not be disposed beyond the designated road width. Muck generated from earth cuttings shall be fully utilized for filling works. Any excess muck shall be disposed strictly in accordance with a Muck Disposal Plan. No muck or debris shall be permitted to roll downhill slopes. |
| 1.13 | The State Govt. shall ensure that retaining walls, breast walls, and drainage structures shall be constructed at appropriate locations to ensure slope stability and prevent erosion along the alignment. |
| 1.14 | The State Govt. shall ensure that the State Forest Department shall undertake comprehensive soil conservation measures at the CA sites, with the cost to be borne by the user agency. |
| 1.15 | The State Govt. shall ensure that the user agency explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.16 | The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.17 | The State Govt. shall ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads. |
| 1.18 | The State Govt. shall ensure that the designing of new culverts/bridges and redesigning the existing ones 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, so that it does not hamper movement of wild animals including fishes & amphibians migration. |
| 1.19 | The State Govt. shall ensure that speed regulating signage will be erected along the road at regular intervals in the Forest Areas. |
| 1.20 | The State Govt. shall ensure that the user agency shall provide adequate under passes in |

| S. No | Conditions |
|---|---|
| | wildlife areas/wildlife crossing, if any, for the safe movement of wildlife. |
| **1.21** | The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas. |
| **1.22** | The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner. |
| **1.23** | The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency. |
| **1.24** | The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change. |
| **1.25** | The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change. |
| **1.26** | The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused. |
| **1.27** | The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area. |
| **1.28** | The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Regional Office of this Ministry by the end of March every year regularly. |
| **1.29** | Any order passed by the Hon'ble Courts or Tribunals in respect of the present project shall be complied with immediately, and any additional stipulation(s)/condition(s) imposed therein shall be implemented by the State Government/ User Agency. |
| **1.30** | The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency. |
| **1.31** | The State Govt. and user agency shall ensure compliance to provisions of the all Acts, |

| S. No | Conditions |
|---|---|
| | Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. |
| **1.32** | Any other direction issued by the Ministry as a result of Hon'ble Supreme Court order will have bearing on this approval. |
| **1.33** | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023. |

**2. Standard conditions**

**3. Specific Conditions**

| S. No | Conditions |
|---|---|
| **3.1** | In strict compliance with the statutory mandate under Para 16(7) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the issuance and continued operational validity of this Stage-II clearance are inherently subject to the final adjudication of Appeal No. 04/2026/EZ (Munidei Majhi & Ors. Vs. The Ministry of Environment, Forest and Climate Change & Ors.), presently pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata. |

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

Signature Not Verified

**Yours faithfully**

Digitally Signed by : Shri Vasanta Kiran Babu

(Vasanta Kiran Babu)

Deputy Inspector General of Forest, IRO

Dy. Inspector General of Forests (C)

Date: 05/05/2026



-TRUE COPY-

सत्यमेव जयते

**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional office**

Online proposal no:
**FP/OR/OTHERS/523366/2025**

Date **06/05/2026**

# CORRIGENDUM

**Subject:** **Stage-II/ Final Approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to this Regional Office's letter of even number dated 05.05.2026 on the subject cited above, whereby final approval was conveyed for the proposal mentioned therein, and to state that the words "Stage-I/In-principle approval" appearing in the subject line shall be read as "Stage-II/Final Approval".

All other contents, terms and conditions stipulated in the final approval letter shall remain unchanged.

**Yours Faithfully,**

**(Vasanta Kiran Babu)**
**Dy. Inspector General of Forests (C)**

**To,**

**The Addl. Chief Secretary**,
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar – 751 001.

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

Signature Not Verified

Digitally Signed by : Shri Vasanta Kiran Babu
Deputy Inspector General of Forest, IRO

Date: 06/05/2026



-TRUE COPY-

Gmail ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

## Service in Munidei Majhi Vs. MoEF&CC & Ors. [Appeal No. 04 of 2026]

1 message

**ELDF** <eldflegal@gmail.com> Wed, May 6, 2026 at 5:39 PM
To: Amrita Pandey <amritalegal@gmail.com>, advocate.paushali@gmail.com, Yogeshwaran Amarneethi <yogeshwaranadv@gmail.com>, fesec.or@nic.in, legumjure@gmail.com
Cc: Eisha Krishn <eisha@eldfindia.com>, Mansi Bachani <mansi@eldfindia.com>

Dear Sir/Ma'am

Please find attached a copy of the Reply Affidavit filed on behalf of Respondent No. 04 Vedanta Ltd. in the above mentioned case.

*Thanks & Regards*
--
**Sameer Manher**
*Clerk*
*Enviro Legal Defence Firm*
*29, Presidential Estate LGF,*
*Nizamuddin East New Delhi – 110013*
*Ph. No. 011-40573181*

**Reply R4.pdf**
7780K

Annexure - A34

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**Appeal No. 11 of 2026 EZ**

**IN THE MATTER OF:**

**Munidei Majhi and 3 Ors.** **...Applicants**

**Versus**

**The Ministry of Environment, Forest and Climate Change & 3 Ors. ...**
**Respondents**

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

**Appeal No. 11 of 2026 EZ**

**IN THE MATTER OF:**

**Munidei Majhi and 3 Ors.** **...Applicants**

**Versus**

**The Ministry of Environment, Forest and Climate Change & 3 others**

**... Respondents**

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1**

MOST RESPECTFULLY SHOWETH:

I, Shri Vasanta Kiran Babu, S/o Shri V. Surya Rao, aged about 48 years, working as Dy. Inspector General of Forest (Central) at Regional Office, Bhubaneswar of the Ministry of Environment, Forest & Climate Change, ('MoEFCC', for short) at A/3, Chandrasekharpur, Bhubaneswar – 751023, do hereby solemnly affirm and state on oath as under:

1. That the present Counter Affidavit is being filed on behalf of Respondent No.1 in reply to the Appeal No. 11/2026/EZ filed by the Appellants challenging the Stage-II/Final Approval dated 05.05.2026, corrigendum dated 06.05.2026, working permission dated 27.02.2026 and tree felling permission dated 26.03.2026.

2. That the answering Respondent respectfully submits that the proposal was considered strictly in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the Rules framed thereunder, applicable guidelines, and the records/documents submitted by the State Government through the PARIVESH portal.

3. That it is submitted that Respondent No. 1 is the authority that granted the Stage-I/In-principle Approval dated 05.01.2026 and the Stage-II/Final Approval dated 05.05.2026 (corrected by Corrigendum dated 06.05.2026) under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (hereinafter "the Adhiniyam"). Respondent No. 1 is neither the issuer of the Working Permission dated 27.02.2026 nor the Tree Felling Order dated 26.03.2026. It is squarely fall entirely outside the jurisdiction and authority of the Ministry.

4. That the proposal for diversion of forest land was submitted by the State Government of Odisha and processed online under Proposal No. FP/OR/OTHERS/523366/2025. After due examination of the proposal and recommendations received from the competent authorities, Stage-I/In-Principle approval was granted vide letter dated 05.01.2026 subject to fulfillment of stipulated conditions. Thereafter, the State Government submitted compliance report and supporting documents for fulfillment of the Stage-I conditions.

5. That upon receipt of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide letter dated 21.04.2026 and after submission of compliance details on the PARIVESH portal on 23.04.2026, the proposal was examined by Respondent No. 1 and Stage-II/Final Approval dated 05.05.2026 was granted under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

6. That the impugned Stage-II/Final Approval was granted only after due consideration of the compliance report submitted by the Principal Chief Conservator of Forests (PCCF) & Nodal Officer (FCA), Odisha vide their letter No. 8119/9F(Others)-343/2025 dated 21.04.2026, which was also submitted on the PARIVESH web portal on 23.04.2026. The Ministry was satisfied, on the basis of the said compliance report, that the pre-conditions stipulated under the Stage-I approval dated 05.01.2026 had been duly

NOTARY PUSHAR SAHOO BHUBANESWAR GOVT. OF ODISHA

complied with. Accordingly, the Stage-II/Final Approval was issued in accordance with the provisions of the Adhiniyam and the Van (Sanrakshan Evam Samvardhan) Rules, 2023.

7. That the Stage-II/Final Approval has been granted subject to 33 general conditions, standard conditions, and one specific condition (Condition No. 3.1). Condition No. 3.1 explicitly provides that the Stage-II clearance and its continued operational validity are inherently subject to the final adjudication of Appeal No. 04/2026/EZ (Munidei Majhi & Ors. Vs. The Ministry of Environment, Forest and Climate Change & Ors.) pending before this Hon'ble Tribunal. The Ministry has thus not bypassed or ignored the pendency of the earlier appeal on the contrary, it has consciously made the approval subject to the outcome of this Hon'ble Tribunal's adjudication. (A copy of the said approval is annexed herewith and marked as **Annexure R-1/1**.)

8. That the answering Respondent submits that the role of Respondent No. 1 under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is limited to consideration of proposals for diversion of forest land on the basis of records, site inspection reports, recommendations, certificates, undertakings and compliance reports submitted by the State Government and its authorities. Matters relating to ground verification, implementation of conditions, demarcation, handing over of land, enforcement and field-level compliance are primarily within the domain of the State Government and its field authorities.

NOTARY PUSKAR SAHOO BHUBANESWAR GOVT. OF ODISHA

9. That it is submitted that the compliance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter "FRA, 2006") is a condition that has been stipulated under the Stage-II approval itself. Condition No. 1.7 of the Stage-II approval specifically mandates:

> ***"The State Govt. shall ensure the compliance on FRA, 2006 as per Van (Sanrakshan Evam Samvardhan) Rules and guidelines issued from time to time before handing over of the diverted forest land to user agency."***

10. That the answering Respondent further submits that the State Government furnished compliance materials indicating compliance of FRA, 2006, including submission of certificate from the concerned District Collector. The Stage-I compliance report specifically records that the proposal was accompanied with FRA compliance documents. (The copy of the said compliance report submitted by State Government is annexed herewith and marked as **Annexure R-1/2).**

11. That the answering Respondent submits that several safeguards and environmental protection measures were incorporated as mandatory conditions in the Stage-II approval. The State Government was directed to ensure compensatory afforestation, additional compensatory afforestation, protection of legal status of forest land, geo-tagging and monitoring of plantation, uploading of KML files, soil conservation measures, slope stabilization measures, drainage structures and other environmental safeguards.

12. That the proposal was also placed before the Regional Empowered Committee (REC) and was considered in accordance with the prevailing statutory framework and applicable guidelines. The Ministry took into consideration the recommendations and materials available on record before arriving at its decision.

NOTARY PUSKAR SAHOO BHUBANESWAR REG. NO. 4872009 GOVT. OF ODISHA

13. It is denied that the Ministry failed to apply its mind. The proposal went through multiple rounds of EDS queries, site inspection, REC deliberation, and compliance verification. The Ministry was fully aware of the connection between the road and the mine, and this was reflected in the REC's observations. The decision was taken consciously in the context of the REC's recommendation and the compliance report of the State Government.

14. That the allegations made by the Appellants regarding alleged irregularities in field implementation, law and order situation, tree felling activities, local disturbances, or other field-level actions are matters primarily concerning the

State authorities and field officers.

15. That the answering Respondent respectfully submits that the Stage-II approval itself contains conditions safeguarding statutory compliances and requiring continued adherence to applicable laws, rules and guidelines. The approval was granted only after consideration of the compliance reports and undertakings furnished by the State Government and concerned authorities.

16. That the answering Respondent further submits that the Ministry acted in a fair, transparent and lawful manner while processing the proposal. No provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 or applicable Rules were violated by Respondent No. 1 while granting the impugned approval.

17. That the contents of the Appeal, save and except those specifically admitted herein, are denied. The Appellants are put to strict proof of their allegations.

18. In view of the submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to pass such other order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

NOTARY PUSKAR SAHOO BHUBANESWAR Ref.GD No- 44/2026 GOVT. OF ODISHA

DEPONENT

उप वन महानिरीक्षक (केन्द्रीय)
Dy. Inspector General of Forests (Central)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय/Regional Office
भुवनेश्वर/Bhubaneswar

**VERIFICATION**

I, the Deponent above named, do hereby verify that the contents of the above Affidavit are true and correct to my knowledge and belief derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this 19th day of May 2026.

19.5.2026
PUSKAR SAHOO
NOTARY BHUBANESWAR
GOVT OF ODISHA
MOB :- 9337129137

DEPONENT

उप वन महानिरीक्षक (केन्द्रीय)
Dy. Inspector General of Forests (Central)
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
क्षेत्रीय कार्यालय/Regional Office
भुवनेश्वर/Bhubaneswar

**Annexure - A35**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE AT KOLKATA**

APPEAL NO. 11 OF 2026

**IN THE MATTER OF:**

Munidei Majhi & Ors. ...Petitioner

-Vs-

The Ministry of Environment, Forest and Climate Change & 4 Ors ...Respondents

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**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 2 & 5**

**PAPER BOOK**

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**DEPONENT**

**Through:-**
**Utkarsh Chandra & Aryan Rachh**
**Advocates**
**C-24, Nangal Dewat,**
**Sector D, Vasant Kunj,**
**New Delhi, Delhi- 110070**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

APPEAL NO. 11 OF 2026

NOTARY At/Po/Dist-RAYAGADA-765001 BRAJA SUNDAR NAYAK Reg. No.ON-84/2009 Exp.20.05.2029 GOVT. OF ODISHA

**IN THE MATTER OF:**

Munidei Majhi & Ors. ...PETITIONER

Versus

Ministry of Environment, Forest and Climate Change & Ors.

...RESPONDENT

**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENTS NO. 2 & 5**

I, **Sachin Annasaheb Ohol, S/o Annasaheb Mahadeo Ohol**, aged about 32 years, 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 I am well conversant with the facts and circumstances of the present case by virtue of my official duties, I am Respondent No. 5 in the aforementioned matter and am competent to swear this present Affidavit on behalf of Respondent No. 2. The contents of this Counter Affidavit are true to my knowledge and based on official records.

2. That I have perused the copy of the Memorandum of Appeal filed by the Petitioners herein along with the annexures thereto, and I am filing the present Counter Affidavit to oppose the same.

Braja Sundar Nayak
NOTARY, Rayagada (ODISHA)

NOTARY At/Po/Dist-RAYAGADA-765001
BRAJA SUNDAR NAYAK
Reg. No.ON-84[illegible]009
Exp.20.05.2029
GOVT OF ODISHA

**MOST RESPECTFULLY SHOWETH:**

At the outset, it is submitted that all the averments and contentions raised by the Petitioners including in the synopsis, grounds and dates and events are expressly denied in their entirety except to the extent as specifically admitted hereinafter. It is submitted that the present Appeal is based on a misconceived understanding of law and an erroneous appreciation of facts. The impugned clearances and orders have been issued following all applicable statutory provisions, guidelines and procedures, after thorough examination and due application of mind. The present Appeal deserves to be dismissed.

**PRELIMINARY OBJECTIONS**

**A. THE APPEAL AGAINST STAGE II CLEARANCE IS PREMATURE AND MISCONCEIVED IN VIEW OF THE CAVEAT IN THE IMPUGNED ORDER ITSELF**

3. It is respectfully submitted at the outset that the Stage II Clearance dated 05.05.2026 (the impugned clearance) itself contains a specific condition which expressly states that *"the issuance and continued operational validity of this Stage II clearance are inherently subject to the final adjudication of Appeal No. 04/2026/EZ (Munidei Majhi & Ors. Vs. The Ministry of Environment, Forest and Climate Change), presently pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata."* This demonstrates the utmost good faith of Respondent No. 1 in ensuring that the rights of the Appellants are protected. The Stage II clearance is not being acted upon in derogation of these proceedings.

4. It is further submitted that this Hon'ble Tribunal in *Vimal Bhai Vs. Union of India* ***(Appeal No. 07/2012 dated 07.11.2012)*** had held that an Appeal under Section 16(e) of the NGT Act, 2010 is provided only against an order passed by the State Government under Section 2 of the Forest (Conservation) Act, and an order of approval/clearance passed by the Central Government is beyond the scope of such an Appeal. This position was reiterated by a four-judge Bench of this Hon'ble Tribunal in *Milind Pariwakam Vs. Union of India* ***(2015 SCCOnLine NGT 845)***. While the OM dated 28.08.2015 has modified the position

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to enable challenge to the tree-cutting order under Section 16(e), the Appellants' substantive challenge is directed at the Central Government's approval which remains limited in scope of challenge.

5. The working permission dated 27.02.2026 issued by the 5th Respondent (Divisional Forest Officer) has been issued pursuant to the Stage I clearance dated 05.01.2026 and in accordance with the OM dated 28.08.2015. The said working permission itself states that it shall remain valid for one year or until Stage II approval, whichever is earlier. Since Stage II approval has now been granted on 05.05.2026, the working permission has served its limited purpose. The tree-felling order dated 26.03.2026 was issued only in respect of 91 trees, and the compensatory levies for the same were paid by the User Agency. The issuance of these orders was entirely within the ambit of the applicable legal framework.

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**B. THE APPELLANTS SEEK TO CHALLENGE THE MINING PROJECT OF RESPONDENT NO. 4 UNDER THE GUISE OF CHALLENGING THE ROAD PROJECT – THE APPEAL IS AN ABUSE OF PROCESS**

6. It is respectfully submitted that a perusal of the Memorandum of Appeal leaves no manner of doubt that the real and underlying grievance of the Appellants is against the Sijimali Bauxite Mine of Respondent No. 4 (M/s Vedanta Limited). The Appellants themselves admit at page 7-8 of the appeal that they are aggrieved by "the proposal to mine their sacred hill." The environmental and forest clearances for the mine itself are pending and the Appellants have not challenged the Stage I approval granted to the mine for 708.204 ha of forest land (which preceded the Stage I approval for the road). This selective challenge to the road project is a transparent attempt to indirectly stall the mining project.

7. The approach road, covering a mere 4.911 ha of forest land, is the subject of challenge in this appeal. The mining project itself, covering 708.204 ha, has received Stage I clearance and is pending final clearance. The Appellants' reliance upon FAC minutes, EIA reports, and environmental clearance proceedings relating to the mine (which are not the subject matter of the impugned clearance) further exposes the true nature of the challenge. This Hon'ble Tribunal in *K.K. Modi Vs. K.N. Modi* ***[(1998) 3 SCC 573]*** has held that proceedings filed for collateral purposes amount to abuse of process.

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**C. THE CLAIM OF VIOLATION OF TRIBAL RIGHTS UNDER FRA IS NOT WITHIN THE JURISDICTION OF THIS HON'BLE TRIBUNAL**

8. It is respectfully submitted that the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereinafter referred to as **"FRA, 2006"**) does not find place in Schedule I of the National Green Tribunal Act, 2010, which enumerates the enactments under which this Hon'ble Tribunal may adjudicate. Alleged non-compliance with the provisions of FRA, 2006 cannot therefore be independently agitated before this Hon'ble Tribunal. The Appellants' grounds related to FRA, 2006 compliance (Grounds G and H) are not maintainable to that extent.

9. Without prejudice to the above maintainability objection, it is specifically submitted that due compliance with the FRA, 2006 has been ensured. The Collector, Rayagada has issued the FRA compliance certificate in Form-I vide No. 150/XI-117/25 dated 31.01.2025 for the area of 12.135 Acres (comprising 11.650 Acres in Sagabari village and 0.485 Acres in Porlang village) proposed for the road. The certificate records that: (a) the complete process of identification and settlement of rights under FRA has been carried out; (b) the Gram Sabhas have given their consent for diversion of forest land for facilities managed by the Government under Section 3(2) of FRA, 2006; and (c) the proposal does not involve recognized rights of Primitive Tribal Groups or Pre-Agricultural Communities.

**SUBSTANTIVE SUBMISSIONS ON MERITS**

**D. THE PROPOSED ROAD IS NOT AN INTEGRAL PART OF THE MINING PROJECT – IT IS A STANDALONE LINEAR PROJECT BY AN INDEPENDENT USER AGENCY**

10. The entire case of the Petitioner rests on their contention that the access road from Sijimali Bauxite Mines (Hill Top) to SH-44 is an "integral part" of the mining project and ought to have been considered as such under Chapter 7.8(f) of the Consolidated Guidelines. This contention, while superficially attractive, is not borne out by a careful reading of the Guidelines, the facts on record, or the applicable law.

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11. Chapter 7.8(f) of the Consolidated Guidelines reads as follows: "Approach road/conveyor belt and other ancillary activities related to mining shall be considered as part of the mining project and should therefore be processed accordingly. However, supplementary linear projects linked to mining that are conceived after the start of the original mining, should be considered as a standalone linear project and decisions on according approval for those shall be made at the REC/IRO concerned as per provisions provided in the Van (Sanrakshan Evam Samvardhan) Rules, 2023."

12. A careful reading of this provision indicates that the merger of ancillary activities into the main mining proposal is the general rule. However, the provision does not mandate that every road that may be used for mineral transportation must necessarily be processed as part of the mining project. The provision contemplates approach roads that are part of the mining project itself – i.e., that fall within the mining lease area or are proposed by the same project proponent as part of the mining project. In the instant case, the following distinguishing features are material:

(a) The road has been proposed by the Odisha Industrial Infrastructure Development Corporation (IDCO) – a separate statutory body under the OIIDC Act, 1980 – and not by M/s Vedanta Limited, the mining company. The User Agency is different from the project proponent of the mine.

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(b) The road does not fall within the approved Mining Lease area or the sanctioned Mining Plan of the mine. This is expressly noted in the Site Inspection Report of the Regional Office and in the observations of the FAC.

(c) The road will serve as a public road owned by the Public Works Department (PWD), Government of Odisha, as is evident from the minutes of the meeting of 24.01.2024 chaired by the Chief Secretary of Odisha. The ownership of the road is thus public/governmental in nature, not private/corporate.

(d) The road also serves the connectivity needs of five villages – Dumerpadar, Porlang, Sagabari, Bichapinda and Malipadar – which presently lack road access.

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This public utility purpose has been consistently submitted before the Forest Advisory Committee and the Regional Office.

13. The Appellants' contention that the DPR was prepared by Vedanta and the compensatory levies were paid by Vedanta does not alter the legal character of the proposal. Internal or inter-departmental arrangements and implementation modalities do not determine the identity of the User Agency or the legal validity of the proposal submitted before the competent authority. The applicable statutory framework does not prohibit a competent agency (IDCO) from undertaking infrastructure development and seeking necessary approvals, even if such infrastructure may ultimately benefit broader industrial and public purposes.

**E. IDCO IS FULLY COMPETENT TO APPLY FOR AND OBTAIN FOREST CLEARANCE FOR THE SUBJECT ROAD – THE CHALLENGE TO IDCO'S STANDING IS WITHOUT MERIT**

14. The Appellants submit that IDCO's functions under the OIIDC Act, 1980 do not empower it to apply for forest clearance for a road that primarily serves a private mining company. This submission proceeds on a fundamental misreading of the OIIDC Act and the nature of IDCO's functions.

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15. Section 14(ii)(c) of the OIIDC Act, 1980 explicitly empowers IDCO to *"undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith."* Section 14(ii)(d) empowers IDCO to *"provide or cause to be provided amenities and common facilities in industrial estates and industrial areas."* Section 2(a) of the Act defines "amenity" to include "road" as one of the specified amenities.

16. The Appellants seek to rely on the exclusion of "mining operations" from the definition of "development" under Section 2(f) of the OIIDC Act to argue that IDCO cannot construct roads for mining projects. This is a misreading. The exclusion of "mining operations" from "development" means that IDCO cannot undertake mining activities themselves – it does

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not mean that IDCO cannot construct roads that may incidentally benefit mining projects. The construction of a road is unambiguously within IDCO's powers. The ownership of the road vests with PWD, and IDCO's role is that of a facilitator/executor.

17. It is further submitted that IDCO is a statutory body under the Government of Odisha. The Government of Odisha, through its highest executive officer (the Chief Secretary), chaired the meeting dated 24.01.2024 and took the decision to assign the land acquisition and road construction coordination to IDCO. This was a legitimate governmental policy decision. IDCO, as the implementing arm of the State Government for industrial infrastructure, is fully competent to apply for forest clearance for such a road.

**F. THE FOREST ADVISORY COMMITTEE AND THE MINISTRY HAVE APPLIED THEIR MINDS – PROPER SEQUENCING AND DUE PROCESS WERE FOLLOWED**

18. The Appellants allege non-application of mind by the Forest Advisory Committee (FAC) and the Respondent authorities. This allegation is misconceived and is flatly contradicted by the record.

19. It is submitted that the FAC, in its 7th Meeting dated 30.07.2025, took careful note of the interlinkage between the access road and the mining project. The Committee observed that the road proposal should not be considered before the mining proposal itself was recommended. This was precisely the approach of sequencing that was adopted by the authorities – the access road proposal was not cleared prior to or simultaneously with the mining proposal; it was cleared only after the FAC recommended Stage I approval for the mine in the 12th FAC Meeting dated 02.12.2025.

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20. The sequence of events is as follows:

(a) 30.07.2025 – 7th FAC Meeting: Both proposals (mine and road) were considered. The FAC deferred both proposals and noted that the road could only be cleared after the mine proposal was approved.

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(b) 02.12.2025 – 12th FAC Meeting: The FAC recommended Stage I approval for the mining project (708.204 ha). The FAC again reiterated that the road proposal should be cleared only after the mining proposal was approved.

(c) 12.12.2025 – Compliance to EDS: Upon the mining proposal being recommended, the State Government forwarded the compliance for the road proposal.

(d) 05.01.2026 – Stage I Clearance for the road was issued, consistent with the FAC's own observations.

(e) 05.05.2026 – Stage II Clearance for the road was issued after the User Agency submitted compliance with all 39 general conditions.

21. The Appellants' grievance appears to be that the road proposal should not have been considered separately at all. However, as elaborated above, this is a misreading of the applicable guidelines. The sequencing adopted by the FAC – that the road would be considered only after the mine proposal was approved – demonstrates conscious, reasoned decision-making and not mechanical processing.

22. The allegation that the proposal was "not placed before the FAC before clearance was issued" is factually incorrect. The proposal was considered as Agenda Item No. 25 in the 7th FAC Meeting and was specifically deliberated upon, with the FAC making a specific recommendation regarding sequencing. The Stage I Clearance was thereafter issued in conformity with those recommendations.

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**G. ALL CONDITIONS WERE FULFILLED BEFORE GRANT OF WORKING PERMISSION AND STAGE II CLEARANCE – THE ORDERS ARE VALID**

23. The working permission dated 27.02.2026 was issued by the 5th Respondent (DFO, Rayagada) in exercise of the specific powers conferred by Specific Condition No. 3 of the Stage I Clearance and in accordance with Para 11.1 of Chapter 11 of the Consolidated

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Guidelines. Before issuing the working permission, the following conditions were verified as complied with:

(a) Net Present Value (NPV) of Rs. 47,03,658/- was deposited by the User Agency through the online portal.

(b) Cost of Compensatory Afforestation over 6.07 ha of non-forest land amounting to Rs. 59,06,200/- was deposited.

(c) Cost of Additional Compensatory Afforestation over 5.00 ha of degraded forest land amounting to Rs. 54,15,400/- was deposited.

(d) The identified non-forest land was transferred and mutated in favour of the Forest Department as certified by the Tahasildar, Kolnara.

(e) The FRA compliance certificate was submitted by the User Agency.

24. The tree-felling order dated 26.03.2026 was issued in respect of only 91 miscellaneous trees standing over the forest land proposed for diversion. The requisite royalty amount of Rs. 1,61,489/- was deposited by the User Agency prior to the issuance of this order. The order was issued only after the working permission had been granted. Both orders are entirely within the framework of law.

25. The Stage II Clearance dated 05.05.2026 was issued after the User Agency submitted comprehensive compliance with all 39 general conditions stipulated in the Stage I clearance. All requisite compensatory levies, undertakings, land transfers, KML file uploads, and other conditions were complied with before the final approval was issued.

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**PARA-WISE REPLY TO GROUNDS**

26. The Appellants have raised Grounds A through M in their Memorandum of Appeal. The Respondents now address the same seriatim.

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27. **In response to Ground A,** it is submitted that Ground A alleges violation of Consolidated Guidelines under Chapter 7.8(f). It is submitted that the Guidelines cannot be read to mandatorily require that every road proximate to a mining project be subsumed within the mining proposal regardless of the identity of the user agency, the ownership of the road, or its public utility character. The Guidelines in Chapter 7.8(f)(2) also contemplate that "the State Government/User agency shall ensure that dispensation considered by the Ministry is not misused in any way and likely tendencies to detach linear projects from the main proposal of mining should not be encouraged. To the extent possible, linear infrastructure such as roads/railways/conveyor belts, etc., ancillary to mining should be included in the main proposal and under inevitable circumstances only, such proposals submitted by the user agency should be considered as standalone project." The phrase "to the extent possible" and "under inevitable circumstances only" demonstrates that standalone consideration of a road proposal is not absolutely prohibited. The instant case presents the "inevitable circumstance" where the user agency is a government body (IDCO), the road is to be owned by PWD, and it serves public connectivity in addition to bauxite transportation.

28. **In response to Ground B,** it is submitted that Ground B alleges that IDCO ought not to have been permitted to submit the proposal. The contents are denied as false and baseless. As submitted above, IDCO is fully competent under the OIIDC Act, 1980 to apply for and obtain forest clearances for the infrastructure it is implementing on behalf of the State Government. The User Agency for forest clearance purposes is determined by the entity proposing to use the diverted forest land for non-forest purposes. IDCO, in facilitating the development of road infrastructure, is the appropriate User Agency.

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29. **In response to Ground C,** it is submitted that Ground C relies on a selective reading of the OIIDC Act. The contents are denied as false and baseless. As elaborated above, the exclusion of "mining operations" from "development" does not preclude IDCO from building roads that may benefit mining projects. Sections 14 and 15 of the Act provide ample powers for IDCO to build roads and related infrastructure. The submission that the proposal is "void ab initio" is an overstatement without legal foundation.

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30. **In response to Ground D,** it is submitted that Ground D alleges that the authorities failed to appreciate that the road is admitted to be part of the mining project. The contents are denied as false and baseless. It is submitted that references in EIA reports, traffic studies and other documents to the road being used for bauxite transportation only indicate the intended use or utility of the road and do not, by themselves, determine the legal character of the proposal or the identity of the User Agency for forest clearance purposes. The road will be a public road owned by PWD and its connection to the mining project does not render it an "integral part" of the mining lease proposal.

31. **In response to Ground E,** it is submitted that Ground E alleges non-application of mind by the Respondent authorities. The contents are denied as absolutely false and baseless. As elaborated in Section F above, the proposal underwent multi-tier scrutiny at the Divisional Forest Officer level, the State level (through EDS and field inspection), the Regional Office level (through site inspection and DDGF's recommendation), and the FAC level (where the proposal was deliberated upon as Agenda Item 25 in the 7th FAC Meeting). The sequencing adopted is a demonstration of reasoned decision-making.

32. **In response to Ground F,** it is submitted that Ground F alleges failure of statutory duty by the 1st Respondent. The contents are denied as absolutely false and baseless. The Ministry of Environment, Forest and Climate Change has discharged its statutory obligations fully and in accordance with the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Rules and Guidelines framed thereunder. The impugned clearances are well-reasoned and supported by the recommendations of the FAC and the Regional Office. The Appellants' characterization of the issuance of clearance as a "failure of statutory duty" reflects a partisan appreciation of the facts.

33. **In response to Ground G,** it is submitted that Ground G alleges circumvention of tribal consent requirements. The contents are denied as absolutely false and baseless. The OM dated 03.08.2009 requires consent of tribals in respect of forest land proposed for diversion in the context of mining projects. The subsequent OM dated 05.02.2013 provides relaxation in respect of linear projects (roads, pipelines, OFC lines etc.) from the requirement of gram sabha consent, requiring only that the DLC/SDLC-level process be followed. The subject proposal, being a standalone linear project, is governed by the 2013

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OM. The full SDLC and DLC proceedings have been completed and the FRA compliance certificate has been issued by the Collector, Rayagada on 31.01.2025. There has been no circumvention.

34. **In response to Ground H,** it is submitted that Ground H alleges that the clearance was issued without considering the cultural and religious significance of the Tijmali hills and without application of mind to the lives and livelihoods of tribal communities. The contents are denied as false and baseless. It is submitted that the impugned clearance pertains to the access road (4.911 ha) and not to the mining project itself. The cultural and religious significance of the hills is primarily relevant to the mining clearance, which is pending separately. To the extent relevant, the Appellants' concerns are on record and have been duly noted. The authorities are required to apply their minds to factors germane to the clearance sought, which they have done.

35. **In response to Ground I,** it is submitted that Ground I alleges that the clearance was issued without awaiting Environmental Clearance under the EIA Notification, 2006. It is submitted that under the EIA Notification, 2006, the access road (being a separate project for forest diversion under the Adhiniyam) is not independently required to obtain Environmental Clearance. Environmental Clearance under the EIA Notification is applicable to the mining project, and the Stage II forest clearance for the road contains a specific condition (Condition 1.15) requiring the User Agency to obtain Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986 if applicable. The responsibility of obtaining EC lies with the User Agency; it is not a pre-condition for grant of forest clearance.

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36. **In response to Ground J,** it is submitted that Ground J alleges that the working permission and tree-felling order were issued without application of mind. The contents are denied as absolutely false and baseless. As elaborated in Section G above, both orders were issued after all requisite compensatory levies and conditions were complied with. The 5th Respondent (DFO) has followed all prescribed procedures. These orders are not arbitrary; they are reasoned and procedure-compliant.

37. **In response to Ground K,** it is submitted that Ground K alleges that the 5th Respondent failed to note that compensatory levies were paid by Respondent No. 4

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(Vedanta) and not by IDCO. It is submitted that the User Agency (IDCO) is entitled to have the compensatory levies paid on its behalf by any party authorized to do so. The compensatory levies having been duly remitted into the CAMPA account through the online portal, the formal source of the payment does not vitiate the clearance. The applicable guidelines do not require that the money be paid only by the User Agency from its own funds.

38. **In response to Ground L,** it is submitted that Ground L alleges that the Stage II clearance was granted mechanically without examining the illegality pervading the process. The contents are denied as absolutely false and baseless. It is submitted that Stage II clearance is granted upon verification of compliance with all conditions of Stage I clearance. The competent authority satisfies itself that all conditions are complied with, following which the final approval is issued. Stage II clearance is not an occasion for de novo examination of the substantive grounds already considered at Stage I. The Stage II clearance in the instant case correctly incorporates a caveat making it subject to the outcome of Appeal No. 04/2026/EZ.

39. **In response to Ground M,** it is submitted that Ground M alleges that the 1st Respondent made a "mockery of the law" by issuing clearance without assessment of impact on landscape, environment and tribal communities. This characterization is unwarranted and contrary to the record. A comprehensive site inspection was conducted; environmental impact was assessed; compensatory afforestation was mandated; soil erosion mitigation measures, wildlife protection provisions, speed signage, underpasses and other conditions were imposed. The clearance is the product of a thorough process and not a perfunctory exercise.

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## MISCELLANEOUS SUBMISSIONS

40. Without prejudice to the above submissions, the Respondents submit that the Appellants' prayer for quashing of the Stage II clearance would result in the present Appeal being rendered infructuous since the Stage I clearance (impugned in Appeal No. 04/2026/EZ) has already merged into the Stage II clearance. Any further consideration of the Stage I clearance would necessitate consideration of the Stage II clearance as well. It

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is, therefore, appropriate for this Hon'ble Tribunal to consolidate both appeals and hear them together.

41. The Respondents respectfully submit that the proposal for diversion of 4.911 Ha of forest land for the approach road was examined strictly in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the Rules made thereunder, and the applicable guidelines of the Government of India. The proposal underwent appraisal at the appropriate levels, and the competent authority accorded approval subject to specific safeguards, mitigation measures and statutory conditions intended to minimise environmental impacts.

42. It is finally submitted that the Appellants have filed the present Appeal as a second challenge to the same project, having already challenged the Stage I clearance in Appeal No. 04/2026/EZ. The instant Appeal introduces no new ground that was not available to be raised in the earlier Appeal. The Appellants have essentially sought to multiply challenges and protract the proceedings in order to delay the project beyond what is legally warranted.

43. That I have gone through the statements made hereinabove and fully understood the same.

## ***VERIFICATION***

I, Sachin Annasaheb Ohol, the deponent above-named, do hereby verify that the contents of paragraph nos. 1 and 2 are true to my personal knowledge and the remaining paragraphs (3 to 42) are true and correct based on official records and information derived therefrom, which I believe to be true, and nothing material has been concealed therefrom.

Verified at _____ on this ___ day of July, 2026.

6.7.26

Divisional Forest Officer
Rayagada Division

DEPONENT

No.
Date
Time

Identified by me

M. V. Prasanna Laxmi
Advocate, Rayagada.

The above named deponent having been identified by Sri/Smt. P. Laxmi Advocate, Rayagada on solemn affirmation admits the contents of the Affidavit and puts his/her signature in my presence on Dt. 6.7.26

Braja Sundar Nayak
NOTARY, Rayagada (ODISHA)

Urgent: Contact Adv.

4345

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**NGT matter/ Urgent**

**By Speed Post/e-mail**

**GOVERNMENT OF ODISHA**
**FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT**

*****

No.FE-DIV-CASE-0007-2026- 11749 /FE&CC, Date 27 MAY 2026

From

Shri Swayam Mallick, IFS
Special Secretary to Government

To

The Divisional Forest Officer, Rayagada Forest Division.

Sub: Appeal No. 11 of 2026 filed by Smt. Munidei Majhi & Ors-Vrs-MoEF&CC & Others before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata.

Sir,

In inviting a reference to the subject cited above, I am directed to say that you have been authorised to file response/ counter affidavit on behalf of Respondent No. 2 (Principal Secretary, FE&CC Department) in the Appeal No.11 of 2026 filed by Munidei Majhi & Ors. -vrs- MoEF&CC & Ors before the Hon'ble NGT, EZ, Kolkata in consultation with the O/o the Advocate General, Odisha, Cuttack with the specified time period and report compliance.

Copy of e-mail dated 13.05.2026 of Shri Yogeshwaran A, Advocate and Hon'ble National Green Tribunal's Order dated 14.05.2026 passed in Appeal No. 11 of 2026 along with copy of the appeal No.11 of 2026 is enclosed herewith for information and immediate necessary action.

This may be treated as **Extremely Urgent**.

Yours faithfully,

26/05/2026

Special Secretary to Government

Memo No. 11750 /FE&CC, Date 27 MAY 2026

Copy forwarded to the Advocate General, Odisha, Cuttack for kind information and necessary action.

26/05/2026

Special Secretary to Government

Memo No. 11751 /FE&CC, Date 27 MAY 2026

Copy forwarded to the OSD-cum-Joint Secretary to Government, Law Department for information and necessary action.

26/05/2026

Special Secretary to Government

Divisional Forest Officer
Receipt No. 2835
Date 04/06/26
Rayagada Division

Received on 04/06/26

P.T.O.→

Memo No. 11752 /FE&CC, Date 27 MAY 2026

Copy with copy of enclosures forwarded to the Principal Chief Conservator of Forests & HoFF, Odisha for information and necessary action.

Special Secretary to Government

Memo No. 11753 /FE&CC, Date 27 MAY 2026

Copy forwarded to Shri Yogeshwaran A., Advocate, M-1, Vadhula, No. 18, Brindavan Street, Mylapore, Chennai, Tamilnadu-600004 (e-Mail: **yogeshwaranadv@gmail.com**) for information and necessary action.

Special Secretary to Government

Memo No. 11754 /FE&CC, Date 27 MAY 2026

Copy forwarded to the Special Secretary to Govt., I/c Legal Cell, FE&CC Department for information and necessary follow up action.

Special Secretary to Government

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ADVOCATES' WELFARE FUND STAMP ₹25 2919703 BAR COUNCIL OF DELHI DELHI TWENTYFIVE RUPEES

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₹1 NCT OF DELHI COURT FEE DLCT0526945E2600M 05-MAY-2026

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# VAKALATNAMA

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

**Appeal No. 11/2026**

**In re:**

**Munidei Majhi & ors.** ... APPLICANTS

**Versus**

**Ministry of Environment, forest and Climate change & Ors**

... RESPONDENTS

KNOW ALL to whom these presents shall come that I, Sachin Annasaheb Ohol, presently working as Divisional Forest Officer, Rayagada Forest Division, on behalf of Respondent No. 2 & 5, do hereby appoint: -

**Utkarsh Chandra, Advocate, (D/ 13059/ 2023)**
**& Aryan Rachh (D/14947/2023)**

**C-24, Nangal Dewat, Vasant Kunj, Sector – D,**
**Vasant Kunj, New Delhi, Delhi – 110070.**
**Mobile No. 8917347515; E-mail:** 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 6 t h day of July 2026.

Accepted subject to the terms of fees.

**Advocates: -**

Utkarsh

Utkarsh Chandra

D/13059/2023

Aryan Rachh

Aryan Rachh

D/14947/2023

6.7.26

Client

Divisional Forest Officer
Rayagada Division

**Annexure - A36**

**IN THE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH AT KOLKATA**

**APPEAL NO. 11/2026**

**Munidei Majhi and Others** **Appellant(s)**

**Versus**

**MoEF&CC & Ors** **Respondent(s)**

| Sr No | Particulars | Dated | Pages |
|---|---|---|---|
| 1. | Affidavit of Odisha Industrial Infrastructure Development Corporation | **06.07.2026** | |
| 2. | | | |

**On behalf of Respondent No. 3**

**Kolkata**
**Date:**

**Through**

**IN THE NATIONAL GREEN TRIBUNAL**
**EASTERN BENCH AT KOLKATA**
**APPEAL NO. 11/2026**

**Munidei Majhi** **Appellants**

Vs

**Union of India & Ors** **Respondents**

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

**AFFIDAVIT ON BEHALF OF THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION RESPONDENT NO.3:**

I, Harischandra Rout, son of Late Birabhadra Rout, aged about 57 years , presently posted as Addl. Chief General Manager(Land) and C.G.M.(Environment) I/c having my office at Odisha Industrial Infrastructure Development Corporation , IDCO Towers, Janpath, Bhubaneswar, Dist-Khordha do hereby solemnly affirm and state on oath as under:

1. That I am the Respondent No.3 Corporation, in the above captioned matter and as such, am well acquainted with the facts and circumstances of the case and am competent and authorized to swear this Affidavit.
2. As such, save what would be borne out by the admitted records or what may be specifically admitted by me

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hereinafter, all statements and/or allegations contained in the said Affidavit should be deemed to have been denied and disputed by me as if each one has been set out hereunder and denied in seriatim.

3. It is submitted that there is no illegality on the part of Respondent No.3, in applying forest diversion proposal before the competent authority and obtaining forest diversion clearance for non forest use of the required forest land. The Odisha Industrial Infrastructure Development Corporation (IDCO) is a State owned PSU and mandated with Industrial Infrastructure Development in the State.

4. That as per the decision taken in the meeting held on 24.01.2024 under the Chairmanship of the Chief Secretary, Odisha to acquire the parcel of land, required for construction of road from Sijimali Mines Top to State Highway (SH-44), IDCO will facilitate the acquisition of the required quantum of land and transfer the same to the State Government in Works Department, and further, NOC will be issued in favour of M/s Vedanta Ltd for construction of the said Road.

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5. That as the proposed road will be owned by the Govt. of Odisha in Works Department, IDCO requested the Chief Engineer, DPI Road, Bhubaneswar to issue necessary instruction to the Executive, Engineer, PWD Rayagada to conduct the detailed survey and submit the required land details for the proposed road. In response to IDCO letter, the Executive Engineer Rayagada (R&B) Division No-I has submitted the land schedule, Road alignment with Revenue Maps and approved alignment reports for the proposed land. Accordingly, IDCO has filed land alienation/ acquisition/Forest Diversion Proposal in respect of land measuring Ac.27.957 (i.e. Non Forest Govt. land-Ac.15.426, Forest land-Ac.12.135 & Pvt. land-Ac.0.396) under Kashipur Tahasil in Rayagada district. Since, Works Department, Govt. of Odisha is the owner of the road, IDCO on behalf of State Government has filed Forest Diversion Proposal for non-forestry use of 4.911 Ha (Ac.12.135) of forest land coming within the Road alignment. And the proposed road is also meant for public use in a larger sense apart from transportation of Bauxite Ore from Sijimali Mines.

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6. Moreover, the Ministry of Environment, Forest & Climate Change (MoEF& CC), Govt. of India has granted Stage-I and Stage II clearances in respect of the applied forest land measuring Ac.12.135 (4.911 Ha) following due procedure under the Van (SanrakshanevamSamvradhan), 1980 as enclosed at **Annexure-P-1 & P-2**,.

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

**PARA-WISE REPLY:**

1. That the contents of the said paragraph No.1 are denied, except what is matter of record. The impugned permissions as mentioned in the said paragraph have been obtained as per the due process established by law and there have been no infirmities in the same.

   It is also apposite to mention here that the challenge to the Stage -II/Final approval dated 05.05.2026 (read with the Corrigendum dated 06.05.2026) which has been annexed as **Annexure- P-2.**

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2. That the contents of the said paragraph No.2 are denied, except what are matters of record. It is submitted that there is no illegality on the part of Respondent no. 3, in

applying forest diversion proposal and obtaining forest diversion clearance. As already mentioned above, the same has been decided in the meeting held on 24.01.2024 under the Chairmanship of Chief Secretary, Odisha to acquire the parcel of land, required for construction of road from Sijimali Mines Top to SH-44. The aforementioned road development project infact is an infrastructure development project, which is the mandate of the Respondent herein and there is no illegality in developing the same, as per the due process and established by law.

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3. That the contents of the said paragraph No.3 are denied to the extent that they are not related to the Respondent herein, except what is matters of record.

4. That the contents of the said paragraph No.4 are denied, except what are matter of record. It is submitted that while complying the EDS raised by the Nodal Officer i.e. Office of the Principal Chief Conservator of Forests, State of Odisha on dated 15.04.2025, the answering Respondent has already stated the utility of the proposed road i.e. for the better convenience of local public along

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with transportation of mining material vide letter no.11044 dated 17.04.2025 as enclosed at ***Annexure-P-3***.

5. That the contents of the said paragraph No. 5 are matters of record. It is reiterated that the said road obviously is not for exclusive use of Respondent 4 but for public use in general. Moreover, the said road once constructed, will be under the ownership/custodianship of the Works Department as clarified by the Minutes of the Meeting dated 24.012024 headed by the Chief Secretary of the State of Odisha.

6. That the contents of the said paragraph No. 6 are denied in terms of the submissions made in the preceding paragraphs.

7. That the contents of the said paragraph No.7 are denied in terms of the submissions made in the preceding paragraphs.

8. That the contents of the said paragraph No.8 deserve no response. It is further submitted that Govt. of India in MoEF&CC have examined all relevant laws and issued Stage-I & Stage-II Clearance in respect of the applied

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forest land for construction of the road from Sijimali Mines top to SH-44.

9. That the contents of the said paragraph No.9 deserve no response.

10. That the contents of the said paragraph No. 10 are denied. However as per the decision in the meting, IDCO has issued NOC in favour of Respondent No.4 for construction of Road to be owned by State Govt. in Works Department Vide IDCO letter No.27362/Dtd.16.09.2025 as enclosed at **Annexure-P-4.**

11. That the contents of the said paragraph No.11 deserve no response.

12. That the contents of the said paragraph No.12 deserve no response.

13. That the contents of the said paragraph No.13 deserve no response.

14. That the contents of the said paragraph No.14 deserve no response.

15. That the contents of the said paragraph No.15 deserve no response.

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16. That the contents of the said paragraph No.16 deserve no response.

17. That the contents of the said paragraph No.17 are denied, except what are matter of record. It is further submitted that any activity on non-forest land is not subject matter of challenge in this Appeal. It is submitted that the Executive Engineer Rayagada (R&B) Division No-I has submitted the land schedule, Road alignment with Revenue Maps and approved alignment reports for the proposed land. Accordingly, IDCO has filed land alienation/acquisition proposal in respect of land measuring Ac.27.957 (i.e. NonForest Govt. land-Ac.15.426, Forest land-Ac.12.135 &Pvt. land-Ac.0.396) under Kashipur Tahasil in Rayagada district.

Asst. Chief General Manager (Land)
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18. That the contents of the said paragraph No. 18 are denied, in terms of the submissions made in paragraph No. 4 of this reply.

19. That the contents of the said paragraph No.19 are denied.

20. That the contents of paragraph No.20 needs no reply as they are matters of record.

21. That the contents of the said paragraph No.21 deserve no response.

22. That the contents of the said paragraph No.22 deserve no response.

23. That the contents of the said paragraph No.23 are matters of record.

24. That the context of the said paragraph No.24 are denied, except what are matters of record. The road in question is a linear project, and the permission for the same was obtained as per the due process established by law.

25. That the contents of the said paragraph No.25 are denied. A perusal of the Working Permission issued by the competent authority (Divisional Forest Officer, Rayagada Division) as enclosed at **Annexure-P-5** clearly establishes the permission to commence preliminary project activities which are permissible under the Stage-I approval and applicable guidelines, pending grant of Stage-II approval.

26. That the contents of the said paragraph No.26 are denied. It is submitted that, as laid down in the working permission itself, the applicability of the said Working permission has ceased to exist after the issuance of the Stage II Order

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dated 05.05.2026 and Stage I has also been subsumed in the Stage II Order, which at this stage is not appealable. Hence, the Appeal is liable to be dismissed on this ground alone.

27. That the contents of the said paragraph No.27 are denied. It is submitted that there is no illegality in the part of Respondent No.3 for applying and obtaining forest clearance. Further, as directed by the State Government, as minuted in the meeting dated 24.01.2024 of the Chief Secretary, the Respondent No.3 has been assigned to acquire the land for the proposed Road wherein the financial cost of construction will be borne by R4, M/s Vedanta Limited and the road shall be owned by Govt. of Odisha in Works Department.

28. That the contents of the said paragraph No.28 do not pertain to the Respondent Corporation, hence needs no reply.

29. That the contents of the said paragraph No.29 are denied. It is submitted that the Respondent Corporation has not masqueraded as the User Agency, but in fact is the nodal agency for undertaking infrastructure development in the

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State. Moreover, the said road, once constructed, it will be under the ownership/custodianship of the Works Department as clarified by the Minutes of the Meeting dated 24.01.2024 held under the chairmanship of Chief Secretary, Odisha.

30. That the contents of the said paragraph.30 are denied. It is reiterated that the said road is not for exclusive use of R 4 but for public use also. Moreover, the said road, once constructed, will be under the ownership/custodianship of the Works Department as clarified by the Minutes of the Meeting dated 24.01.2024 headed by the Chief Secretary of the State of Odisha.

31. That the contents of the said paragraph No.31 deserve no response.

32. That the contents of the said paragraph No.32 deserve no response.

33. That the contents of the said paragraph No.33 deserve no response, except what are matters of record. Evidently, the main grievance of the Appellant with the Stage –II Forest Clearance is the alleged non-compliance with the Scheduled Tribes and Other Traditional Forest Dwellers

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(Recognition of Forest Rights) Act, 2006. The answering Respondent states that, the District Level Committee Rayagada District have approved for issuance of FRA certificate in favour of IDCO in respect of Ac.12.135 (Ac.11.650 of forest land in village- Sagabari and Ac.0.485 in village-Polrang) of forest land for development of Road from Sijimali Bauxite Mine top to SH-44. The certificate issued by the competent authority on dated 31.01.2025, along with the Minutes of the District level committee meeting held under the chairmanship of Collector Rayagada on implementation of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act,2006 and Amendment Rules,2012, held on dated 18.12.2024, which has been communicated by 157 dated 03.02.2025 of ITDA, Rayagada is enclosed at **Annexure-P-6.** Thus, the content with regards to the description of the Appellants are denied. The Respondent is aware of the forest rights and the legal obligations therein and submits that the same has been followed in accordance with law.

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34. That the contents of the said paragraph No.34 are denied, except what are matters of record. It is reiterated that

while the road is essential for the evacuation of mined material, the subject road, once constructed, will be owned by the Works Department for various other public purposes enumerated in the response to the EDS as stated above.

35. That the contents of the said paragraph No.35 merit no response as it does not concern the said Respondent.

36. That the contents of the said paragraph No.36 merit no response as it does not concern the said Respondent.

37. That the contents of the said paragraph No.37 merit no response as it does not concern the said Respondent.

38. That the contents of the said paragraph No.38 merit no response as it does not concern the said Respondent.

39. That the contents of the said paragraph No.39 merit no response as it does not concern the said Respondent.

40. That the contents of the said paragraph No.40 merit no response as it does not concern the said Respondent.

41. That the contents of the said paragraph No.41 merit no response as it does not concern the said Respondent.

42. That the contents of the said paragraph No.42 merit no response as it does not concern the said Respondent.

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43. That the contents of the paragraph no.43 are a matter of record and deserve no response. Be that as it may, the process followed upto the grant of Stage II Forest Clearance is in accordance with law. It is reiterated that ultimately the road is being constructed for the benefit of the public at large and would be owned by the State Works Department.

44. That the contents of the paragraph no.44 are a matter of record.

45. That the contents of the paragraph no.45 merit no response as it is a matter of record. However, admittedly on 24.01.2024 under the Chairmanship of the Chief Secretary, Odisha, the Respondent herein, among others agreed that the land for the access road project would be acquired by the Respondent Corporation while the ownership would ultimately get transferred to the Works Department of the State.

46. That the contents of the paragraph no.46 merit no response except what is a matter of record.

47. That the contents of the paragraph no.47 are matters of record and merit no response to that extent.

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48. That the contents of the paragraph no.48 are denied. The Respondent Corporation is mandated under the OIIDC Act, 1980 to carry out Industrial Infrastructure development in the State which includes road development and also include the formation or laying out of means of access to a road. Specifically, reference is invited to the definition of amenity (Section 2(a) of the OIIDC Act, 1980) which specifically includes '**roads**', '2 (g) **engineering operations'** include the formation or laying out of means of access to a road, 2(j) '**means of access'** includes a road or any means of access, whether private or public, for vehicles or for pedestrians. Moreover, a perusal of Section 14(c) of the Act will reveal that one of the functions of the Corporation is to undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith. This provision clearly enables and empowers the Respondent Corporation to obtain the approval for constructing any road including any access road for industrial development

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within the State, which will be beneficial for the public at large. The copy of OIIDC Act,1980 is enclosed at ***Annexure-P7.*** Further, the answering Respondent have acquired land as per the decision taken in the meeting held under the chairmanship of Chief Secretary, Odisha on dated 24.01.2024.

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49. That the contents of the said paragraph 49 are denied, except matters of record. That it submitted that Section 2(g) *inter alia* defines 'engineering operations' which includes the formation or laying out of "means of access to a road", among others. Further, Section 2(f) defines '*development*' to mean the carrying out of building, engineering, quarrying or other operations in, on, over or under land and includes redevelopment. Thus, development clearly includes undertaking engineering operations such as 'means of access' for development of roads. This is also one of the primary functions of IDCO as per Section 14(i) of the OIIDC Act, 1980 which requires IDCO to promote and assist in the rapid and orderly establishment, growth and development of industries, trade and commerce in the State.

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Additionally, it is pertinent to submit that a perusal of Section 14(c) of the Act will reveal that one of the functions of the Corporation is to undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith. This provision clearly enables and empowers the Respondent Corporation to obtain the approval/clearances for acquisition of land for construction of the proposed road, which will not only be beneficial for any industrial development such as M/s Vedanta Limited, but also for the public at large.

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50. That the contents of paragraph no.50 deserve no specific response. The contents of the preceding paragraphs may be read alongwith the response to this paragraph.

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51. That the contents of paragraph no.51 deserve no specific response. The contents of the preceding paragraphs may be read alongwith the response to this paragraph.

52. That the contents of paragraph no.52 is denied and it is reiterated that the position taken by the officers is in

accordance with law and while the subject road will facilitate industrial development in the State, it is also being built for the larger public purpose of connectivity.

53. That the contents of the paragraph no.53 are denied for the reasons mentioned in the paragraphs above.

54. That the contents of paragraph no.54 are denied except what are matters of record.

55. That the contents of paragraph no.55 are denied except what is matter of record. It is further submitted that the FAC has considered the issue of the access road vis-à-vis the mining project as submitted by IDCO in the compliance to EDS raised by PCCF (Nodal),the State Nodal Officer for forest diversion.Govt of India in MOEF&CC have granted Stage-I and Stage-II clearance in respect of the applied forest land.

56. That the contents of paragraph no.56 are denied as not pertaining to the said Respondent.

57. That the contents of paragraph no.57 are denied as not pertaining to the said Respondent.

58. That the contents of paragraph no.58 has no relevance to the present lis and hence there is no need to reply.

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59. That the contents of paragraph no.59 are totally denied except what is matters of record and it is further submitted that a due process has been followed for the subject road with a detailed application, with adherence to due procedure by the competent authorities.

60. That the contents of paragraph No.60 are denied, and it is humbly submitted that the said road obviously is not for exclusive use of R-4 but for public use also. Moreover, the said road once constructed will be under the ownership/custodianship of the Works Department as clarified by the Minutes of the Meeting dated 24.01.2024 chaired by the Chief Secretary of the State of Odisha.

61. That the contents of paragraph 61 are denied and devoid of any merit, except what is matter of record. It is further reiterated that the said position was clearly mentioned in the Letter dated 17.04.2025 in response to a query by the Divisional Forest Officer, Rayagada Forest Division, which may be read alongwith the response to this paragraph. It is reiterated that the said road obviously is not for exclusive use of R 4 but for public also. Moreover, the said road once constructed will be under the

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ownership/custodianship of the Works Department as clarified by the Minutes of the Meeting dated 24.01.2024 headed by the Chief Secretary of the State of Odisha.

62. That the contents of paragraph 62 are denied, and it is again reiterated that the process followed upto the grant of Stage II of the Forest Clearance is in accordance with law. It is submitted that ultimately the road is being constructed for the benefit of the public at large and would be owned by the State Works Department. Thus, the mining project of the Respondent No. 4 would not be the sole beneficiary of the access road being established by the answering Respondent herein.

63. That the contents of paragraph 63 are denied except what is matter of record.

64. That the contents of paragraphs 64 are denied, except what is matter of record. However, it is submitted and humbly reiterated that there is complete compliance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as is evidenced by the Certificate issued by the competent authority on dated 31.01.2025 as enclosed at

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***Annexure-P-6***. The said certificate categorically states that:-

a. 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.;

b. The diversion of forest land for facilities managed by the Government as required under Section 3(2) of the FRA have been completed; and

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

It is thus clear that the provisions of the Forest Rights Act, 2006 have been complied with and more importantly, there are no Individual Forest Rights titles that have been issued on the project land.

65. That the contents of paragraph 65 are denied except what is matter of record. The answering Respondent have filled

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proposal for acquisition of required land including the Forest Diversion Proposal as decided at Govt. level and mandated by the above mentioned provision of OIIDC Act,1980.

66. That the contents of paragraph no.50 deserve no specific response except matter of record.

67. That the contents of paragraph no.50 deserve no specific response except matter of record.

68. That the contents of the paragraph 68 under the heading 'Grounds' are summarily denied in view of the submissions made in the instant pleading.

Deponent

Addl. Chief General Manager (Land)
IDCO, Bhubaneswar

The above named deponent being identified by ..... Adv. Appears before me and states on oath that the contents of this affidavit are true to the best of his/her knowledge.

Notary Public / Executive Magistrate, BBSR

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Annexure-P-1

सत्यमेव जयते

Government of India

Ministry of Environment, Forest and Climate Change

Regional Office, Bhubaneswar

Online Proposal No.: **FP/OR/OTHERS/523366/2025**

Dated: **05/01/2026**

To,

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar-751 001

**Subject:** **Stage-I/In-principle approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to State Govt. letter No.FE-DIV-FLD-0025-2025-10894/FE&CC dated 09.05.2025, PCCF&HoFF, Odisha's letter No.11767/9F (Others)-343/2025 dated 29.05.2025, letter No.25316/9F(Others)-343/2025 dated 17.12.2025 and Online Proposal No. FP/OR/OTHERS/523366/2025 on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under Section 2 (1)(ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment, Forest & Climate Change hereby conveys ***'Stage-I/in-principle'*** approval under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use 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, subject to the fulfillment of the following conditions:

**1. General Conditions**

| S. No | Conditions |
|---|---|
| 1.1 | Legal status of forest land proposed for diversion shall remain unchanged. |
| 1.2 | The user agency shall transfer online, the Net Present Value (NPV) of 4.911 ha forest |

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| S. No | Conditions |
|---|---|
| | land being diverted under this proposal, 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.5-3/2011-FC (Vol-I) dated 06.01.2022 and 22.03.2022. The requisite funds shall be transferred through online portal in CAMPA account of the State concerned. |
| 1.3 | At the time of payment of Net Present Value (NPV) at the then prevailing 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. |
| 1.4 | The Govt. non forest land of 6.07 ha identified in village Tingarjhola, Kalnara Tahasil of Rayagada District under Rayagada Forest Division for raising compensatory afforestation shall be transferred and mutated in the name of Forest Department before handing over of forest land to the user agency by the State Government. The identified non-forest shall be notified as Protected Forest under Section 29 of the Indian Forest Act, 1927 or local forest Act. The Nodal Officer, after notification of such non forest land, shall uploaded a copy of said notification on the PARIVESH portal. |
| 1.5 | The user agency shall transfer the cost of raising and maintaining the compensatory afforestation and additional compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The Schemes may include appropriate provision for anticipated cost increase for works scheduled for subsequent years. |
| 1.6 | The User Agency shall ensure that the Compensatory Afforestation (CA) sites are cleared of all encroachments prior to handing them over to the State Forest Department (SFD). The SFD shall, ensure that the CA sites are free from encroachments, properly fenced and duly planted at the cost of the User Agency. |
| 1.7 | Compensatory afforestation shall be raised over 6.07 ha of non forest land identified in village Tingarjhola under Kalnara Tahasil of Rayagada District under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department as per approved plan/scheme and maintained thereafter, at the cost of user agency. |
| 1.8 | Additional Compensatory afforestation shall be raised over 5.00 ha of degraded forest land identified in Pedakonda Extn. RF under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department as per approved plan/scheme and maintained thereafter, at the cost of user agency. |
| 1.9 | The species to be planted in the CA/Addl. CA schemes shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular |

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| S. No | Conditions |
|---|---|
| | intervals. |
| 1.10 | The KML files of the area to be diverted and the CA/Addl. CA areas shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be. |
| 1.11 | All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (https://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance. |
| 1.12 | The compliance report of the Stage-I approval shall be uploaded on e-portal ( https://parivesh.nic.in/). |
| 1.13 | The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. |
| 1.14 | The boundary of the proposed forest land for diversion, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates. |
| 1.15 | The user agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable. |
| 1.16 | The Forest Department shall undertake plantation of tall indigenous tree species along both sides of the proposed road, at the cost of the User Agency, to mitigate dust pollution resulting from the movement of heavy vehicles associated with mining activities. |
| 1.17 | Considering that the proposed area features a medium slope and the road will be used by heavy vehicles, the User Agency shall implement appropriate engineering and safety measures to prevent soil erosion. |
| 1.18 | Overburden shall not be disposed beyond the designated road width. Muck generated from earth cuttings shall be fully utilized for filling works. Any excess muck shall be disposed strictly in accordance with a Muck Disposal Plan. No muck or debris shall be permitted to roll down hill slopes. The user agency shall submit an undertaking to this effect along with the compliance for final approval. |
| 1.19 | Retaining walls, breast walls, and drainage structures shall be constructed at appropriate locations to ensure slope stability and prevent erosion along the alignment. |
| 1.20 | The State Forest Department shall undertake comprehensive soil conservation measures at the CA sites, with the cost to be borne by the user agency. |

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| S. No | Conditions |
|---|---|
| 1.21 | The user agency shall use fly ash for the road construction and for filling up of void created due to soil borrows which will be followed by compaction and spreading of top soil over it as per Fly Ash Notification No. S.O. 254 (E) dated 25.01.2016. |
| 1.22 | The user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.23 | The user agency shall submit an undertaking to ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads. |
| 1.24 | The designing of new culverts/bridges and redesigning the existing ones 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, so that it does not hamper movement of wild animals including fishes & amphibians migration. |
| 1.25 | Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas. |
| 1.26 | The user agency shall provide adequate under passes in wildlife areas/wildlife crossing, if any, for the safe movement of wildlife. |
| 1.27 | No labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas. |
| 1.28 | No additional or new path will be constructed inside the forest area for any activity related to the project work. |
| 1.29 | The user agency while executing works, shall not fell any tree or damage forest growth in the surrounding forest area in any manner. |
| 1.30 | The layout plan of the proposed forest land shall not be changed without the prior approval of Ministry of Environment, Forest & Climate Change. |
| 1.31 | The forest land shall not be used for any purpose other than that specified in the proposal. |
| 1.32 | The forest land proposed to be diverted shall under no circumstances be transferred to any other user agency, department or person without the prior approval of Ministry of Environment, Forest & Climate Change. |
| 1.33 | No damage to the flora and fauna of the adjoining area shall be caused. |

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| S. No | Conditions |
|---|---|
| 1.34 | The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area. |
| 1.35 | The user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and concerned Integrated Regional Office of this Ministry by the end of March every year. |
| 1.36 | 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. |
| 1.37 | The State Govt. and user agency shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. |
| 1.38 | Any other direction issued by the Ministry as a result of Hon'ble Supreme Court order will have bearing on this approval. |
| 1.39 | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Chapter 1 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023. |

**2. Standard conditions**

**3. Specific Conditions**

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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 will be issued by this Ministry. Transfer of forest land to user agency should not be effected by the State Government of Odisha till final/Stage-II approval for its diversion is issued by the Ministry of Environment, Forest & Climate Change.

"The State Govt. or a Senior Office not below the Rank of a Divisional Forest Officer, having jurisdiction over the forest land proposed to be diverted, duly authorized in this behalf by the State Govt. can pass an order for tree cutting and commencement of work of a linear project in forest land for a period of one year ("**working permission**" means permission granted to linear project before final approval to mobilize the resources to commence the preliminary project work other than black topping). Such order shall be passed only after full realization of funds for compensatory afforestation, Net Present Value (NPV), Wildlife conservation Plan, plantation of dwarf species of medicinal plants, and all other compensatory levies, specified in the Stage-I (in-principle) approval from the User Agency, and where ever applicable, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department, declaration of PF/RF and compliance of other statues including ST&OTFD (Recognition of Forest Rights) Act, 2006" as stipulated in Para 11.1 of Chapter-11 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan)

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Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023.

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

**Your's faithfully**

(Sujoy Dutta)
Assistant Commissioner (Forestry)

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e-Payments

Signature Not Verified
Digitally Signed by : Shri Sujoy Dutta
Technical Officer, IRO
Date: 05/01/2026

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Annexure-P-2

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**Government of India**

**Ministry of Environment, Forest and Climate Change**

**Regional office**

Online proposal no:
**FP/OR/OTHERS/523366/2025**

Date **06/05/2026**

## CORRIGENDUM

**Subject:** **Stage-II/ Final Approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to this Regional Office's letter of even number dated 05.05.2026 on the subject cited above, whereby final approval was conveyed for the proposal mentioned therein, and to state that the words "Stage-I/In-principle approval" appearing in the subject line shall be read as "Stage-II/Final Approval".

All other contents, terms and conditions stipulated in the final approval letter shall remain unchanged.

**Yours Faithfully,**

**(Vasanta Kiran Babu)**
**Dy. Inspector General of Forests (C)**

**To,**

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar – 751 001.

**Copy To**



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1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

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Signature Not Verified
Digitally Signed by : Shri Vasanta Kiran Babu
Deputy Inspector General of Forest, IRO
Date: 06/05/2026



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Government of India

Ministry of Environment, Forest and Climate Change

Regional Office, Bhubaneswar

Online Proposal No.: **FP/OR/OTHERS/523366/2025**

Dated: **05/05/2026**

To,

**The Addl. Chief Secretary,**
Forest, Environment & Climate Change Department,
Government of Odisha,
Bhubaneswar-751 001

**Subject:** **Stage-I/In-principle approval of Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha.**

**Sir/Madam,**

I am directed to refer to State Govt. letter No.FE-DIV-FLD-0025-2025-10894/FE&CC dated 9.05.2025 and Online Proposal No.FP/OR/Others/523366/2025, wherein prior approval of the Ministry of Environment, Forest & Climate Change for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, was sought in accordance with Section-2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After due consideration of the proposal by the Ministry of Environment, Forest & Climate Change, the *in-principle* approval for diversion of the said forest land was accorded by Ministry vide this office letter No. FP/OR/Others/523366/2025 dated 5.01.2026, subject to fulfillment of certain conditions. The State Government has furnished the compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval of the proposal.

In this connection, I am directed to say that on the basis of the compliance report furnished by the PCCF & Nodal Officer (FCA), Odisha vide their letter No.8119/9F (Others)-343/2025 dated 21.04.2026 and submission of the compliance report by the State Govt. in *Parivesh* web portal on 23.04.2026, ***Stage-II/final*** approval of the Ministry of Environment, Forest & Climate Change is hereby granted under Section 2 (1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.911 ha of forest land in favour of IDCO 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, Odisha, subject to the fulfillment of the following conditions:-

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1. General Conditions

| S. No | Conditions |
|---|---|
| 1.1 | The State Govt. shall ensure that the legal status of diverted forest land shall remain unchanged. |
| 1.2 | The State Govt. shall ensure that the user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India . |
| 1.3 | The State Govt. shall ensure that the State Forest Department will raise compensatory afforestation over 6.07 ha of non-forest land identified in village Tingarjhola, Kalnara Tahasil of Rayagada District under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| 1.4 | The State Government shall ensure that the identified non-forest shall be notified as Protected Forest under Section 29 of the Indian Forest Act, 1927 or local forest Act. The Nodal Officer, after notification of such non forest land, shall uploaded a copy of said notification on the PARIVESH portal |
| 1.5 | The State Govt. shall ensure that the State Forest Department will raise Additional compensatory afforestation over 5.00 ha of degraded forest land identified Pedakonda Extn. RF under Rayagada Forest Division within two years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department, at the cost of user agency. |
| 1.6 | The State Forest Department shall ensure that the species to be planted in the CA & Additional CA schemes shall be of native species of the area. At least 18 month old seedlings should be planted. Intensive monitoring of the plantation needs to be done and documented using Geo tagging so that the increase of canopy density and survival and growth of plantation can be evaluated at regular intervals. |
| 1.7 | The State Govt. shall ensure the compliance on FRA, 2006 as per Van (Sanrakshan Evam Samvardhan) Rules and guidelines issued from time to time before handing over of the diverted forest land to user agency. |
| 1.8 | The State Govt. shall ensure that the KML files of the area to be diverted and CA areas shall be uploaded on the e-Green watch portal with all requisite details before handing over of the diverted forest land to the user agency |
| 1.9 | The State Government shall immediately repair/reconstruct the damaged boundary pillars and ensure proper demarcation of the diverted forest land on the ground.The State Government shall also take appropriate action against the responsible person(s) for damage/disturbance of forest boundary pillars under the provisions of the Indian Forest Act, 1927 and the applicable local Forest Act, if any. |

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| S. No | Conditions |
|---|---|
| 1.10 | The State Govt. shall ensure that the State Forest Department shall undertake plantation of tall indigenous tree species along both sides of the proposed road, at the cost of the User Agency, to mitigate dust pollution resulting from the movement of heavy vehicles associated with mining activities. |
| 1.11 | The State Government shall ensure that the User Agency shall implement appropriate engineering and safety measures to prevent soil erosion as the proposed area features a medium slope and the road will be used by heavy vehicles. |
| 1.12 | The State Govt. shall ensure that overburden shall not be disposed beyond the designated road width. Muck generated from earth cuttings shall be fully utilized for filling works. Any excess muck shall be disposed strictly in accordance with a Muck Disposal Plan. No muck or debris shall be permitted to roll downhill slopes. |
| 1.13 | The State Govt. shall ensure that retaining walls, breast walls, and drainage structures shall be constructed at appropriate locations to ensure slope stability and prevent erosion along the alignment. |
| 1.14 | The State Govt. shall ensure that the State Forest Department shall undertake comprehensive soil conservation measures at the CA sites, with the cost to be borne by the user agency. |
| 1.15 | The State Govt. shall ensure that the user agency explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.16 | The State Govt. shall ensure that the user agency shall explore the possibility of successful transplantation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department. |
| 1.17 | The State Govt. shall ensure that flanks of roads should be filled by transported soil and not with soil dug from the side of the roads. |
| 1.18 | The State Govt. shall ensure that the designing of new culverts/bridges and redesigning the existing ones 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, so that it does not hamper movement of wild animals including fishes & amphibians migration. |
| 1.19 | The State Govt. shall ensure that speed regulating signage will be erected along the road at regular intervals in the Forest Areas. |
| 1.20 | The State Govt. shall ensure that the user agency shall provide adequate under passes in |

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| S. No | Conditions |
|---|---|
| | wildlife areas/wildlife crossing, if any, for the safe movement of wildlife. |
| 1.21 | The State Govt. shall ensure that no labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas. |
| 1.22 | The State Govt. and user agency shall ensure that while executing works, the user agency shall not fell any tree or damage forest growth in the surrounding forest area in any manner. |
| 1.23 | The State Govt. and user agency shall ensure that earth or any material shall neither be brought from nor the debris resulting during construction be disposed of in the adjoining forest area by the user agency. |
| 1.24 | The State Govt. and user agency shall ensure that the layout plan of the proposal shall not be changed without prior approval of the Ministry of Environment, Forest & Climate Change. |
| 1.25 | The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other user agency, department or person without prior approval of the Ministry of Environment, Forest & Climate Change. |
| 1.26 | The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused. |
| 1.27 | The State Govt. shall ensure that the DFO concerned will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in surrounding area. |
| 1.28 | The State Govt. shall ensure that the user agency shall submit annual self monitoring report on compliance of stipulated conditions to the Nodal Officer (FCA) of the State and Regional Office of this Ministry by the end of March every year regularly. |
| 1.29 | Any order passed by the Hon'ble Courts or Tribunals in respect of the present project shall be complied with immediately, and any additional stipulation(s)/condition(s) imposed therein shall be implemented by the State Government/ User Agency. |
| 1.30 | The State Govt. shall ensure that any other conditions that the Ministry of Environment, Forests & Climate Change may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, which shall be complied by the user agency. |
| 1.31 | The State Govt. and user agency shall ensure compliance to provisions of the all Acts, |

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| S. No | Conditions |
|---|---|
| | Rules, Regulations, Guidelines, NGT Order (s) & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project. |
| 1.32 | Any other direction issued by the Ministry as a result of Hon'ble Supreme Court order will have bearing on this approval. |
| 1.33 | Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in Para 1.16 of Consolidated Guidelines and Clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 vide Ministry's letter dated 29.12.2023. |

**2. Standard conditions**

**3. Specific Conditions**

| S. No | Conditions |
|---|---|
| 3.1 | In strict compliance with the statutory mandate under Para 16(7) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the issuance and continued operational validity of this Stage-II clearance are inherently subject to the final adjudication of Appeal No. 04/2026/EZ (Munidei Majhi & Ors. Vs. The Ministry of Environment, Forest and Climate Change & Ors.), presently pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata. |

**Copy To**

1. The Chief Executive Officer, National Authority CAMPA, Ministry of Environment, Forest & Climate Change, 3rd Floor, Supreme Court Metro Station Building, New Delhi-110 001.
2. The Inspector General of Forests (ROHQ), Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi – 110 003.
3. The Addl. PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023.
4. The Divisional Forest Officer, Rayagada Forest Division, Rayagada, Odisha.
5. The Chief General Manager (Env.), IDCO, IDCO Tower, Janpath, Bhubaneswar, Odisha.

Signature Not Verified

Yours faithfully

Digitally Signed by : Shri Vasanta Kiran Babu

(Vasanta Kiran Babu)

Deputy Inspector General of Forest, IRO

Dy. Inspector General of Forests (C)

Date: 05/05/2026

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Annexure-P.3

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

idco Your power to grow ISO 9001 & 14001 Corporation | ODISHA NEW OPPORTUNITIES

11044

**No. HO-CGM(Env)/394/2024** **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) Adhiniyam, 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 (I) (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. | 1. There are 5 villages namely Dumerpadar, Porlang, Sagabari, Bichapinda & 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.<br>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.<br>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.<br>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 |

**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
IDCO, IDCO Towers, Janpath, Bhubaneswar – 751022, Odisha, INDIA
+91- 0674 - 2541525, 2540820 | Fax: 2542956 / 2541982
cgmenv@idco.in | www.idco.in

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

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| | | |
|---|---|---|
| | | 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,<br>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<br>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) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023. |
| 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. | |

| | 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)
17/4/23

**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
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+91- 0674 - 2541525, 2540820 | Fax: 2542956 / 2541982
cgmenv@idco.in | www.idco.in

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Annexure-P-4

Saroj Kumar Sethi, IAS
Chief General Manager (Land)

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**No. IDCO/HO/P&A/LAE/8973/2025** 27362 **Date:** 16/09/25

**To**

**The Chief- New Business,**
**M/s Vedanta Ltd.**
**Module, C/2 Fortune Tower,**
**Chandrasekharpur,**
**Bhubaneswar-751023**

**Sub:** Issue of NOC/Permission for construction of the road by M/s Vedanta Ltd. from Sijimali Mines Top to nearest SH-44 on the leased out non forest Govt. land measuring **Ac.15.426** in 3 nos of villages under Kashipur Tahasil in Rayagada district.

Ref:- Letter no-875/Dtd.03.02.2024 of Govt. in industries Deptt.

Sir,

In pursuance to the decision taken in the meeting held under the chairmanship of Chief Secretary, Odisha and communicated vide letter no 875/Dtd.03.02.2024 of Govt. in industries Deptt, and subsequent approval of Land Allotment Committee held on Dtd.18.02.2025 & 15.07.2025, NOC/Permission is hereby issued in favour of M/s Vedanta Ltd. for construction of the Road from Sijimali Mines Top to nearest SH-44 on the leased out non forest Govt. land measuring **Ac.15.426** in 3 nos of villages (i.e. Ac.5.821 in village-Bichhapinda,Ac.1.248 in village-Dumerpadar,Ac.8.357 in village-Sagabari) under Kashipur Tahasil in Rayagada district on the following terms and conditions:

| | |
|---|---|
| **01** | You have already made payment of **Rs.74,70,946/- (Rupees Seventy Four Lakh Seventy Thousand Nine Hundred Forty Six)** Only towards Land Cost- **Rs.65,56,050/-**@Rs.4,25,000/- per acre, IDCO Administrative charges @ 10% of Land Cost - **Rs.6,55,605/-** ,Annual Rent @1.75% of the Land Cost-Rs.**1,14,731/-**, Non Refundable Processing fee of IDCO-**Rs.5,000/-** and GST @ 18% on IDCO Admin Charge, on Processing fee & on Annual Rent-**Rs.1,39,560/-** in respect of above said leased out Govt. land measuring **Ac.15.426** in 3 nos of villages (i.e. Ac.5.821 in village-Bichhapinda,Ac.1.248 in village- Dumerpadar,Ac.8.357 in village-Sagabari) under Kashipur Tahasil in Rayagada district. |



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cgmland@idco.in

**Saroj Kumar Sethi, IAS**
Chief General Manager (Land)

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| | |
|---|---|
| **02** | M/s Vedanta Ltd. has no right and title over the land and only permission for construction of Road. |
| **03** | M/s Vedanta Ltd. shall be utilized for the purpose for which it is accorded permission i.e. for construction of the road by M/s Vedanta Ltd. from Sijimali Mines Top to nearest SH-44 in 3 nos of villages under Kashipur Tahasil in Rayagada district. |
| **04** | M/s Vedanta Ltd. can not infringe upon the communal rights over the land granted permission for utilization as applied for. |
| **05** | M/s Vedanta Ltd. shall initiate the Road Construction work in non forest Govt. land measuring **Ac.15.426** in 3 nos of villages under Kashipur Tahasil in Rayagada district without cutting of trees in non forest land and without causing any damage to nearby forest land. |
| **06** | No construction work shall be undertaken on forest land until the requisite approvals from the concerned authorities. |
| **07** | M/s Vedanta Ltd. have to pay the **annual rent** of the land amounting to Rs.**1,14,731** along with 18% GST charges **Rs.20,652/-** for Non forest Govt. land measuring **Ac.15.426** in 3 nos of villages (i.e. Ac.5.821 in village-Bichhapinda, Ac.1.248 in village- Dumerpadar, Ac.8.357 in village-Sagabari) under Kashipur Tahasil in Rayagada district. The above rate will be subject to revision consequent upon the appropriate decision taken by the concerned Revenue Authority/IDCO from time to time. |
| **08** | M/s Vedanta Ltd. shall abide by the guidelines of the Govt. in **Industries Deptt./R&DM Deptt./Steel & Mines** and any revision thereto from time to time. |
| **09** | M/s Vedanta Ltd. shall abide by the terms and conditions of **MoU,** if executed with State Government and also obey the Rule and regulation of the State Government/ State Government Agencies. |
| **10** | M/s Vedanta Ltd. shall obtain necessary clearances from the State Pollution Control Board for establishment of proposed project on the permissive land before taking up any civil construction / industrial |



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cgmland@idco.in

Saroj Kumar Sethi, IAS
Chief General Manager (Land)

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| | |
|---|---|
| | activities and will maintain the environmental balance which might be required at the time of commission of Industries. |
| 11 | a) M/s Vedanta Ltd. shall also have to abide by all the applicable **environment related laws / rules & regulations** which are existing and which may be framed by the competent authority from time to time.<br>b) The liquid effluent discharge of / from the industries/project must meet OSPCB prescribed norms. |
| 12 | M/s Vedanta Ltd. shall have obtained clearance from **Ministry of Environment and Forest, Government of India.** M/s Vedanta Ltd. shall abide by the provisions of prevailing forest laws, rule & guidelines issued by the **State / Central Govt.** from time to time. |
| 13 | In case of government land for felling of trees, enumeration of the number of trees shall be done and necessary cost shall be deposited with the government. In case of required private land, necessary clearance of the local DFO shall be obtained by the project authority before felling of trees. |
| 14 | No waste water of the project shall be released to the **Reservoir / River**. M/s Vedanta Ltd. shall follow the guidelines of the Pollution Control Board. |
| 15 | M/s Vedanta Ltd. shall develop green belt both side of the road as per the detail conditions specified in the clearance issued by the **MOEF & State Pollution Control Board (SPCB)**. |
| 16 | In addition to the above conditions, the conditions imposed by the State Govt. for allocation of Bauxite Block in the District of **Rayagada** and conditions stipulated in clearance/consent issued by **MOEF Government of India & State Pollution Control Board, Odisha** will be strictly adhered to. |
| 17 | M/s Vedanta Ltd. shall have to take necessary clearance of the **local DFO** before felling of trees, if any, in case of both acquired private and Government land for which accorded permission. |
| 18 | Deviation of any of the Condition of the Permission shall result in |



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cgmland@idco.in

**Saroj Kumar Sethi, IAS**
Chief General Manager (Land)

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| | |
|---|---|
| | immediate reversion of the land to the Govt. in Revenue & Disaster Management Department, Odisha free from all encumbrances without payment of any compensation for the structure, if any erected on the land or for any improvement that might have been made thereto. |

You are therefore requested to convey the letter of acceptance to the undersigned for taking further necessary action at this end.

**LAND SCHEDULE**

| Tahasil | Mouza | Khata No (HAL) | Plot No | Permissive Area (In Ac.) | Kissam |
|---|---|---|---|---|---|
| Kashipur | Bichapinda | 2/1 | 23/26 | 1.948 | Patita |
| | | | 24/27 | 3.873 | Patita |
| | Sagabari | 152/152 | 31/1612 | 1.369 | Patita |
| | | | 6/1613 | 1.768 | Patita |
| | | | 732/1614 | 1.760 | Patita |
| | | | 733/1615 | 1.329 | Patita |
| | | | 770/1616 | 1.946 | Patita |
| | | | 32/1610 | 0.185 | Rasta |
| | Dumerpadar | 68/7 | 374/513 | 0.086 | Patita |
| | | | 377/512 | 1.094 | Patita |
| | | | 375/515 | 0.068 | Patita |
| | | | **Total** | **15.426** | |

**BY ORDER OF MD**

16/9/2025

**Chief General Manager (Land)**

**Memo No._____/Dated.**

Copy to the District Magistrate & Collector, Rayagada/Chief Engineer, DPI & Roads, Nirman Soudha, Keshari Nagar,Unit-V,Bhubaneswar-751001/Special Secretary to Govt. in Industries Deptt., Odisha for information and necessary action.

16/9/2025

**Chief General Manager (Land)**

**Memo No._____/Dtd._____**

Copy to the Divisional Forest Officer, Rayagada Division, Dist- Rayagada / Executive Engineer Rayagada (R&D), Division-1, Rayagada for information and necessary action.

16/9/2025

**Chief General Manager (Land)**

**Memo No._____/Dated.**

Copy to the Tahasildar Kashipur,Dist-Rayagada/Divisional Head, IDCO Koraput Division for information and necessary action.

16/9/2025

**Chief General Manager (Land)**



**Odisha Industrial Infrastructure Development Corporation**
(A Government of Odisha Undertaking)
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cgmland@idco.in

Annexure- P.5



OFFICE OF THE DIVISIONAL FOREST OFFICER: RAYAGADA FOREST DIVISION
Email: dforgda17@gmail.com, dfo.rayagada@odisha.gov.in

Office Order No 52 4F (Misc.) 1984/2026.
Dated, Rayagada the 27 th February, 2026.

**Subject:-** 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 - **Regarding Working Permission.**

Whereas, Stage-I (In-Principle) approval has been accorded by the Regional Office, Government of India, Ministry of Environment, Forest & Climate Change, Bhubaneswar vide Letter dated 05.01.2026 for diversion of 4.911 Ha. of forest land in favour of IDCO 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, Odisha. (Proposal No. FP/OR/OTHERS/523366/2025), subject to fulfillment of 39 No's General conditions (1.1 to 1.39).

Whereas, the User Agency, IDCO, Bhubaneswar, vide letter No.2723 dated 31.01.2026, has applied for Working Permission to commence preliminary project activities over the approved 4.911 Ha. of forest land, as permissible under the Stage-I approval and applicable guidelines pending grant of Stage-II approval.

Whereas, the User Agency has deposited through the online MoEF&CC portal:

i. ₹47,03,658/- (Rupees Forty-Seven Lakhs Three Thousand Six Hundred Fifty-Eight only) towards Net Present Value (NPV) for 4.911 Ha. of forest land, in compliance with Condition 1.2 of the General condition Stage-I approval.

ii. ₹59,06,200/- (Rupees Fifty-Nine Thousand Six Thousand Two Hundred only) towards the cost of Compensatory Afforestation (CA) over 06.07 Ha. of non-forest land identified in village Tingarjhola under Kolnara Tahasil of Rayagada District/Division, as duly approved by the Principal CCF (FD & Nodal Officer, FC Act) vide Memo No. 587/9F(Others)-343/2025 dated 09.01.2026, in compliance with General Condition No1.11 of the Stage-I approval; and

iii. ₹54,15,400/- (Rupees Fifty-Four Lakhs Fifteen Thousand Four Hundred only) towards Additional Compensatory Afforestation (ACA) over 05.00 Ha. of degraded forest land identified in Pedakonda Ext.RF (5.00 Ha.) under Gunupur Range, as duly approved by the Principal CCF (FD & Nodal Officer, FC Act) vide Memo No. 587/9F(Others)-343/2025 dated 09.01.2026, in compliance with General Condition No1.11 of the Stage-I approval.

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Whereas, in compliance with General Condition No.1.4 of the Stage-I approval, the identified non-forest land for Compensatory Afforestation has been duly transferred and mutated in favour of the Forest Department, as certified by the Tahasildar, Kolnara vide Letter No. 585/2026 dated 27.02.2026. Further, in compliance with General Condition No.1.13, the User Agency has submitted the certificate of complete compliance under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 issued by the District Collector, Rayagada vide Letter No.157/2024 dated 03.02.2025.

Now, therefore, in pursuance of Specific Condition No. 3 of the Stage-I approval order dated 05.01.2026 and in accordance with Para 11.1, Chapter 11 of the Consolidated Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as communicated by the Ministry of Environment, Forest and Climate Change, Government of India vide letter no.659 dated 08.01.2026, a reasoned order is hereby issued granting Working Permission to the User Agency to mobilize the resources to commence the preliminary project work other than black topping, concretization, laying of railway tracks, charging of transmission lines, etc. over 4.911 ha Forest Land of the above project coming under Rayagada Forest Division.

This Working Permission shall remain valid for a period of one year from the date of issue of this order or until grant of Stage-II approval, whichever is earlier.

It is expressly clarified that no tree felling, removal of vegetation, or execution of any activity involving damage to forest produce shall be undertaken without prior written approval of the competent authority. The User Agency shall strictly adhere to all applicable provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, Rules 2023, the Stage-I approval conditions, and all instructions issued by the Government of India and Government of Odisha.

Any violation of the above conditions shall render this Working Permission liable for withdrawal without prejudice to action under the applicable legal framework.

27.2.26

(Sri Sachin Annasaheb Ohol, IFS)
Divisional Forest Officer,
Rayagada Division

Memo No. 1096 / Dt. 27/02/2026

Copy submitted to the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. Of Odisha for favour of kind information and necessary action with reference to his Memo No. 662/FE&CC dated.08.01.2026.

Divisional Forest Officer,
Rayagada Division

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Memo No. 1097 / Dt. 27/02/2026

Copy submitted to the Principal Chief Conservator of Forest (Forest Diversion & Nodal Officer, FC Act), O/o. the Pr. CCF, Odisha and the Pr. CCF(WL) & CWLW, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to Memo No. 661/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1098 / Dt. 27/02/2026

Copy submitted to the Regional Chief Conservator of Forest, Koraput Circle, Koraput for favour of kind information and necessary action with reference to Memo No. 662/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1099 / Dt. 27/02/2026

Copy submitted to the Collector, Rayagada for favour of kind information and necessary action with reference to Memo No 663/FE&CC dated.08.01.2026 of the OSD-cum-Special Secretary to Government, Forest, Environment & Climate Change Department, Govt. of Odisha to his address.

Divisional Forest Officer,
Rayagada Division

Memo No. 1100 / Dt. 27/02/2026

Copy forwarded to the Range Officer, Kashipur Range for information and necessary action.

Divisional Forest Officer,
Rayagada Division

Memo No. 1101 /4F Date. 27/02/2026.

Copy forwarded to the Consultant (Env), IDCO, IDCO Tower, Janapath, Bhubaneswar for information and necessary action.

Divisional Forest Officer,
Rayagada Division

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Annexure-P-6

**INTEGRATED TRIBAL DEVELOPMENT AGENCY, RAYAGADA**

e-Mail-itdarayagada@gmail.com, Contact No.06856-235165, Pin Code-765001

No. 157 /XI117/2024 Dated. 03 .02.2025

**To**

**The Chief General Manager (Env),**
**Industrial Infrastructure Development Corporation,**
**Odisha, Bhubaneswar**

Sub: Issuance of FRA Certificate for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite Transportation by M/s Vedanta in Rayagada district.

Ref: Your letter No.HO-CGM(Env)/394/2024 Dated.31.08.2024

Sir,

In inviting a reference to the letter on the subject cited above, I am to send herewith the FRA certificate in Form-I to an extent of 12.135 Acre for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite Transportation by M/s Vedanta in village Porlang & Sagabari under Kashipur Tahasil of Rayagada district .

This is for information and necessary action.

Yours faithfully,

3/2/25

**Project Administrator-**
**Cum-Nodal Officer, FRA**
**ITDA, Rayagada**

Memo No. 158 /2025 Dated. 03 .02.2025

Copy submitted to the Additional District Magistrate, Rayagada for favour of kind information and necessary action with reference to District Office (Revenue Section) Letter No.2570/XXXV-08/2024 (Part-II) dated.06.09.2024.

3/2/25

**Project Administrator-**
**Cum-Nodal Officer, FRA**
**ITDA, Rayagada**



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*FORM – I*
*(for linear projects)*
*Government of Odisha*
*Office of the District Collector, Rayagada.*

No. 150/XI-117/25 Date:- 31/01/2025

## TO WHOM SOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forest (MoEF) Government of India's letter No.11-9/98-FC (Pt.) dated-3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear project, it is to certify that **12.135 Acre** (includes 11.650 acre in village Sagabari and 0.485 Acre in village Porlang) proposed to be diverted in favour of **Odisha Industrial Infrastructure Development Corporation (IDCO), Bhubaneswar** for development of **road from Sijimali Bauxite mines top to SH-44 for facilitating Bauxite Transportation by M/S Vedanta Ltd.** in **Rayagada district** falls within jurisdiction of **Kashipur Tahasil.** The detail land schedule is enclosed at **Annexure-I.**

It is further certified that:

(a) The complete process of identification and settlement of rights under the FRA has been carried out for the **12.135 Acre** (includes 11.650 acre in village Sagabari and 0.485 Acre 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. A copy of records of all consultations and meetings of the Sub-Divisional Level Committee(s) and District Level Committee are enclosed as **Annexure-II and Annexure-III.**

(b) The diversion of forest land for facilities managed by the Government as required under section3 (2) of the FRA have been completed and the Gram Sabhas have given their consent to it.

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

Encl: As above.

31/01/25

**Parul Patwari, IAS,**
**Collector-Cum-Chairperson,**
**DLC, FRA, Rayagada.**

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Annexure-I

Name of Tahasil- Kashipur
Name of RI Circle- Adatakiri
Name of District- Rayagada

| Sl No | Village | Khata No. | Plot No. | Total Area(Ac.) | Alloted Area (Ac.) | Kissam |
|---|---|---|---|---|---|---|
| 1 | Porlang | 35 | 280 | 16.00 | 0.485 | Pahada (DLC listed land) |
| 2 | Sagabari | 156 | 4(P) | 26.38 | 7.274 | Pahada (DLC listed land) |
| 3 | | | 5(P) | 32.75 | 4.376 | Pahada (DLC listed land) |
| Total Area(Ac.) | | | | | 12.135 | |

N.B: No IFR titles have been issued on the above proposed plots

Collector, Rayagada

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Annexure - II 607 07.12.24

**PROCEEDING OF THE SUB-DIVISIONAL LEVEL COMMITTEE MEETING HELD ON 19.11.2024 AT 11.00AM IN THE CONFERENCE HALL OF SUB-COLLECTOR OFFICE, RAYAGADA ON IMPLEMENTATION OF SCHEDULE TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (Recognition of Forest Rights Act-2006).**

The SDLC meeting of Rayagada Sub-Division was held in the Conference Hall of Sub-Collector's Office, Rayagada on 19.11.2024 at 11.00 AM. The Sub-Collector-cum-Chairman, SDLC, Rayagada presided over the meeting.

At the outset, the Chairman-Cum-Sub-Collector welcomed the members present in the meeting and focused on the guidelines and procedures involved in the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act-2006).The list of Members present in the meeting is enclosed at Annexure-I.

The following matters have been taken into consideration in the meeting.

**Discussion on IFR, CFR & CFRR Case Records**

The proposals of 374 IFR claims have been received from Rayagada, Kolnara and Kashipur Tehsils duly recommended by the concerned FRC and Gram Sabha/ Palli Sabha. The members of SDLC verified and scrutinized all the claims. On verification 114 claims are found correct and genuine. Accordingly SDLC has approved 114 IFR claims and decided to recommend before the DLC to issue title certificate in favour of the beneficiaries.

Secondly, the rest 258 IFR claims have been found incomplete due to various reasons which shall be returned to the concerned Gram Shabha through concerned Tahsildars for reverification and resubmission to the SDLC.

| Sl. No. | Name of the Block | Name of GP | Name of Village | Approved Claims |
|---|---|---|---|---|
| | | Pitamahal | Podi | 07 |
| | | Tadama | Perigaon | 45 |
| | | Kuli | Nandabadi | 06 |
| | | Dangalody | Kundam | 02 |
| 2 | Kolnara | Rekhapadar | Muteli | 19 |
| | | Bankili | Badisola | 04 |
| 3 | Kashipur | Siripal | Balkapai | 13 |
| | | Siripai | Sirlijhodi | 11 |
| | | Siripai | Leliguma | 07 |
| Total | | | | 114 |

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The following 03 nos of Community Right and 03 nos of Community Forest Resources Right claims have been received from the Tahasildar Kashipur after due compliance from Gramsabha. Accordingly, the committee has decided to recommend before the DLC to issue title.

| Sl. NO. | Name of the Block | Village | CFR | CRR |
|---|---|---|---|---|
| 1 | Kashipur | Leliguma | 01 | 01 |
| 2 | | Balkapai | 01 | 01 |
| 3 | | Sirlijhodi | 01 | 01 |
| Total | | | 03 | 03 |

**PROPOSAL FOR ISSUE OF NOC FOR DIVERSION OF FOREST LAND TO AN EXTENT OF Ac 12.135 FOR DEVELOPMENT OF ROAD FROM SIJIMALI BAUXITE MINES TOP TO SH-44**

As per the letter No. 2269 dated 24.09.2024 of the Project Administrator-cum-Nodal Officer, FRA, ITDA, Rayagada, the proposal of diversion of an area Ac 12.135 of forest land to non-forest purpose for development of road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite transportation by M/S Vedanta Ltd. Under Kashipur Tahasil in Rayagada District has been discussed in the meeting.

As per the guideline provided by the Ministry of Environment and Forest (MoEF) Government of India 5th February 2013 there is certain relaxation in respect of linear project that resolution/consent of the Gram Shabha of the area may not be required for the project like construction of roads, canals, laying of pipelines/Optical fibers and transmission lines.

Accordingly, report received from Tahasildar and BDO Kashipur have been taken into the consideration for this linear Project It is ascertained that no Primitive Tribal Goups (PTG) or Pre-Agriculture Communities (PAC) are staying in the area.

The committee has decided to recommend the proposal of diversion of the following area 12.135 Ac for the purpose of linear project to the DLC for issuing Certificate under Forest Right Act. (The report of Tahasildars and BDOs are enclosed)

| Sl. No. | Name of Tahasil | Name of Village | Khata No | Plot No. | Area (Ac) |
|---|---|---|---|---|---|
| 1 | Kashipur | Sagabari | 156 | 4 (P) | 7.274 |
| 2 | | Sagabari | 156 | 5 (P) | 4.376 |
| 3 | | Porlang | 35 | 280 (P) | 0.485 |
| Grand Total | | | | | 12.135 |

**Other Matter**

The Tahasil level FRA Cell Committee under Rayagada Sub-Division were instructed by the Chairman to follow up the guidelines laid down by the Government from time to time regarding implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act-2006) and do the needful with regard to the FRA application received as and when at their level and place the same after proper scrutiny and verification in all respect.

The meeting ended with vote of thanks to the Chair and participants.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

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Memo No 5826 /2024 Dated: 19/11/2024

Copy to all the members of the Committee for information and necessary action.

Copy to concerned FRC committee for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Memo No 5827 /2024 Dated: 19/11/2024

Copy to all the Tahasildars of this Sub division for information and necessary action.

Copy to all the WEOs of this Sub division for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

Memo No 5828 /2024 Dated: 19/11/2024

Copy submitted to Collector-Cum- Chairman, District level (FRA) Committee, Rayagada/ PA-ITDA, Rayagada for information and necessary action.

19.11.2024

Sub Collector-cum- Chairman
SDLC, Rayagada

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**Proceedings of the District Level Committee meeting held on 18.12.2024 on implementation of Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Amendment Rule, 2012**

Date of Meeting : 18.12.2024
Time : 10:30 A.M
Venue : Sadbhabana Sabhagruha, Collectorate, Rayagada

The District Level Committee (DLC) meeting on implementation of Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Amendment Rule, 2012 was convened on 18.12.2024 at 10:30 A.M in the Sadbhabana Sabhagruha, Collectorate, Rayagada under the Chairmanship of the Collector-cum-Chairperson, DLC, FRA, Rayagada. The following members attended the meeting.

- Collector-cum-Chairperson, DLC, FRA, Rayagada
- Divisional Forest Officer, Rayagada
- Divisional Forest Officer, Paralakhemundi (Virtual)
- Sub-Collector-Cum-Chairperson, SDLC, Gunupur
- Sub-Collector-Cum-Chairperson, SDLC, Rayagada
- Project Administrator-Cum-Nodal Officer, ITDA, Rayagada
- District Welfare Officer, Rayagada
- ADWO, ITDA, Rayagada
- ADWO, Sub-Collector Office,Rayagada
- Sri Igan Gomango, Zillaparishad Member, Gunupur
- Sri Barratom Vara Prasad Rao, Zillaparishad Member, K.Singhpur

At the outset the Project Administrator-cum-Nodal Officer, ITDA, Rayagada welcomed all the members present in the meeting and the Collector-cum-Chairperson, DLC, FRA, Rayagada initiated the agenda wise discussion.

**Agenda No.1:**
**Discussion on IFR cases received from SDLC, Gunupur & Rayagada**

The Project Administrator-Cum-Nodal Officer, ITDA, Rayagada apprised that the following IFR cases were received from the SDLC, Gunupur duly approved in the SDLC meeting held on dated.24.10.2024 (Copy enclosed) and SDLC Rayagada duly approved in the SDLC meeting held on dated 19.11.2024 and 29.11.2024(Copy enclosed).

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village | No. of IFR Cases received | No. of cases approved | No. of Cases to be Remanded | Total Area to be Aproved (in Acre) |
|---|---|---|---|---|---|---|---|
| 1 | Gunupur | Gunupur | Garamul | 15 | 15 | 0 | 28.330 |
| 2 | | Gudari | Parikupuda | 12 | 12 | 0 | 19.800 |
| 3 | | | Rengam | 3 | 3 | 0 | 6.200 |
| 4 | | Chandrapur | Raibiji | 15 | 15 | 0 | 33.865 |
| 5 | | | Bakaguda | 11 | 11 | 0 | 19.257 |
| 6 | | | Siripadara | 17 | 16 | 1 | 60.939 |
| 7 | | | Patsanda | 9 | 9 | 0 | 5.567 |
| 8 | | | Nauduguda | 19 | 19 | 0 | 30.646 |
| 9 | | | Balakabaju | 16 | 16 | 0 | 30.660 |
| 10 | | | Batalaguda | 5 | 5 | 0 | 16.989 |
| 11 | | | Ghogopadar | 20 | 20 | 0 | 43.278 |
| 12 | | Padmapur | Gundripadar | 7 | 7 | 0 | 0.169 |
| 13 | | | Nandra | 14 | 14 | 0 | 0.457 |
| 14 | | | Dakrapanga | 14 | 14 | 0 | 23.290 |
| 15 | | | Rajpur | 23 | 23 | 0 | 0.480 |
| 16 | | | Pangedikua | 10 | 10 | 0 | 0.526 |
| 17 | | | Santinagar | 36 | 36 | 0 | 6.211 |
| 18 | | | Sribhalabapur | 25 | 25 | 0 | 5.720 |

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| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 19 | | Bissamcuttack | Libharakana | 15 | 14 | 1 | 9.560 |
| 20 | | | Badajamiti | 14 | 11 | 3 | 17.810 |
| 21 | | | Dachupai | 10 | 10 | 0 | 25.010 |
| 22 | | | Rekhapai | 2 | 2 | 0 | 3.460 |
| 23 | | | Goudaguda | 3 | 1 | 2 | 1.000 |
| 24 | | | Lakhabhata | 15 | 15 | 0 | 12.284 |
| 25 | | | Kalipanga | 16 | 6 | 10 | 7.694 |
| 26 | | | Sanyasiguda | 18 | 17 | 1 | 17.120 |
| 27 | | | Kumbhia | 14 | 14 | 0 | 34.190 |
| 28 | | | Lelingpadar | 22 | 19 | 3 | 27.220 |
| 29 | | | Dedipada | 29 | 29 | 0 | 41.206 |
| 30 | | Muniguuda | Sana Manjurikupa | 6 | 6 | 0 | 7.101 |
| 31 | | | Sana Siringul | 11 | 11 | 0 | 7.527 |
| 32 | | | Kathabadi | 18 | 18 | 0 | 13.919 |
| 33 | | | Ghatana | 20 | 20 | 0 | 41.686 |
| 34 | | | Sakadagaon | 18 | 8 | 10 | 8.007 |
| **Total** | | | | **502** | **471** | **31** | **607.178** |
| 35 | Rayagada | Kalyansingpur | Kangsari | 10 | 10 | 0 | 17.61 |
| 36 | | | Siripur | 23 | 23 | 0 | 36.759 |
| 37 | | | Pipiliguda | 10 | 10 | 0 | 8.46 |
| 38 | | | Sadalasa | 19 | 19 | 0 | 9.074 |
| 39 | | | Talaramba | 24 | 24 | 0 | 14.815 |
| 40 | | | Kusumasila | 10 | 10 | 0 | 10.105 |
| 41 | | | Kaliaguda | 10 | 10 | 0 | 35.92 |
| 42 | | Kashipur | Kichikhal | 25 | 25 | 0 | 38.61 |
| 43 | | | Gobarghati | 50 | 50 | 0 | 82.88 |
| 44 | | | Balkapai | 13 | 13 | 0 | 20.39 |
| 45 | | | Sirlijhodi | 11 | 11 | 0 | 23.62 |
| 46 | | | Irripiput | 41 | 41 | 0 | 69.33 |
| 47 | | | Gumuraput | 29 | 29 | 0 | 40.33 |
| 48 | | | Kiajhol | 35 | 35 | 0 | 74.83 |
| 49 | | | Leliguma | 7 | 7 | 0 | 5.60 |
| 50 | | Kolnara | Muteli | 19 | 19 | 0 | 41.376 |
| 51 | | | Badisola | 9 | 9 | 0 | 0.173 |
| 52 | | | Tarapali | 10 | 10 | 0 | 12.45 |
| 53 | | | Hazaridang | 10 | 10 | 0 | 20.820 |
| 54 | | | Rainasikabadi | 27 | 27 | 0 | 22.180 |
| 55 | | | Fakiri | 3 | 3 | 0 | 1.05 |
| 56 | | | Dengasargi | 32 | 32 | 0 | 36.251 |
| 57 | | | Bankili | 13 | 13 | 0 | 6.401 |
| 58 | | | Kamasing | 21 | 21 | 0 | 15.318 |
| 59 | | | Arabi | 20 | 20 | 0 | 34.57 |
| 60 | | Rayagada | Podi | 7 | 7 | 0 | 9.504 |
| 61 | | | Perigoan | 44 | 44 | 0 | 117.916 |
| 62 | | | Nandabadi | 6 | 6 | 0 | 13.008 |
| 63 | | | Kundam | 2 | 2 | 0 | 4.132 |
| **Total** | | | | **540** | **540** | **0** | **823.482** |
| **Grand Total** | | | | **1042** | **1011** | **31** | **1430.66** |

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The Project Administrator-Cum-Nodal Officer, ITDA, Rayagada placed the above IFR cases before the Committee for examination and consideration. The Committee after careful examination approved 1011 IFR cases.

The following 31 IFR cases would be remanded back to the SDLC, Gunupur for re-examination of the cases on following grounds.

1. In 9 IFR cases from Muniguda and 11 from Bissamcuttack Tahasil it is found that the allotted area is more than the available area of concerned plot as per Bhulekh.
2. One case from Chandrapur, where allotted plot is not available in the said khata as per Bhulekh.
3. 10 cases from Bissamcuttack , where it is found that the signature of the concerned officials missing.

**Agenda No.2:**
**Discussion on CR/CFR cases received from SDLC, Rayagada**

The following 18 CFR and 18 CFRR cases have been received from the SDLC, Rayagada.

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village | No. of CFR Cases | No. of CFRR Cases | Total | No. of cases found okay | No. of Cases to be Returned | Total Area to be Aproved (in Acre) |
|---|---|---|---|---|---|---|---|---|---|
| 1 | Rayagada | Kashipur | Leliguma | 1 | 1 | 2 | 2 | 0 | 22.980 |
| 2 | | | Iripiput | 1 | 1 | 2 | 2 | 0 | 81.950 |
| 3 | | | Kiajhola | 1 | 1 | 2 | 2 | 0 | 22.270 |
| 4 | | | Uppersupel | 1 | 1 | 2 | 2 | 0 | 38.490 |
| 5 | | | Gumuraput | 1 | 1 | 2 | 2 | 0 | 20.170 |
| 6 | | | Perpa | 1 | 1 | 2 | 2 | 0 | 33.148 |
| 7 | | | Adajore | 1 | 1 | 2 | 0 | 2 | |
| 8 | | | Adatakiri | 1 | 1 | 2 | 0 | 2 | |
| 9 | | | Nikesh | 1 | 1 | 2 | 0 | 2 | |
| 10 | | | Bahardulki | 1 | 1 | 2 | 2 | 0 | 32.780 |
| 11 | | | Balmaska | 1 | 1 | 2 | 2 | 0 | 52.490 |
| 12 | | | Kichikal | 1 | 1 | 2 | 2 | 0 | 28.432 |
| 13 | | | Ghobarghati | 1 | 1 | 2 | 2 | 0 | 54.340 |
| 14 | | Kolnara | Tarapalli | 1 | 1 | 2 | 2 | 0 | 453.450 |
| 15 | | | Rainasikabadi | 1 | 1 | 2 | 2 | 0 | 75.700 |
| 16 | | | Andupadu | 1 | 1 | 2 | 2 | 0 | 671.855 |
| 17 | | | Kamasingi | 1 | 1 | 2 | 2 | 0 | 46.000 |
| 18 | | | Badagumuda | 1 | 1 | 2 | 2 | 0 | 132.240 |
| | Total | | | 18 | 18 | 36 | 30 | 6 | 1766.295 |

On verification 15 CFR and 15 CFRR cases found eligible and 3 CFR and 3CFRR cases of village Adajore, Adatakri and Pukesh found that the kissam of the suit land stands recorded as Pahada & Parbat. Hence, the committee after careful examination approved 15 CFR and 15 CFRR cases and decided to remand back the 3 CFR & 3 CFRR cases to SDLC, Rayagada for verification of SABIK record whether the allotted plots were in Jungle kissam or the allotted plots included in DLC.

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**Agenda No.3:**

**Discussion on Conversion of Forest Village to Revenue Village cases received from SDLC,Rayagada**

The following cases have been received from SDLC, Rayagada for conversion of Forest village to Revenue village.

| Sl. No | Name of The Sub-Division | Name of the Tahasil | Name of the Village |
|---|---|---|---|
| 1 | Rayagada | Kashipur | Iripiput |
| 2 | | | Kiajhola |
| 3 | | | Gumuraput |

After careful examination the committee approved all the 3 cases for conversion of forest village to Revenue village and recommended for submission to the Board of Revenue, Odisha, Cuttack for further action at their end.

**Agenda No.4:**

**Discussion on issuance of FRA certificate for diversion of Forest Land to lay 18"/12" Dia. Underground Natural Gas Pipeline along with Optical Fiber Cable**

The Chief Manager (Const.), GAIL (India) Limited has submitted proposal for issuance of FRA certificate for diversion of Forest land to an extent of 25.2276 Ha. To lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 Mm Dia. Optical Fibre Cable (OFC) in Rayagada district vide Letter No.GAIL/SAPI/FOREST-RAYAGADA/FRA/CTC/04/2023 DATED. 22.06.2023.

| Sl No. | Name of the Tahasil | Area ( In Ha.) |
|---|---|---|
| 1 | Rayagada | 3.7571 |
| 2 | Kolnara | 4.4724 |
| 3 | K.Singhpur | 4.5350 |
| 4 | Kashipur | 7.5544 |
| 5 | Gunupur | 1.0188 |
| 6 | Ramanaguda | 3.8899 |
| | Total | **25.2276** |
| 7 | Gunupur | 0.3147 |
| Total | | **0.3147** |

The Pallisabha/Gramsabha of village-Naura, under Gunupur Tahasil has approved the proposal in its Special Gramasabha meeting held on dated 16.09.2024. Similarly, the Pallisabha/Gramsabha of village-Patraput, Jarling, Suluri & Kataki under Ramanaguda Tahasil have approved the proposal in Special Gramasabha meeting held on dated. 13.09.2024 & 14.09.2024. Accordingly the Sub-Collector-cum-Chairperson, SDLC, Gunupur has recommended the proposal after due approval in its SDLC meeting held on dated. 24.10.2024 for issuance of FRA Certificate in favour of GAIL (India) Limited.

The Sub-Collector-cum-Chairperson, SDLC, Rayagada has submitted the report in respect of Rayagada, Kolnara, K.Singhpur and Kashipur Tahasil with a recommendation for issuance of FRA Certificate in favour or GAIL (India) Limited after due approval in SDLC meeting held on dated. 30.07.2024.

After verification of the reports received from the SDLC, Gunupur & Rayagada, the DLC approved the proposal for issuance of FRA certificate in favour of GAIL (India) Limited for diversion of Forest land to an extent of 25.2276 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 Mm Dia. Optical Fibre Cable (OFC) in Rayagada district. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-I.**

Further The Chief Manager (Const.), GAIL (India) Limited has submitted proposal for issuance of FRA certificate for diversion of Forest land to an extent of 0.3147 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 MM Dia. Optical Fibre Cable (OFC) in Rayagada and vide Letter No. GAIL/SAPI/FOREST-RAYAGADA/FRA/CTC/05/2023 DATED. 22.06.2023. This patch of land is coming under the Paralakhemundi Forest Division. Accordingly the DFO, Paralakhemundi has been intimated to join the DLC Meeting.

The DFO, Paralakhemundi has joined the meeting virtually and the committee has approved proposal for issuance of FRA certificate in favour of GAIL (India) Limited for diversion of Forest land to an extent of 0.3147 Ha. to lay 18"/12" Dia Underground Natural Gas Pipeline along with 40 MM Dia. Optical Fibre Cable (OFC) in Rayagada district. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-II.**

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**Agenda No.5:**

**Discussion on issuance of FRA certificate in favour of Vedanta Limited, Lanjigarh for Linear project for Y-connection Railway line**

The Head-Legal, Land & External Affairs, Vedanta Limited has submitted a proposal for diversion of forest land for non-forest purpose to an extent of 1.148 Ha in village Anajodi under Muniguda Tahasil for Linear project for Y-connection Railway line. In this connection the SDLC, Gunupur has submitted a report and recommended for issuance of FRA Certificate in favour of Vedanta Limited, Lanjigarh after due approval in SDLC meeting held on dated.24.10.2024.

The committee has approved the proposal for issuance of FRA Certificate to an extent of 1.148 Ha. in favour of Vedanta Limited, Lanjigarh for Linear project for Y-connection Railway line. The details of the IFR titles issued in the proposed diversion area is enclosed in **Annexure-III.**

**Agenda No.6:**

**Discussion on issuance of FRA certificate for Tikiri-Bhalumaska Railway Road Doubling project**

The Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada applied for issuance of certificate for Tikiri-Bhalumaska Railway Road Doubling project to an extent of 57.322 Ha. vide letter dated.08.05.2023. The Sub-Collector-Cum-Chairperson, SDLC, Rayagada has submitted the report after due approval in SDLC Meeting held on dated. 29.11.2024 and recommended for issuance of FRA certificate in favour of the Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada. Accordingly the committee approved the project and decided to issue FRA Certificate to an extent of 57.322 Ha. in favour of the Deputy Chief Engineer (Con) II, E. Co. Railway, Rayagada.

**Agenda No.7:**

**Discussion on issuance of FRA certificate for diversion of Forest Land for non-forest purpose for Development of Road from Sijimali Bauxite Mines top to SH-44**

The Chief General Manager (Env.) IDCO, Bhubaneswar has requested for issue of FRA certificate for Ac.11.650 in village Sagabari and Ac.0.485 in village Porlang vide letter No.26050 dated.06.09.2024. The report in this regard has been received from SDLC, Rayagada after due approval in its meeting held on dated.19.11.2024. After careful examination the committee has approved for issuance of FRA certificate in favour of the Chief General Manager (Env.) IDCO, Bhubaneswar for development of Road from Sijimali Bauxite Mines top to SH-44 for facilitating Bauxite transportation by M/S Vedanta Ltd.

The meeting ended with vote of thanks to the Chair and the members.

19.12.2024
P.A.-Cum-Nodal Officer,
ITDA,Rayagada

18/12/24
District Welfare Officer,
Rayagada

18.12.24
Divisional Forest Officer,
Rayagada

18.12.2024
Divisional Forest Officer,
Paralakhemundi
Dist-Gajapati

18/12/24
Collector-cum-Chairperson
DLC, FRA, Rayagada

Memo No. 2677/2024 Dated.18.12.2024

Copy submitted to the Director (ST), ST & SC Development Department, Odisha, Bhubaneswar for favour of kind information.

18/12/24
Collector-Cum-Chairperson,DLC,
FRA,Rayagada

Memo No. 2678/2024 Dated.18.12.2024

Copy submitted to the Chief Conservator of Forest, Odisha for favour of kind information.

18/12/24
Collector-Cum-Chairperson,DLC,
FRA,Rayagada

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Annexure - P-7

# THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980

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**ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION**
(A Government of Odisha Undertaking)
IDCO Towers, Janpath, Bhubaneswar – 751022, Odisha,
PHONE : 0674 - 2540820, 2542784 |Fax:2542956 / 2541982
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# THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980

(Including the OIIDC (Amendment) Act, 2020 - Odisha Act 2 of 2021)

**Reprint : June, 2022**

***Published by :***

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**(A Government of Odisha Undertaking)**
**IDCO Towers, Janpath,**
**Bhubaneswar – 751022, Odisha,**

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# THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980

(Including the OIIDC (Amendment) Act, 2020 - Odisha Act 2 of 2021)

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# THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980[1]

(Odisha Act 1 of 1980)

*[Received the assent of the President on the 5th January, 1981]*

**An Act to provide for the establishment of a Corporation for the development of industrial Infrastructure in the State of Odisha**

Whereas it is expedient to make special provision for securing the orderly establishment of industries in industrial areas and industrial estates in the State of Odisha and to assist generally in the organisation thereof, and for that purpose to establish an Industrial Infrastructure Development Corporation, and for purposes connected with the matters aforesaid;

It is hereby enacted by the Legislature of the State of Odisha in the Thirty-first year of the Republic of India, as follows:

## CHAPTER-I
## Preliminary

1. **Short title, extent and commencement.** - (1) This Act may be called the Odisha Industrial Infrastructure Development Corporation Act, 1980.

(2) It extends to the whole of the State of Odisha.

(3) It shall come into force at once.

■ **Definitions.** - In this Act, unless the context otherwise requires.

[1][(a) "amenity" includes road, railway siding, air strip, warehousing, supply of water or electricity, street lighting,social infrastructure, drainage, sewerage, conservancy and such other convenience as the State Government may, by notification, specify to be an amenity for the purpose of this Act;

(b) "Board" means the Board of Directors of the Corporation;

(c) "Building" means any structure or erection, or part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;

(d) "Collector" means the Collector of a district, and includes any officer specially empowered by the State Government to perform the functions of a Collector under this Act;

(e) "Corporation" means the Odisha Industrial Infrastructure Development Corporation established under S.5;

(f) "development" with its grammatical variations means the carrying out of building, engineering, quarrying or other operations in, on, over or under land or the making of any material change in any building or land, and includes redevelopment, but does not include mining operations; and "to develop" shall be construed accordingly;

---

Principal Act Published in the Odisha Gazette, Extraordinary No.69, Dated 19-1-1981

* The Odisha Industrial Infrastructure Development Corporation (Amendment) Act - Odisha Act 2 of 2021 Published in the Odisha Gazette, Extraordinary No.13, Dated 06-1-2021.

1. [1] - Amended by Odisha Act 2 of 2021.

[2][(g) "engineering operations" include the formation or laying out of means of access to a road, rail or waterway or the laying out of means of water-supply, power supply ,sewerage, effluent treatment and communication system;

[3][(h) "industrial area" means any area declared to be an industrial area by the State Government by notification, which is to be developed and where industries, industrial housing and related services and amenities are to be accommodated;

(i) "industrial estate" means any site selected by the State Government where the Corporation builds factories and other buildings, services and amenities and makes them available for any industry or class of industries;

(j) "means of access" includes a road or any means of access, whether private or public, for vehicles or for pedestrians or for rail or for water, power or communication systems;

(k) "premises" means any land or building or part of a building and includes-

(i) the garden, grounds and out-houses, if any, appertaining to such building or part of a building; and

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(l) "prescribed" means prescribed by rules made under this Act;

[4][(m) the expression "land" and the expression "person interested" shall have the meanings respectively assigned to them under the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" and "30 of 2013".

[5][(n) "social infrastructure" includes education institution, universities, hotels, multiplexes, commercial complexes, health-care facilities, entertainment facilities, resorts, golf courses, Sports complexes, tourism project, and such other infrastructure as the State Government may, by notification, specify to be a social infrastructure for the purpose of this Act.".

## CHAPTER II

## Establishment of the Corporation

**3. Establishment and Incorporation.** - (1) For the purpose of securing and assisting in the rapid and orderly establishment and organisation of industries, trade and commerce in industrial areas and industrial estates in the State of 'Odisha, there shall be established by the State Government, by notification, a Corporation by the name of the Odisha Industrial Infrastructure Development Corporation.

---

2. [2 to 4] - Amended by Odisha Act 2 of 2021.
3. [5] – Inserted by Odisha Act 2 of 2021.

Committee and irecto

6. **Term of office and conditions of service of Directors. -** (1) The Chairman and the Directors nominated under CL.(xii) of sub-S. (2) of S.4 shall hold office at the pleasure of the Governor.

[8][(2) Subject to the provisions of sub-S. (1), the term of office of the said Directors shall be for a period of one year from the date of their nomination and shall include any further period which may elapse between the expiration of the said period of one years and the date of nomination of their successors.

(3) The nominated Directors shall be entitled to draw such fees and allowances as may be prescribed.

(4) Any person nominated as a Director on one or more occasions shall, unless disqualified, be eligible for renomination.

(5) Where a person is nominated to be or becomes a Director by virtue of holding any office he shall, notwithstanding anything contained in this Act, cease to be a Director as soon as he ceases to hold that office.

7. **Meetings of the Board. -** (1) The Board shall meet at such times and places, and shall, subject to the provisions of sub-S. (2), observe such rules of procedure in regard to the transaction of its business as may be provided by regulations made under this Act.

(2) A Director, who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into, by or on behalf of the Corporation, shall at the earliest possible opportunity disclose the nature of his interest to the Board, and shall not present at any meeting of the Board when any such contract, loan arrangement or proposal is discussed, unless his presence is required by the other Directors for the purpose of eliciting information, but no Director so required to be present shall vote on any such contract, loan, arrangement or proposal.

8. **Cession of Directorship. -** If a Director -

(a) becomes subject to any of the disqualifications mentioned in S.5; or

(b) tenders his resignation in writing to, and such resignation is accepted by the State Government; or

(c) is absent without the Board's permission from three consecutive meetings of the Board, or from all meetings of the Board for three consecutive months; or

(d) is convicted of an offence involving moral turpitude;

he shall cease to be a member of the Board.

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5. [8] – Amended by Odisha Act 2 of 2021.

9. **Vacancies how to be filled.** - Any casual vacancy in the Board shall be filled as early as practicable, in like manner as if the appointment were being made originally:
Provided that during any such vacancy the continuing members may act as if no vacancy had occurred.

10. **Temporary absence of Chairman.** - If the Chairman of the Board is by reason of illness or otherwise rendered temporarily incapable of carrying out his duties, or is granted leave of absence by the State Government or is otherwise unable to attend to his duties in circumstances not involving the cessation of his Directorship, the State Government may appoint the Managing Director or any other Director to act as the Chairman and carry out his duties and functions by or under this Act until the Chairman resumes his duties.

11. **Proceeding presumed to be good and valid.** - No disqualification of, or defect in the appointment of any person acting as the Chairman or a Director of the Board, shall vitiate any act or proceeding of the Board, if such act or proceeding is otherwise in accordance with the provisions of this Act.

12. **Officers and servants of the Corporation.** - (1) The State Government shall appoint a Managing Director who shall be the Chief Executive Officer of the Corporation.

(2) The Board may appoint such other officers and servants, subordinate to the Managing Director, as it considers necessary for the efficient performance of its duties and functions.

(3) The conditions of appointment and service of the officers and servants and their scales of pay shall -

(a) as regards the Managing Director, be such as may be prescribed; and

(b) as regards the other officers and servants, be such as may be determined by regulations made under this Act.

(4) If the Managing Director of the Corporation is temporarily absent or rendered incapable of performing his duties for any reason whatsoever, not involving the vacation of his office, the State Government may, after consultation with the Board, appoint another person to act in his place during his absence. Such person shall vacate office on the date the Managing Director resumes his duties.

13. **Corporation to absorb certain staff and to assume obligations of State Government in respect of matters to which this Act applies.** - (1) The Corporation shall take over and employ such of the existing staff serving for the purposes of the industrial Promotion and Investment Corporation of Odisha Limited and the Odisha Small Industries Corporation Limited as the State Government may direct, and every person so taken over and employed shall be subject to the provisions of this Act and the rules and regulations made thereunder.

Provided that the conditions of service of the members of the staff who are taken over by the Corporation shall in no way be less advantageous than those which were applicable to them immediately prior to their absorption.

(2) All obligations incurred, all contracts entered into and all matters and things engaged to be done, before the first establishment of the Corporation, by, with or for the State Government or the Corporations aforesaid for any of the purposes of this Act, in respect of any schemes for the development of industrial estates or industrial areas entrusted to the Corporation, shall be deemed to have been incurred, entered into or engaged to be done, by, with or for the Corporation; and accordingly all suits or other legal proceedings instituted or which might have been instituted by or against the State Government or the Corporations aforesaid, as the case may be, may be continued or instituted by or against the Corporation.

(3) All expenditure which the State Government or the Corporations aforesaid may have incurred before the date of the coming into force of this Act in connection with any of the purposes of this Act shall be deemed to be a grant to the Corporation under S.21 on that date, and all assets acquired by such expenditure shall vest in the Corporation.

## CHAPTER III

## Functions and powers of the Corporation

**14. Functions.** - The functions of the Corporation shall be -

(i) generally to promote and assist in the rapid and orderly establishment, growth and development of industries, trade and commerce in the State; and

(ii) in particular,and without prejudice to the generally of Cl.(i) to-

(a) establish and manage industrial estates at places notified by the State Government.

[6][(b)develop and manage industrial areas notified by the State Government for the purpose and make them available for undertakings to establish themselves;

(c) undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected therewith;

(d) provide or cause to be provided amenities and common facilities in industrial estates and industrial areas and construct and maintain or cause to be maintained works and buildings thereof;

(e) make available buildings on hire or sale to industrialists or persons intending to start industrial undertakings;

(f) construct buildings for the housing of the employees of such industries and employees of the Corporation.

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6. [9] – Amended by Odisha Act 2 of 2021.

15. **General powers of the Corporation.** - Subject to the provisions of this Act,the Corporation shall have power:

[10][(a) to acquire and hold such property, both movable and immovable, as the corporation may deem necessary for the performance of any of its activities, and to lease, sell, mortgage, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the corporation;

(b) to purchase by agreement or to take on lease or under any form of tenancy any land to erect such buildings and to execute such other works as may be necessary for the purpose of carrying out its duties and functions;

(c) to allot plots, factory sheds or buildings or part of buildings, including residential tenements, to suitable persons in the industrial estates established or developed by the Corporation;

(d) to modify or rescind such allotments, including the right and power to evict the allottees concerned on breach of any of the terms or conditions of the allotment.

(e) to constitute advisory committees to advise the Corporation;

(f) to engage suitable consultants or persons having special knowledge or skill to assist the Corporation in the performance of its functions

(g) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of its functions; and

(h) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its functions and the carrying into effect the purpose of this Act.

[11][16. **Authentication of orders and documents of Corporation** - All permissions, orders, decisions, notices and other documents of the Corporation shall be authenticated by the signature of "such officer of the Corporation as may be authorised by the order of the Corporation".

17. **Power to levy service charge.** - Notwithstanding anything contained in any contract or any law for the time being in force, it shall be lawful for the Corporation to levy development cost, fees or service charges to cover its expenses on construction and maintenance of roads, drainage, water-supply and such other services and amenities as may be provided by it including provision of street lighting, at such rates as may be prescribed from time to time and such cost, fees and charges may be levied on the plot holders or other persons receiving benefit of the services or amenities.

18. **Directions by the State Government.** - The State Government may issue to the Corporation such general or special directions as to policy as it may think necessary or expedient for carrying out the purposes of this Act, and the Corporation shall be bound to follow and act upon such directions.

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7. [10] - Amended by Odisha Act 2 of 2021.
8. [11] - Amended by Odisha Act 2 of 2021.

## CHAPTER IV

### Finance, accounts and audit

19. **Application of Corporation's assets.** - All property, fund and other assets vesting in the Corporation shall be held and applied by it, subject to the provisions and for the purposes of this Act.

20. **Corporation's fund.** - The Corporation shall have and maintain its own fund, to which shall be credited -
    (a) all amounts received by the corporation from the State Government by way of grants, subventions, loans, advances or otherwise;
    (b) all fees, costs and charges received by the Corporation under this Act;
    (c) all amounts received by the Corporation from the disposal of lands, buildings and other properties movable and immovable and other transactions.
    (d) all amounts received by the Corporation by way of rents and profits or in any other manner or from any other source;
    (e) all amounts received by the Corporation from Government undertakings, Companies, Financial Institutions, Commercial Banks or from any other source.

21. **Grants, subventions, loans and advances to the Corporation.** - The State Government may after due appropriation made by the State Legislature by law in this behalf, make such grants, subventions, loans and advances to the Corporation as it may deem necessary for the performance of the functions of the Corporation under this Act; and all grants, subventions, loans and advances made shall be on such terms and conditions as the State Government may after consulting the Corporation determine.

22. **Power of Corporation to borrow and guarantee of loans** - (1) The Corporation may, from time to time, with the previous sanction of the State Government and subject to the provisions of this Act and to such conditions as may be prescribed in this behalf, borrow any sum required for the purposes of this Act.
    (2) Rules made by the State Government for the purposes of this section may empower the Corporation to borrow by the issue of bonds or stock or otherwise.
    (3) The maximum amount which the Corporation may at any time have on loan under sub-S. (1) shall be fifty crores of rupees, unless the State Government with the approval of the State Legislative Assembly, fixes a higher maximum amount.
    (4) The State Government may guarantee in such manner as it thinks fit the payment of the principal and interest of any loan proposed to be raised by the Corporation or of either the principal or the interest;
    Provided that the State Government shall, so long as any such guarantees are in force, lay before the State Legislature in every year during the first session of the Legislature, a statement of the guarantees, if any, given during the current financial year and an up-to-date account of the total sum, if any, which have been paid out of or into the State Revenues towards repayment of any money so paid out.

**23. Deposits.** - The Corporation may accept deposits on such terms and conditions as it deems fit from persons, authorities or instructions, to whom allotment or sale of land, buildings or sheds is made or is likely to be made in furtherance of the objects of this Act.

**24. Reserve and other funds.** - (1) The Corporation shall make provisions for such reserve and other specially denominated funds as the State Government may, from time to time, direct.

(2) The management of the funds referred to in sub-S. (1), the sum to be transferred from time to time to the credit thereof and the application of money comprised therein shall be determined by the Corporation.

(3) None of the funds referred to in sub-S. (1) shall be utilised for any purpose other than that for which it was constituted without the previous approval of the State Government.

**25. Expenditure from funds.** - (1) The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorised under this Act from out of the general funds of the Corporation referred to in S.20 or from the reserve and other funds referred to in S.24, as the case may be.

(2) Without prejudice to the generality of the power conferred by sub-S. (1), the Corporation may contribute sums, as it thinks fit, towards expenditure incurred or to be incurred by any local authority or statutory public undertaking in the performance, in relation to any of its industrial estates or industrial areas, of any of the statutory functions of such authority or undertaking, including expenditure incurred in the acquisition of land.

(3) The Corporation shall have authority to advance loans, with or without security on interest, to its employees.

**26. Budget and programme of work.-** (1) The Corporation shall, by such date in each year as may be prescribed, prepare and submit to the State Government for approval an annual financial statement and the programme of work for the succeeding financial year.

(2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.

(3) The Corporation shall be competent to make variations in the programme of work in the course of the year; provided that all such variations and reappropriations out of the sanctioned budget are brought to the notice of the State Government by a supplementary financial statement.

(4) A copy each of the annual financial statement and the programme of work and the supplementary financial statement, if any, shall be placed before the State Legislature as soon as may be after their receipt by the State Government.

27. **Accounts and audit.** - (1) The Corporation shall maintain books of accounts and other books in relation to its business and transactions in such form, and in such manner, as may be prescribed.

[12][(2) The accounts of the Corporation shall be audited by an auditor appointed by the State Government.

(3) As soon as the accounts of the Corporation are audited, the Corporation shall send a copy thereof together with the copy of the report of the auditor thereon to the State Government.

(4) The State Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-S. (3) to be laid annually before the State Legislature.

28. **Concurrent and special audit accounts.-** (1) Notwithstanding anything contained in the last preceding section, the State Government may, by order, direct that there shall be concurrent audit by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transactions or to a particular period.

(2) When an order is made under sub-S.(1 ),the Corporation shall present or cause to be presented for audit such accounts and shall furnish to the persons appointed under Sub-S. (1), such information as the said person may require for the purpose of audit.

## CHAPTER V
## Applicability of certain laws

29. **Application of Odisha Public Premises (Eviction) Act,1972, to Corporation premises.** - (1) The State Government may, by notification, provide that from such date as is stated there in the Odisha Public Premises (Eviction of Unauthorised Occupants) Act, 1972 (Odisha Act 7 of 1972) shall, subject to the provisions of sub-S. (2), apply to the premises belonging to vesting in, or leased by the Corporation.

(2) On a notification being issued under sub-S. (1) the aforesaid Act and the rules made thereunder shall apply to premises of the Corporation with the following modifications, namely:

(a) the State Government shall appoint an officer of the Corporation who is holding or has office other whether under the Government or the Corporation, which in the opinion of the State Government is not lower in rank than that of a Deputy Collector or an Assistant Engineer, to be he Estate Officer for the purposes of the aforesaid Act and one or more officers may be appointed as Estate Officers for different areas or for the same area:

(b) reference to "public premises" in that Ac and hose rules shall be deemed to be reference to premises of the Corporations and references to "the State Government" in S.6, 12 and 15 thereof shall be deemed to be references to the Corporation.

[13][30. **Non-applicability of certain Acts.-** In the principal Act., Section 30 shall be ommitted.

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9. [12] - Amended by Odisha Act 4 of 1995.

10.[13] - Omitted by Odisha Act 2 of 2021.

## CHAPTER VI

## Acquisition and disposal of land

[14][31. Acquisition of land. - (1) Whenever any land is required, by the Corporation for any purpose of furtherance of the objects of this Act, but the Corporation is unable to acquire it by agreement, the State Government may, upon an application of the Corporation in that behalf, order proceedings to be taken under "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" and "30 of 2013" for acquiring the same on behalf of the Corporation as if such lands were needed for a public purpose within the meaning of that Act.

(2) The amount of compensation awarded and all other charges incurred in the acquisition of any such land shall be forthwith paid by the Corporation and thereupon, the land shall vast in the Corporation.

**32. Transfer of Government lands to the Corporation. -** (1) For the furtherance of the objects of this Act the State Government may, upon such conditions as may be agreed upon between the Government and the Corporation, place at the disposal of the Corporation any land vested in the State Government.

(2) After any such land had been developed by or under the control and supervision of the Corporation it shall be dealt with by the Corporation in accordance with the regulations made under this Act and the directions given by the State Government in that behalf.

**33. Disposal of land by the Corporation. -** (1) Subject to any directions given by the State Government the Corporation may dispose of -

(a) any land acquired by the State Government and transferred to it, without undertaking or carrying out any development thereon;or

(b) any such land after undertake or carrying out such development as it thinks fit, to such person in such manner and subject to such terms and conditions, as it considers expedient for securing the purposes of this Act.

(2) The powers of the Corporation with respect to the disposal of land under sub-S. (1) shall be so exercised as to secure, so far as practicable, that -

(a) where the Corporation proposes to dispose of by sale any such land which is surplus to its requirement, the Corporation shall offer the land in the first instance to the persons from whom it was acquired, if they desire to purchase it, subject to such requirements as to its development and use as the Corporation may think fit to impose.

(b) persons who are residing or carrying on business or other activities on any such land shall, if they desire to obtain accommodation on land belonging to the Corporation and are willing to comply with any requirements of the Corporation as to its development and use have an opportunity to obtain therec ı accommodation suitable to their reasonable requirements on terms settled with due regard to the price at which any such land has been acquired from them.

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11. [14] – Amended by Odisha Act 2 of 2021.

(3) Nothing in this Act shall be construed as enabling the Corporation to dispose of land by way of gift, but subject as aforesaid; reference in this Act to the disposal of land shall be construed as reference to the disposal thereof in any manner whether by way of sale, mortgage, exchange, or lease or by the creation, of any easement, right or privilege or otherwise.

34. **Acquisition of unutilised surplus lands in industrial areas and allotment to other industries.** - (1) With a view to ascertaining whether any plot allotted in an industrial area developed by the Corporation has been utilised for industrial purposes or not, the Board shall carry out six-monthly review as to how much unutilised area of each plot is capable of sub-division and whether the unutilised area can be utilised for any other purpose under this Act after sub-division, and shall issue notice to the plot holders in the industrial area calling upon them to furnish to it relevant information in the prescribed form and when so called upon each plot holder shall be bound to furnish true and correct information required within one month from the date of receipt of such notice by him.

(2) For the purpose of enabling the Board to determine whether there is any unutilised portion of any plot in the industrial area and whether such portion is capable of sub-division so as to make it useful for any other purpose under this Act after sub-division, it shall be lawful for any officer of the Corporation, either generally or specially authorised by the Board in this behalf, and for his servants and workmen at all reasonable hours -

(i) to enter upon and survey the plot;

(ii) to set out the boundaries of the utilised portion of the plots;and

(iii) to do all other acts necessary for the purposes aforesaid.

(3) If the Board is satisfied that any plot holder has not utilised the maximum area of his plot suitable for construction of buildings for a period of three years or more from the date on which possession of the plot was delivered to him by the Board and the utilised portion is capable of subdivision so as to make it useful for any other purpose under this Act, the Board may, notwithstanding anything contained in any contract or in any law for the time being in force, issue to the plot holder and all other persons interested in the plot notice to show-cause why such unutilised portion should not be acquired for the purpose of being utilised for any other purpose under this Act. The Board shall also cause public notice to be given in the manner laid down in S.46.

(4) When any such notice is issued, the Board shall give a reasonable opportunity of being heard to the plot holder and other persons interested in the plot and it shall be open to the plot holder or any other person interested in the plot to appear and object to such resumption on the ground that the unutilised portion is required by the plot holder himself for the purpose of immediate expansion of his own industry and that he has already taken effective steps for utilising such portion.

(5) If after giving a reasonable opportunity of being heard, the Board is satisfied that the holder of the plot has failed to utilise or is not likely to utilise the unutilised portion for industrial purposes within a reasonable period, and such unutilised portion can be used for any other purpose under this Act, the Board may, notwithstanding anything contained in any contract or in any law for the time being in force, for the purpose of enabling the Corporation to properly discharge its functions of promoting rapid growth and development of industries under this Act on such unutilised portion, resume the unutilised portion of the land by giving a notice to the holder of the plot. On and from the date of such notice the unutilised portion of land specified in the notice shall vest absolutely in the Corporation, free from all encumbrances.

(6) Where any land is vested in the Corporation under the last preceding sub-section, the Board may, by notice in writing, order any person who may be in possession of the land to surrender or deliver possession thereof to the Board or any person duly authorised by it in this behalf within thirty days of the service of the notice.

[15][(7) If any person refuses or fails to comply with an order made under the last preceding sub-section, the Board or any officer of the Corporation duly authorised by it, may" take possession of the land, and may for the purpose use such force as may be necessary.

[16][(8) where any land is resumed by the Corporation under this section or the Plot holder surrenders the land, suomotu, the Corporation shall pay such amount and in such manner to the Plot holder as may be prescribed by the Corporation:

Provided that the amount payable by the Corporation shall not exceed the proportionate premium paid by the plot holder.".

## CHAPTER VII

## Supplementary and miscellaneous provisions

**35. Power of the Corporation in case of certain defaults by owner of land in industrial area. -** (1) If the Corporation, after holding a local enquiry or upon report from any of its officers or other information in its possession, it satisfied that the owner of any land in an industrial area has failed to provide any amenity in relation to the land which in the opinion of the Corporation ought to be provided or to carry out any development of the land for which permission has been obtained under this Act, the Corporation may serve upon the owner a notice requiring him to provide the amenity or carry out the - development within a reasonable time to be specified in the notice.

(2) If any such amenity is not provided or any such development is not carried out within the time specified in the notice, the Corporation may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit;

Provided that, before taking any action under this sub-section, the Corporation shall afford reasonable opportunity to the owner of the land to show-cause as to why such action should not be taken.

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12. [15 ] – Amended by Odisha Act 2 of 2021.

13. [16 ] – Substituted by Odisha Act 2 of 2021.

(3) All expenses incurred by the Corporation or the agency employed by it in providing the amenity or carrying out the development together with interest, at such rate as the State Government may by order fix, from the date which a demand for the expenses is made until payment shall be recoverable by the Corporation from the owner.

36. **Order of demolition of building.** - (1) Where the erection of any building in an industrial estate or industrial area has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Act, any officer of the Corporation empowered by it in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order directing that such erection shall be demolished by the owner thereof within such period not exceeding two months as may be specified in the order, and on the failure of the owner to comply with the order, the officer may himself cause the erection to be demolished and expenses of such demolition shall be recoverable by the Corporation from the owner :

Provided that no such order shall be made unless the owner has been given a reasonable opportunity to show cause why the order should not be made.

(2) Any person aggrieved by an order made under sub-S. (1) may prefer an appeal against that order within thirty days from the date thereof to the Executive Commissioner of the Corporation. Such Committee may after hearing the parties to the appeal either allow or dismiss the appeal or reverse or vary any part of the order.

(3) The decision of the Committee on the appeal and subject only to such decision, the order made by the officer under sub-S (1) shall be final.

37. **Power to stop building operations.** - (1) Where the erection of any building in an industrial estate or industrial area has been commenced, or is being carried on or any existing building is altered, in contravention of the terms in which such building or the land on which it stands is held or granted under this Act, any officer of the Corporation empowered in this behalf may, in addition to any prosecution that may be instituted under this Act, make an order requiring the building operations in relation to such erection to be discontinued on and from the date of the service of the order.

(2) Where such building operations are not discontinued in pursuance of the requisition under sub-S. (1), the Corporation or the officer empowered as aforesaid may require any police officer to remove the person by whom the erection of the building has been commenced and all his assistants and workman from the place of the building within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly.

(3) After a requisition under sub-S. (2) has been co the Corporation or the officer empowered as aforesaid may depute by a written order a police officer or an officer or employee of the Corporation to watch the place in order to ensu e that the erection of the building is not continued.

(4) Any person failing to comply with an order made under sub-S. (1) shall, on conviction, be punishable with fine which may extend to two hundred rupees for every day during which such non-compliance continues after the service of the order.

(5) No compemsation shall be payable to any person for any damage or loss which he may sustain in consequence of any order made under this section.

38. **Penalty for construction or use of land and buildings contrary to terms of holding.** - (1) Any person who, whether at his own instance or at the instance of any other person, undertakes or carries out construction of or alterations to any building in an industrial estate or industrial area contrary to the terms under which he holds such building or land under this Act, shall on conviction, be punishable with fine which may extend to ten thousand rupees, and in the case of a continuing contravention, with a further fine which may extend to two hundred rupees for everyday during which such offence continues after conviction for the first commission of the offence.

(2) Any person who uses any land or building in an industrial estate or industrial area contrary to the terms under which he holds such land or building under this Act or in contravention of the provisions of any regulations made in this behalf shall, on conviction, be punishable with fine which may extend to five thousand rupees.

39. **Power to lay pipe lines, etc.** - (1) Within any area taken up for development under paragraph (b) of Cl. (ii) of S.14, and for the purposes of (a) carrying gas, water or electricity from a source of supply to, or (b) constructing any sewers or drains necessary for carrying off the workings and waste liquids of an industrial process through any intervening area, the Board or any person empowered in this behalf by the State Government by notification (hereinafter in this section referred to as "the authorised person") may lay down, place, maintain, alter, remove or repair any pipes, pipelines, conduits, supply or service lines, posts or other appliances or apparatus in, on, under, over, along or across any land in such areas.

(2) The Board or the authorised person may at any time enter upon any land in any such area and in such event the provisions of S.40 shall, mutatis mutandis, apply.

(3) While exercising the power conferred by sub-S. (1) the Board or the authorised persons shall cause as little damage as possible to property; and compensation for any damage sustained by them in consequence of the exercise of such powers as aforesaid shall be paid to all persons interested by the Corporation, or in the case of the authorised persons, by the State Government.

(4) Nothing herein shall authorise or empower the Corporation or the authorised person to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to public use without the consent of the owners and occupiers thereof, except that the Corporation or such person may at any time enter upon and lay or place any new pipe in the place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed in pursuance of this Act, and may repair or alter any pipe so laid down:

Provided that nothing in the aforesaid provision shall be construed to mean that the Corporation or other person is forbidden from having the said land acquired at any time by the State Government in the normal course.

40. **Power of entry.** - Any officer of the State Government, any Director of the Board, and any person either generally or specially authorised by the Board in this behalf, may enter into or upon any land or building with or without assistance of workman for the purpose of-

(a) making any inspection, survey, measurement, valuation or enquiry or taking levels of such land or building;

(b) examining works under construction and ascertaining the course of sewers and drains;

(c) digging or boring into the sub-soil;

(d) setting out boundaries and intended lines of work;

(e) marking such levels, boundaries and lines by placing marks and cutting trenches;

(f) doing any other thing necessary for the efficient administration of this Act;-

Provided that -

(i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or it there be no occupier, to the owner of the land or building;

(ii) sufficient opportunity shall in every instance be given to enable women, if any, to withdraw from such land or building; and

(iii) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building entered.

41. **Officers of the Corporation may be vested with other powers.** - The State Government may, by notification nominate any officer of the Corporation to be a controller or licensing authority under any law for the time being in force relating to the procurement or distribution of any commodity in respect of the industrial undertakings established or to be established in industrial estates or industrial areas entrusted to or developed by the Corporation and no such nomination shall be called into question merely on the ground that such officer is not an officer of the State Government.

42. **Overriding powers of Government to issue directions to local authorities.-** Notwithstanding anything contained in any other law, or in any licence or permit, if the State Government is satisfied either on a recommendation made in this behalf by the Board or otherwise, that the setting up of an industrial undertaking, whether within an industrial area or outside, is impeded by a local authority's refusal to grant, or by such authority's insistence on conditions which the State Government considers unreasonable for the grant of any amenity, the State Government may direct the local authority to grant the said amenity on such conditions as the State Government may consider fit, and thereupon the amenity shall be granted:

Provided that the charge to be paid for granting or continuing such amenity to the local authority concerned shall not be less than the cost incurred by the local authority or licensee concerned for providing such amenity;

Provided further that, no such direction shall be made by the State Government without giving the local authority a reasonable opportunity to show-cause why any such direction should not be made.

43. **Restriction on lease permission in adjoining areas in certain cases.-** If any person or company applies to the Collector or any other competent authority for lease of Government land or for permission to convert agricultural land into non-agricultural use for setting up of an industrial undertaking or for locating a brick kiln, quary or for any other use which may be detrimental to the orderly growth of an industrial estate and if such Government land or agricultural land is situated within a radius of five kilometers of the outer boundary of the said industrial area or estate, the Collector or the competent authority shall not grant such lease or permission without prior consultation with the Board:

Provided that where the Collector or the competent authority overrides the objection of the Board, he will give reasons therefor in writing to the Board, whereupon the Board may appeal to the prescribed authority;

Provided further that no action shall be taken on the order of the Collector or the competent authority till such appeal is disposed of;

Provided also that the provisions of this section shall not apply to any village industry, cottage industry or tiny sector industry.

Explanation. For the purposes of this section -

(i) the expressions "village industry" and "cottage industry" shall have the same meaning as assigned to them under the Odisha State aid to Industries Act, 1978 (Odisha Act 32 to 1978);

(ii) "tiny sector industry" shall mean such industry as may be declared by the State Government, from time to time, to be a tiny sector industry.

**44. Executive Committee.** - (1) There shall be an Executive Committee which shall consist of -

(a) the Chairman of the Board of Directors;

(b) the Managing Director of the Corporation; and

(c) three other members elected by the Board from among the Directors of whom at least one shall be a Director nominated under Cl. (xii) of sub-S. (2) of S.4.

(2) The Chairman of the Board shall preside over the meetings of the Committee and the business of the Committee shall be conducted in such manner as may be provided in the Regulations made under this Act.

(3) The Committee shall render all such assistance to the Board as it may require from time to time and shall perform such other functions as are assigned to it by or under this Act.

**45. Service of notices, etc.** - (1) All notices, orders and other documents required by this Act or any rule or regulation made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rule or regulation, be deemed to be duly served-

(a) where the person to be served in a company, if the service is effected in accordance with the provisions of S.51 of the Companies Act, 1956 (1 of 1956).

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business, identifying it by the name or style under which it business is carried on, and is either -

(i) sent by registered post; or

(ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a corporation or a society or other body, if the document is addressed to the secretary, treasurer or other chief executive officer of that body, corporation or society at its principal office, and is either -

(i) sent by registered post; or

(ii) left at that office;

(d) in any other case, if the document is addressed to the person to be served and-

(i) is given or tendered to him; or

(ii) if such person cannot be found,

is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates; or

(iii) is sent by registered post to that person.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building whose name is not known, may be addressed to "the owner" or "the occupier", as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served-

(a) if the document so addressed is sent or delivered in accordance with Cl. (d) of sub. S. (1); or

(b) if the document so addressed or a copy thereof so addressed, is given or tendered to some person on the land or building who appears to be occupying the same or, where there is no such person on the land or building to whom it can be delivered, is affixed to some conspicuous part of the land or building.

(3) Where a document is served on the firm in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any property, the occupier, if any of the property may be required by notice in writing by the State Government or the Corporation as the case may be, to state the name and address of the owner thereof.

46. **Public notices how to be made known.** - Every public notice given under this Act or any rule or regulation made thereunder shall be in writing over the signature of the officer concerned and shall be widely made known in the locality to be affected thereby by affixing copies thereof in conspicuous public places, within the said locality, or by publishing the same by beat of drum or by advertisement in a local newspaper, or by any two or more of these means, and by any other means that the officer may think fit.

47. **Notices, etc. to fix reasonable times.** - Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder, requires anything to be done for the doing of which no time is fixed in this Act or the rule or regulation, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith.

48. **Furnishing of returns, etc.** - (1) The Board shall furnish to the State Government returns, statistics, reports, accounts and other information with such respect to its conduct of affairs, properties or activities or in regard to any proposed work or scheme as the State Government may, from time to time, require.

(2) The Board shall, in addition to the audit report referred to in S.27 furnish to the State Government an annual report of its working as soon as may be after the end of each financial year in such form and with such details as may be prescribed, and a copy of the annual report shall be placed before the State Legislature as soon as may be after it is received by the State Government.

49. **Transfer of existing areas and estates to the Corporation.** - The State Government may by notification and subject to such terms and conditions as may be specified therein, place any industrial area or industrial estate established prior to the date of commencement of this Act under the management and control of the Corporation, and thereupon, the provisions of this Act shall apply to such industrial area and industrial estate as if the industrial area were declared and the industrial estate were established under this Act.

50. **Withdrawal of area or estate or part thereof** - Where the State Government is satisfied that with respect to any particular industrial estate or industrial area, or any part thereof, the purpose for which the Corporation was established under this Act has been substantially achieved so as to render the continued existence of such estate or area or part thereof under the Corporation unnecessary, the Sate Government may, by notification, declare that such industrial estate or industrial area or part thereof has been removed from the jurisdiction of the Corporation. The State Government may also make such other incidental arrangements for the administration of such estate or area or part thereof as the circumstances require.

51. **Default in performance of duty.** - (1) If the State Government is satisfied that the Board has made a default in performing of and duty or obligation imposed or cast on it by or under this Act, the State Government may fix a period for the performance of that duty or obligation and give notice to the Board accordingly.

(2) If in the opinion of the State Government, the Board fails or neglects to perform such duty or obligation within the period so fixed for its performance. it shall be lawful for the State Government to supersede and reconstitute the Board.

(3) After the supersession of the Board and until it is reconstituted in the manner laid down in Chapter II, the powers, duties and function of the Corporation under this Act shall be carried on by the State Government or by such officer or officers or body of officers as the State Government may appoint for this purpose from time to time.

(4) All property vested in the Corporation shall, during the period of supersession, vest in the State Government.

52. **Dissolution of Corporation.**- (1) Where the Sate Government is satisfied that the purposes for which the Corporation was established under this Act have been substantially achieved so as to render the continued existence of the Corporation in the opinion of the State Government unnecessary, it may, by notification, declare that the Corporation shall be dissolved with effect from such date as may be specified in the notification, and the Corporation shall be deemed to be dissolved accordingly.

(2) From the said date -

(a) all properties, funds and dues which are vested in, or realisable by, the Corporation shall vest in or be realisable - " by, the State Government.

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the State Government.

53. **Authority for prosecution.** - Unless otherwise expressly provided, no Court shall take cognizance of any offence relating to any property belonging to, or vested by or under this Act in, the Corporation, punishable under this Act, except on the complaint of, or upon information received from, the Board of some person authorised by the Board by general or special order in this behalf.

54. **Composition of offences by Board.** - (1) The Board or any person authorised by the Board by general or special order in this behalf may, either before or after the institution of the proceedings, compound any offence punishable by or under this Act.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence so compounded.

55. **Offences by companies.** - (1) Whenever an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of, or was responsible to the company, as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-S. (1), where an offence under this Act has been committed by a company and it is proved that the attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. For the purposes of this section -

(a) "company" means any body corporate, and includes, a firm or other association of individuals; and

(b) "director", in relation to a firm, includes a partner or proprietor of the firm.

56. **Penalty for obstruction.** - Any person who obstructs the entry of a person authorised under S. 40 to enter into or upon any land or building or molests such person after such entry or who obstructs the lawful exercise by him of any power conferred by or under this Act, shall, on conviction be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

57. **Recovery of dues.** - Any money payable to the Corporation in respect of which the person liable to pay the same has agreed by a written instrument that it shall be recoverable as a public demand, shall, on an application made by the Corporation in that behalf, be recoverable as such demand.

58. **Power to make rules.** - (1) The State Government may, after consultation with the Corporation in regard to matters concerning it, make rules to carry out the purposes of this Act:

Provided that consultation with the Corporation shall not be necessary on the first occasion of the making of rules under this section.

(2) In particular and without prejudice to the generally of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the fees and allowances payable to the Directors;

(b) the conditions of appointment and service and the scale of pay of the Managing Director;

(c) the conditions subject to which the Corporation may borrow;

(d) the date by which the annual financial statement and programme of work shall be submitted by the Corporation to the State Government and the form and manner of preparing such statement;

(e) the manner of maintaining accounts;

(f) the form of and the details to be given in the annual report;

(g) the fees which may be charged by the Corporation;

(h) the conditions subject to which the Corporation may dispose of land, buildings and amenities;

(i) any other matter which has to be or may be prescribed.

(3) All rules made under this Act, shall, as soon as may be after they are made, be laid before the State Legislature for a total period of fourteen days which may be comprised in one or more sessions and if during the said period the State Legislature makes modifications, if any, therein, the rules shall thereafter have effect only in such modified form, so, however, that such modification shall be without prejudice to the validity of anything previously done under the rules.

59. **Power to make regulations.** - (1) The Corporation may, with the previous approval of the State Government make regulations consistent with this Act and the rules made thereunder. the carry out the purposes of this Act, and without prejudice to the generally of this power, such regulations may provide for

(a) the time and place of meetings of the Board and the procedure to be followed in regard to the transaction of business at such meetings;

(b) the conditions of appointment and service and the scales of pay of officers and servants of the Corporation, other than the Managing Director;

(c) deployment of funds of the Corporation and the officers of the Corporation who may operate its accounts;

(d) the terms under which the Corporation may dispose of land, buildings and amenities;

(e) the additional terms and conditions subject to which lands and buildings in industrial estates and industrial areas may be held or used;

(f) the conduct of business of the Executive Committee,

(g) any other matter which has to be or may be provided by regulations.

(2) All regulations made under this Act, shall, as soon as may be after they are made be laid before the State Legislature for a total period of fourteen days which may be comprised in one or more sessions and if during the said period the State Legislature makes modifications, if any, the regulations shall thereafter have effect only in such modified form, so however that such modification shall be without prejudice to the validity of anything previously done under the regulation.

60. **Protection of action taken in good faith. -** No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

61. **Directors, officers and staff of Corporation to be public servants. -** The Directors of the Board and the officers and servants of the Corporation shall, when acting or purporting to act, in pursuance of any of this Act. be deemed to be public servants within the meaning of S.21 of the Indian Penal code (45 of 1860).

62. **Effect of provisions inconsistent with other laws -** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

63. **Power to remove doubts and difficulties. -** If any doubt or difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make provision or give such direction not inconsistent with the express provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt of difficulty and the order of the State Government, in such cases, shall be final:

Provided that no such order shall be made or direction shall be given after the expiration of a period of two years from the date of commencement of this Act.

□□□□□

Revenue Department

NOTIFICATION

Dated, Bhubaneswar, the 20th August, 1981.

No.CE(CL)-58/81 44308 /R., In exercise of the powers conferred by section 49 of the Orissa Industrial Infrastructure Development Corporation Act, 1980 (Orissa Act I of 1981), the State Government do hereby place all industrial areas and indudtrial estates established at various centres in the State prior to the date of commencement of this Act, under the management and control of the Orissa Industrial Infrastructure Development Corporation.

By order of the Governor

P.K.Patnaik

Secretary to Government.

Memo No.44309 /R., dated 20.8.81.

Copy forwarded to the Director, Printing, Stationery and Publication, Orissa, Cuttack for information and with a request to publish the above notification in an extraordinary issue of the Orissa Gazette and supply 200 copies thereof to this Department.

An S.R.O. number may be allotted as this is a statutory notification.

Sd/-
Deputy Secretary to Government.

Memo No.44310 /R., dated 20.8.81

Copy forwarded to all Collectors/All Revenue Divisional Commissioners/ Secretary, Board of Revenue, Orissa Cuttack for information and necessary action.

Sd/-
Deputy Secretary to Government.

Memo No.44311 /R., dated 20.8.81

Copy forwarded to the Managing Director, Orissa Industrial Infrastructure Development Corporation Limited, IPICOL HOUSE, Bhubaneswar / Managing Director, IPICOL, IPICOL House, Bhubaneswar/ Managing Director, O.S.I.C.Ltd., Orissa, Cuttack for information and necessary action.

Sd/
Deputy Secretary to Government.

Memo No.44312 / R., dated 20.8.81.

Copy forwarded to the Industries Department for information.

Sd/-
Deputy Secretary to Government.

Memo No. 51926(4) Dt. 27.8.81

Copy forwarded to all Divisions and Branches of IDCO/ All Industrial Estates/ All Advocates engaged by IDCO for information and necessary action.

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The Orissa Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 211 CUTTACK, FRIDAY, FEBRUARY 17, 1995/MAGHA 28, 1916

LAW DEPARTMENT

NOTIFICATION

The 17th February, 1995

No. 1500/Legis.—The following Act of the Orissa Legislative Assembly having been assented to by the Governor on the 3rd February, 1995 is hereby published for general information.

ORISSA ACT 4 OF 1995

# THE ORISSA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION (AMENDMENT) ACT, 1994

AN ACT TO AMEND THE ORISSA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980.

BE it enacted by the Legislature of the State of Orissa in the Forty-fifth Year of the Republic of India, as follows:—

Short title.

1. This Act may be called the Orissa Industrial Infrastructure Development Corporation (Amendment) Act, 1994.

Amendment of section 27.

2. In the Orissa Industrial Infrastructure Development Corporation Act, 1980, in sub-section (2) of section 27, the comma and words ", in consultation with the Comptroller and Auditor-General of India" shall be omitted. Orissa Act 1 of 1981.

By order of the Governor

P. K. PANIGRAHI

*Secretary to Government*

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The Odisha Gazette

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No. 13, CUTTACK, WEDNESDAY, JANUARY 6, 2021/ PAUSA 16, 1942

LAW DEPARTMENT

NOTIFICATION

The 6th January, 2021

No.192–I-Legis-26/2019/L.—The following Act. of the Odisha Legislative Assembly having been assented to by the Governor on the dated the 28th December, 2020 is hereby published for general information.

## ODISHA ACT. 2 OF 2021

## THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION (AMENDMENT) ACT., 2020

AN ACT FURTHER TO AMEND THE ODISHA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION ACT, 1980.

BE it enacted by the Legislature of the State of Odisha in the Seventy-first Year of the Republic of India, as follows :—

Short title.

1. This Act may be called the Odisha Industrial Infrastructure Development Corporation (Amendment) Act., 2020.

Amendment of Section 2.

2. In the Odisha Industrial Infrastructure Development Corporation Act., 1980 (hereinafter referred to as the principal Act.), Odisha Act 1 of 1981. in Section 2,—

(a) in clause (a), for the words and comma " Street Lighting, ", the words and commas "street lighting, social infrastructure," shall be substituted ;

(b) in clause (g) for the words and comma "power supply,", the words and commas "power supply, sewerage, effluent treatment," shall be substituted;

(c) in clause(h), for the words "and related services", the comma and words ",services and amenities" shall be substituted;

(d) in clause(m), for the expression, "the Land Acquisition Act., 1894" and "1 of 1894", the expression "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act., 2013" and "30 of 2013" shall, respectively, be substituted; and

(e) after clause (m), the following clause shall be added at the end, namely:—

"(n) "social infrastructure" includes educational institutions, university, hotels, multiplexes, commercial complexes, healthcare facilities, entertainment facilities, resorts, golf courses, Sports complexes, tourism project and such other infrastructure as the State Goverhment may, by notification, specify to be a social infrastructure for the purpose of this Act.".

Amendment of Section 4.

3. In the principal Act., in Section 4, in sub-section (2), —

(a) for clause (v), the following clause shall be substituted, namely :—

"(v) Chairman, Odisha Grid Corporation of Odisha Limited (Gridco),"; and

(b) for clause (x), the following clause shall be substituted, namely:—

"(x) Director of Town Planning,".

Amendment of Section 6.

4. In the principal Act., in Section 6, in sub-section (2), for the words "three years" wherever they occur, the words "one year" shall be substituted.

Amendment Section 14.

5. In the principal Act, in Section 14, in clause (ii), in sub-clause(b), for the word "develop" appearing in the opening line, the words "develop and manage" shall be substituted.

Amendment of Section 15

6. In the principal Act., in Section 15, in clause (a), for the word and comma "sell,", the words and commas "sell, mortgage," shall be substituted.

Amendment of Section 16

7. In the principal Act., in Section 16, for the words "the signature of the Chief Executive Officer of the Corporation", the words "such officer of the Corporation as may be authorised by the order of the Corporation" shall be substituted.

Amendment of Section 30.

8. In the principal Act., Section 30 shall be omitted.

Amendment of Section 31

9. In the principal Act., in Section 31, in sub-section(1), for the expression, "the Land Acquisition Act., 1894" and "1 of 1894", the expression "the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act., 2013" and "30 of 2013" shall, respectively, be substituted.

Amendment of Section 34.

10. In the principal Act., in Section 34, --

(a) in sub-section (7), for the words "Board may", the words and comma "Board or any officer of the Corporation duly authorised by it, may" shall be substituted ; and

(b) for sub-section (8) the following sub-section shall be substituted, namely:—

"(8) where any land is resumed by the Corporation under this section or the Plot holder surrenders the land, *suomotu*, the Corporation shall pay such amount and in such manner to the Plot holder as may be prescribed by the Corporation:

Provided that the amount payable by the Corporation shall not exceed the proportionate premium paid by the plot holder.".

By Order of the Governor
SASHIKANTA MISHRA
Principal Secretary to Government

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**Annexure - A37**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH AT KOLKATA**

**APPEAL NO. 11 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi & Ors. …. Appellant (s)

*-Versus-*

Union of India & Ors. …Respondent (s)

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Date: 06.07.2026
Place: Kolkata

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH AT KOLKATA**

**APPEAL NO. 11 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi & Ors. …. Appellant (s)

*-Versus-*

Union of India & Ors. …Respondent (s)

**REPLY ON BEHALF OF RESPONDENT NO. 4, M/S VEDANTA LTD. TO APPEAL NO.11/2026**

**MOST RESPECTFULLY SHEWETH:**

1. It is humbly submitted that this Hon'ble Tribunal is currently seized of the abovementioned Appeal, wherein the Appellants have challenged the Stage-II Clearance dated 05.05.2026 as amended by the corrigendum dated 06.05.2026; issued by Respondent No.1 herein – Ministry of Environment, Forests and Climate Change (hereinafter, 'MoEF& CC') to Respondent No. 3 Odisha Industrial Development Corporation (hereinafter, 'IDCO') for non-forestry use of 4.911 ha of forest land for construction of a road from Sijimali Bauxite Mines (Hill Top) to SH-44 in Rayagada District in the State of Odisha. Additionally, the Working Permission issued on 27.02.2026 and the order permitting tree felling dated 26.03.2026 have also been challenged. It is pertinent to note that the Appellants herein had previously filed Appeal No. 04/2026/EZ before this Hon'ble Tribunal challenging the Stage-I/In-Principle Clearance issued in favour of Respondent No. 3 for the diversion of forest land for the construction of the subject road, and the same is pending adjudication on the point of maintainability.
2. That at the outset, it is submitted that the project in question has now received the Order of the State Government under Section 2 of the Van

(Sanrakshan evam Samvardhan) Adhiniyam, 1980 and hence the Stage II has merged into the final Section 2 Order of the State Government and therefore the present Appeal is not maintainable.

3. That the Answering Respondent, at the outset, submits that the present Appeal is a misleading and a colourable exercise of jurisdiction under Section 16(e) of the NGT Act, 2010. Moreover, an Appeal against a Stage-II clearance is not maintainable, and thus, the Appeal ought to be dismissed in *limine*. Unless any averment made in the petition is specifically and explicitly admitted, the said contents may be deemed to be denied in their entirety as though herein specifically outlined in seriatim and traversed.

4. That it is also pertinent to mention here that during the pendency of the said Appeal No. 04/2026/EZ, the Appellants filed I.A. No. 57/2026 on 07.05.2026 seeking amendment of the prayer in Appeal No. 04/2026/EZ, inter alia, to include a challenge to the Stage-II/Final Clearance dated 05.05.2026 within the scope of the original Appeal.

5. That, subsequently on 11.05.2026, the instant Appeal was also filed by the Appellant.

6. That Appeal No. 04/2026/EZ was taken up for hearing before this Hon'ble Tribunal on 20.05.2026, along with I.A. No. 57/2026. The Appellants did not press the said I.A., and accordingly, I.A. No. 57/2026 stood disposed of as not pressed. However, an argument was raised on behalf of the Appellants that inasmuch as the Stage-II Clearance dated 05.05.2026 is expressly made subject to the outcome of the final order to be passed in Appeal No. 04/2026/EZ, the present Appeal challenging the said Stage-II Clearance is maintainable and ought not to be dismissed as infructuous. This Hon'ble Tribunal, upon hearing the parties, observed

that the said question "is debatable and requires consideration after submission of written replies by the Respondents." Thus, directing the Respondents to file their replies and posting the matter for further hearing on 07.07.2026.

7. In this regard, the Answering Respondent would like to humbly submit at the outset that the Stage-I/In-Principle Clearance dated 05.01.2026, which forms the subject matter of Appeal No. 04/2026/EZ, has been wholly subsumed and superseded by the Stage-II/Final Clearance dated 05.05.2026 and the same has now merged in the Section 2 Order of the State Government. It is a well-settled position in law that upon the grant of a final approval, the in-principle/stage-I approval merges into and is extinguished by the final order, and the Stage II has now merged in the Section 2 order as stated earlier and therefore no independent legal existence survives to it thereafter. Consequently, there is no longer any live or subsisting order before this Hon'ble Tribunal in Appeal No. 04/2026/EZ that is capable of being challenged or set aside. The challenge in Appeal No. 04/2026/EZ has thus become wholly infructuous and Academic, and any contention of the Appellants premised upon the pendency of Appeal No. 04/2026/EZ is, with respect, entirely without merit and deserves to be rejected at the outset. In similar grounds even the present Appeal does not survive.

8. That it is further submitted that the mere fact that the Stage-II Clearance dated 05.05.2026 contains a specific condition making its operational validity subject to the final adjudication of Appeal No. 04/2026/EZ does not, and cannot, be construed to mean that the said Stage-II Clearance or Section 2 Order is insulated from, or rendered immune to, challenge in any subsequent or parallel proceedings before any competent forum. The

said condition was incorporated only in view of the pendency of Appeal No. 04/2026/EZ at the time of issuance of the Stage-II Clearance, and must be read as a statutory safeguard to ensure compliance with any order that may be passed in those proceedings — it does not, expressly or by implication, restrict or exhaust the jurisdiction of this Hon'ble Tribunal or any other competent forum to independently examine the Stage-II Clearance or Section 2 Order on its own merits. It is further submitted that in the event Appeal No. 04/2026/EZ is held to be infructuous or is otherwise disposed of, and a fresh order or adjudication is passed by any competent Tribunal in respect of the Stage-II Clearance — whether in the present Appeal or otherwise — such order shall, by operation of law, step into the place of and govern the Stage-II Clearance in substitution of the earlier condition, rendering the reference to Appeal No. 04/2026/EZ in the clearance spent and of no further consequence. In the case of Milind Pariwakam v. Union of India, O.A. No. 52/2015, this Hon’ble Tribunal yet again held that only an order passed under Section 2 of the Forest (Conservation) Act is appealable under Section 16 of the NGT Act, 2010.

9. The Respondent No. 4 further reserves its right to specifically address and rebut each of the allegations levelled against it in the present Appeal by way of a detailed para-wise reply, which shall follow hereinafter.

10. It is submitted at the threshold that the grounds urged in the present Appeal are substantially identical to those raised in Appeal No. 04/2026/EZ, both arising from the same project, the same clearance process, and the same set of facts. The present written submissions may accordingly be read conjointly with the written submissions filed by Respondent No. 4 in Appeal No. 04/2026/EZ.

11. That it is also pertinent to mention here that the Stage-II Forest Clearance as well as the Environment Clearance for the Sijimali Bauxite Mines too have also been now awarded in accordance with law. This essentially means that the mine itself has undergone the strictest scrutiny of the law and the authorities have accordingly granted the requisite clearances.

**PARA-WISE REPLY:**

1. That the contents of the corresponding paragraph are borne by fact and as such do not need any specific rebuttal. Nonetheless, it is apposite to mention that the impugned permissions, as mentioned in the said paragraph, have been obtained in accordance with the due process established by law, and there have been no infirmities therein.
2. That the contents of the corresponding paragraph are denied, and it is respectfully clarified that the impugned road development project is, in fact, a public infrastructure development project being undertaken by Respondent No. 3, IDCO, in a phased manner — Phase I comprising the stretch from Sijimali to Tikri/Singaram, and Phase II comprising the stretch from SH-44 to SH-45. The said road is intended to provide connectivity to five villages, namely Dumerpadar, Porlang, Sagabari, Bichapinda and Malipadar, which presently have no road connectivity to the mainland below the valley, and approximately 1,500 residents of these villages face severe hardship in their day-to-day lives, including limited access to healthcare and markets. It is therefore wholly incorrect and misleading for the Appellants to allege that the sole purpose of the proposed road is to facilitate bauxite transportation. The road serves a larger and independent public purpose, and the fact that it will also provide access to the mine lease area does not alter its fundamental character as a public infrastructure project. The road, once constructed,

shall be owned and maintained by the Public Works Department of the State of Odisha, which fact alone is sufficient to establish that it is not a private or exclusive mining infrastructure project.

3. That the contents of the corresponding paragraph are denied in their entirety. It is submitted that there has been no illegal segmentation of the subject road from the forest diversion proposal for the bauxite mine, and the characterisation of the clearance as illegal is wholly misconceived, misleading, and unsupported by law. It is respectfully submitted that the Appellants have, in paragraph No. 3, sought to conflate two entirely distinct regulatory proposals concerning two entirely distinct parcels of land — the 708.204 Ha of forest land within the Mine Lease Area sought to be diverted by Respondent No. 4 for the mining project, and the 4.911 Ha of forest land outside the Mine Lease Area sought to be diverted by Respondent No. 3, IDCO, for the subject road. The two proposals relate to different land parcels, involve different user agencies, serve different though overlapping purposes, and were rightly processed as separate proposals before the competent authority. It is further submitted that the mere fact that EIA reports and project documents of Respondent No. 4 make reference to the proposed road, cannot not be assessed as an independent and simultaneous infrastructure project for the purposes of forest clearance under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The EIA Notification, 2006 and the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 are independent statutory regimes operated by different authorities for different regulatory purposes, and a description of the road in the EIA documents of Respondent No. 4 creates no legal obligation to club the forest clearance proposals.

4. That the contents of Paragraph No. 4, 5, 6 and 7 of the Appeal are denied to the extent that they suggest that the Consolidated Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 "clearly prohibit" the consideration of the subject road as a standalone project. The said characterisation is a selective and misleading reading of the Guidelines and is denied as being contrary to the plain text thereof. It is respectfully submitted that the Appellants have extracted only such portions of the Guidelines as appear to support their case, while deliberately omitting the exceptions and qualifications contained therein. In particular, the Appellants have failed to reproduce Para 7.8(f)(4) of the Consolidated Guidelines, which reads as follows:

*"The State Government/User Agency shall ensure that dispensation considered by the Ministry is not misused in any way and likely tendencies to detach linear projects from main proposal of mining should not be encouraged. To the extent possible, linear infrastructure such as roads/railways/conveyor belts, etc. ancillary to mining should be included in the main proposal and under inevitable circumstances only, such proposals submitted by the User Agency should be considered as standalone projects."*

It is submitted that the said provision makes it abundantly clear that there is no absolute or blanket prohibition on the standalone consideration of linear projects such as the subject road. The Guidelines expressly contemplate and permit standalone consideration under inevitable circumstances, leaving the determination of what constitutes such circumstances to the discretion of the competent authority, namely MoEF&CC. The said discretion has been duly exercised by MoEF&CC after due consideration of the facts and circumstances of the present case, including the fact that, the subject road, is being developed as public infrastructure under the ownership of the Public Works Department

through IDCO and the present Respondent and serves the connectivity needs of five villages in addition to providing access to the mine site.

It is further submitted that the Consolidated Guidelines are broadly administrative instructions issued by MoEF&CC for the effective implementation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. A discretionary exercise under such guidelines, where cogent reasons exist, does not render the consequent clearance ultra vires the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 or liable to be set aside by this Hon'ble Tribunal. In this regard, Respondent No. 4 respectfully places reliance upon the celebrated principle laid down in Maxwell on "The Interpretation of Statutes" (10th Edition, p. 381), which has been consistently followed by the Hon'ble Supreme Court of India, wherein it is stated:

*"On the other hand, where the prescriptions of a statute relate to the performance of a public duty and where the invalidation of acts done in neglect of them would work serious general inconvenience or injustice to persons who have no control over those entrusted with the duty without promoting the essential aims of the legislature, such prescriptions seem to be generally understood as mere instructions for the guidance and government of those on whom the duty is imposed, or, in other words, as directory only. The neglect of them may be penal, indeed, but it does not affect the validity of the act done in disregard of them."*

It is further submitted that the Consolidated Guidelines, being broadly administrative instructions issued by MoEF&CC for the guidance of authorities processing forest diversion proposals, squarely fall within the category of directory provisions as described above. The invalidation of the impugned clearance — which has been granted after an exhaustive 18-month regulatory process involving multiple levels of scrutiny, full compliance of all statutory conditions, and the subsequent issuance of

the Section 2 Order by the State Government — on the ground of an "alleged deviation" from such directory guidelines would cause serious and irreversible inconvenience and injustice to Respondent No. 4, without in any manner promoting the essential aims and objects of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The present case is therefore precisely the situation contemplated by Maxwell, and the impugned clearance cannot be invalidated on this ground.

5. The contents of Paragraph No. 8 are borne by fact and as such need no specific rebuttal.
6. That the contents of the paragraph 9 deserve no response, apart from what is a matter of record and in view of the submissions made earlier.
7. That the contents of the paragraph 10 are denied as being wrong, false and baseless. The Appellant has not annexed any evidence to corroborate the submission. Be that as it may, there was no prohibition on the Respondent herein from carrying out any activity as per the permissions already granted and therefore there has been no illegality committed.
8. That the contents of Paragraphs nos. 11, 12 and 13 cannot be verified, and thus the same are denied. It is at best alarmist and not related to the merits of the present case or related to the answering Respondent.
9. That the contents in Paragraph no. 14 are factual in nature. and do not need a specific rebuttal and not related to the merits of the present case or related to the answering Respondent.
10. That the contents of the said paragraph No. 15 deserve no response. It is submitted that this Hon'ble Tribunal has not imposed any restriction on the Respondent herein from carrying out any lawful activity. Further, the activities attributed to Respondent No.4 are denied and it is established

law that there is no requirement of Environmental Clearance for such road projects of the specified length.

11. That the contents of Paragraph no. 16 do not pertain to the answering respondent and as such no not need any specific rebuttal. However, it must be ascertained to learn about the alibis in this case to which the Appellants have access and their role in opposing this Project.

12. That the contents of Paragraph No. 17 of the Appeal are vehemently denied as being false, misleading and wholly without merit. The allegations of discrepancies in the demarcation of forest and non-forest land are bare assertions unsupported by any expert opinion, survey report, or order of any competent authority, and deserve to be rejected on that ground alone. In any case such disputes are not maintainable under the NGT Act, 2010.

    Additionally, with respect to the allegation that the tree enumeration list for the non-forest land of 6.403 Ha shows the number of trees as zero, it is submitted that this is entirely consistent with the character of the land in question, which is government non-forest land. The Appellants' attempt to read tree cover from KML files and project the same as contradicting the enumeration list is misconceived — KML files depict satellite imagery and do not constitute a legal determination of tree cover or forest status.

13. In reply to Paragraph 18, it is denied to the extent that the Applicant seeks to allege that the impugned road belongs to the Answering Respondent herein.

14. The contents of paragraph 19 are vehemently denied. It is submitted that the contention that "the illegality in issuance of the Stage-I Clearance has yet to be adjudicated" does not justify the filing of the present Appeal.

As has been elaborated in the preceding paragraphs, the Stage-I Clearance has been wholly subsumed and superseded by the Stage-II Clearance dated 05.05.2026, which has in turn been followed by the Section 2 Order dated 27.05.2026 passed by the State Government of Odisha. The challenge in Appeal No. 04/2026/EZ has therefore become infructuous, and the present Appeal is equally unsustainable in the absence of any live or subsisting cause of action.

15. That the contents of Paragraph No. 20 of the Appeal are a matter of record to the extent that the Stage-II Clearance dated 05.05.2026 contains a specific condition making its operational validity subject to the final adjudication of Appeal No. 04/2026/EZ. However, the Appellants have sought to draw unwarranted and incorrect inferences from the said condition, which are denied. It is respectfully submitted that the said condition was incorporated in the Stage-II Clearance in view of the pendency of Appeal No. 04/2026/EZ at the time of its issuance, as a statutory safeguard to ensure compliance with any order that may be passed by this Hon'ble Tribunal in those proceedings. The said condition does not, and cannot, be read as an acknowledgment by MoEF&CC of any illegality in the clearance process, nor does it amount to a concession that the Stage-II Clearance is otherwise vulnerable to challenge. It is further submitted that as has been elaborated hereinabove, the said condition does not restrict or exhaust the jurisdiction of this Hon'ble Tribunal or any other competent forum to independently examine the Stage-II Clearance, and equally, any order passed in respect of the Stage-II Clearance shall, by operation of law, govern and supersede the said condition.

16. That the contents of paragraphs No. 21 and 22 do not pertain to the Answering Respondent, and as such do not warrant any specific rebuttal.

17. That the contents of Paragraph no. 23 are denied; it is settled law that appeal does not lie against Stage-I Clearance as upheld in a catena of cases adjudicated by this Hon'ble Tribunal.

18. That the contents of Paragraph Nos. 24 and 25 of the Appeal are denied. The said paragraphs raise contentions pertaining to the legal effect of the Office Memorandum dated 28.08.2015 issued by Respondent No. 1 and the alleged commencement of work prior to the grant of Stage-II Clearance — matters which primarily concern Respondent Nos. 1 and 5 respectively. The Answering Respondent, Respondent No. 4, therefore does not propose to offer a specific reply to the said paragraphs, and respectfully reserves its right to address any averment therein that may be pressed against it at the time of hearing.

19. The contents of Paragraph no. 26 are vehemently denied.

20. The contents of Paragraph No. 27 are denied, and it is reiterated that the road project is an infrastructure development project that is being undertaken for the public good including access to the proposed mining project.

21. The contents of Paragraph no. 28 do not need a specific rebuttal.

22. That the contents of Paragraph No. 29 of the Appeal are denied. The characterisation of Respondent No. 3 as "masquerading" as the user agency is vehemently denied as being scandalous, baseless and contrary to the record. Respondent No. 3, IDCO, is a statutory corporation of the State of Odisha mandated to undertake infrastructure development within the State, and applied for the subject forest clearance pursuant to a specific direction of the State Government issued in the meeting of

24.01.2024 chaired by the Chief Secretary of Odisha. IDCO is a fully competent user agency within the meaning of Rule 2(u) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, and there is nothing illegal or irregular in its having submitted the application. The description of the road in the application as facilitating bauxite transportation does not alter its public infrastructure character, as has been elaborated in the reply to the preceding paragraphs. Further, such precedents exist on other projects and shall be produced as and when required.

23. That the contents of Paragraph No. 30 of the Appeal are denied. The bald assertion that the access road "ought to have been considered only as part of the proposal for diversion of forest lands for the mine" is contrary to law and the Guidelines. As has been elaborated hereinabove, Para 7.8(f)(4) of the Consolidated Guidelines expressly permits standalone consideration of linear projects under certain circumstances.

24. That the contents of Paragraph No. 31 of the Appeal are a matter of record and as such do not need a specific rebuttal. The reference to the mining project brings out the real intent of the Appellants wherein the obstruction to a public infrastructure road is merely a ploy to foil a project that is being established in accordance with law.

25. That the contents of Paragraph no. 32 and 33 merit no response as it has no relevance to the present dispute. Further, any dispute regarding the Forest Rights Act, 2006 or its implementation cannot be adjudicated before this Hon’ble Tribunal, for want of jurisdiction.

26. The contents of Paragraph no. 34 are denied in totality. It is submitted that the test for whether a linear project must be clubbed with a mining proposal is not whether the mine can function without it, because, that would render standalone consideration of any mining-related

infrastructure impossible in all cases. The correct test, as laid down in Para 7.8(f)(4) of the Consolidated Guidelines, is whether the circumstances make standalone consideration inevitable. In the present case, the road falls entirely outside the Mine Lease Area, is being developed as public infrastructure under the ownership of the Public Works Department, serves the connectivity needs of five villages, and was applied for by a State Government corporation acting under express governmental direction, all of which constitute sufficient and cogent grounds for standalone consideration.

27. That the contents of paragraph Nos. 35,36 & 37 are borne by record and merit no response. The content of para 24 is reiterated herein as a response to the said para.

28. That the contents of Paragraph No. 38 of the Appeal are denied to the extent that any legal consequence adverse to Respondent No. 4 is sought to be derived therefrom. The description of the road under "Associated Activities" in the Draft EIA at Section 2.4.1 is again a disclosure made for the purposes of environmental impact assessment, wherein all activities associated with the project — whether inside or outside the Mine Lease Area — are required to be disclosed. The use of the word "associated" in an EIA document is a term of environmental assessment, not a legal determination of how forest clearance is to be sought.

29. That the contents of Paragraph No. 39 of the Appeal are denied to the extent that the description of Respondent No. 4's project as an "integrated project of opencast bauxite mining along with dispatch of mineral via road & rail network" is sought to be used to establish that the road must be processed as part of the mining project for forest clearance purposes. It is submitted that this description appears in the EIA application filed

under the EIA Notification, 2006 before the Expert Appraisal Committee, for the limited purpose of ensuring that all downstream transport and dispatch activities are included within the scope of environmental impact assessment. It does not, and cannot, determine the manner in which forest clearance is to be sought under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

30. That the contents of Paragraph No. 40 of the Appeal merits no response. It is however submitted that the description in the draft EIA Report is to be assessed by a different regulatory agency which has no relationship with the forest clearance procedure. The forest clearance procedure is a separate process under a separate code. Further, every document submitted in the EIA process has been assessed by the agency and clearances have been granted.

31. The contents of Para 41 are borne by record and as such do not require a specific rebuttal. It is however submitted that the description in the draft EIA Report is to be assessed by a different regulatory agency which has no relationship with the forest clearance procedure. The forest clearance procedure is a separate process under a separate code. Further, every document submitted in the EIA process has been assessed by the agency and clearances have been granted.

32. The contents of Paragraph no. 42 is denied except what is mater of record. In the present case, the arrangement is clear and transparent. Respondent No. 4 constructs the road, Respondent No. 3 IDCO holds the forest clearance as the designated user agency, and the Public Works Department of the State of Odisha will own and maintain the road upon completion. This arrangement was not conceived by Respondent No. 4 unilaterally, but was specifically directed by the State Government in the

meeting of 24.01.2024 chaired by the Chief Secretary of Odisha (Annexure A 21 of Appeal). The fact that Respondent No. 4 will construct the road is therefore entirely consistent with and does not in any manner undermine the validity of the forest clearance held by Respondent No. 3.

33. That the contents of paragraph 43 need no response as they are matters of record.

34. That the contents of Paragraph No. 44 of the Appeal are a matter of record to the extent that the Detailed Project Report for the subject road was prepared by Respondent No. 4 in September 2024 and was submitted by Respondent No. 3 IDCO along with its forest clearance application. However, it is denied that any illegality or irregularity flows from this fact. In fact, since the road is to be constructed by Respondent No.4, it is consistent with the decision taken on 24.01.2024.

35. That the contents of Paragraph No. 45 of the Appeal are a matter of record to the extent that the minutes of the meeting dated 24.01.2024 record the arrangement between the parties as described therein.

36. That the contents of Paragraph No. 46 of the Appeal are a matter of record to the extent that Respondent No. 3 IDCO issued a NOC dated 16.09.2024 in favour of Respondent No. 4 for 15.426 acres of leased non-forest land for the road. However, the inference sought to be drawn by the Appellants from the said NOC is wholly misconceived and is denied. It is submitted that the NOC dated 16.09.2024 (Annexure A23) was issued by IDCO to Respondent No. 4 in respect of the **non-forest** component of the road corridor — comprising 15.426 acres of government land that did not require forest clearance. It is further submitted that the fact that the NOC states it was for Respondent No. 4

"to obtain necessary permissions and construct the road" does not, as the Appellants suggest, establish that Respondent No. 4 was obligated to apply for the forest clearance itself. The "necessary permissions" referred to in the NOC pertain to permissions as required for construction on non-forest land.

37. That the contents of Paragraph No. 47 of the Appeal are a matter of record to the extent that the DPR filed by Respondent No. 3 along with its forest clearance application was prepared by Respondent No. 4, and that the communications dated 14.11.2024 and 30.10.2024 between the Chief Construction Engineer, Rayagada and the Superintending Engineer approve the DPR for development of road connectivity from Sijimali Mines to SH-44 for transportation of bauxite ore for M/s Vedanta Ltd. However, it is denied that any illegality flows from these facts.

38. The contents of Paragraph no. 48 are denied. The OIIDC Act, 1980 clearly permits such enabling role and therefore, there is no illegality in following such due process.

39. Although the contents of Paragraph No. 49 of the Appeal do not pertain to the Answering Respondent, the same are vehemently denied. The contention that IDCO lacks statutory power to apply for and obtain the subject forest clearance and that the entire exercise is "void ab initio" is misconceived and contrary to the plain text of the OIIDC Act, 1980. Section 2(a), Section 2(g) and Section 2(f) read with Section 14(c) empowers IDCO to undertake such activities including road.

40. That the contents of Paragraph Nos. 50 and 51 of the Appeal are a matter of record. However, it is submitted that the Appellants are only referring to selective material relating to the inspection by the Assistant

Commissioner, regional Office, Bhubaneshwar and the concurrence of the Deputy Director General (Central) to their convenience to create a biased conclusion. The said findings were considered by the FAC in their Minutes dated 30.07.2025 for the said road and a specific observation and decision was made wherein it was stated that the proposal for road construction can only be considered once the proposal for diversion of forest land for the said mining lease is approved. The proposal therefore was accordingly deferred.

41. That the contents of Paragraph No. 52 of the Appeal are denied. It is submitted that the position taken by the inspecting officers, duly considered by the FAC as observed in para 40. It is only after the Stage-I Forest Clearance granted on 31.12.2025 based on the deliberation on 02.12.2025, for the mining project and thereafter the Stage-I Forest Clearance of the road was granted on 05.01.2026.

42. That the contents of Paragraph No. 53 of the Appeal are denied. It is submitted that the recording of the primary objective of the road as bauxite transportation does not, in law, preclude standalone consideration of the road proposal. As has been elaborated in the replies to the preceding paragraphs.

43. That the contents of paragraph no. 54 merit no response except what are matters of record.

44. That the contents of paragraph no.55 are denied except what is matter of record. It is incorrect to state that the proposed road connectivity to other villages is an absurd contention and the Stage-I Clearance has been granted in accordance with law and also in conjunction with the Stage-I Clearance of the mining project. Therefore, there is no illegality in the Stage I Clearance for the road. It is further submitted that “primarily”

does not connote “exclusively” and therefore the fact that the said approach road is a part of a larger network of roads and connectivity makes it a totally legal road with due process being followed in grant of the Stage I clearance of the portion of the road which falls in the forest land.

45. The Contents of Paragraph No. 56 merit no response and the said clearance has been granted in accordance with law.

46. That the contents of paragraph no. 57 are denied except what is matter of record. The condition for the Stage I clearance of the subject road was the prerequisite of the Stage I of the mining project and not viceversa.

47. The contents of paragraph no. 58 is denied. The content of para 46 may be read as a response to this para.

48. The contents of Paragraph No. 59 of the Appeal are denied except what is matter of record. However, it is incorrect to conclude that the sequence provided does not reflect the application of mind by the competent authority. The detailed consideration at various levels reflects not only the due process but a rigorous application of mind in considering the importance and implications of constructing the subject road.

49. The contents of Paragraph no. 60 are denied and there is no evidence as portrayed by the Applicant, that the 3rd respondent and the state authorities were waiting for the diversion proposal for the mine to be recommended and immediately issued the impugned clearance in violation of the law.

50. That the contents of Paragraph No. 61 of the Appeal are denied. The characterisation of the village connectivity justification as "absurd, incorrect and fictitious" is vehemently denied and reflects nothing more than the Appellants' unwillingness to accept a factual position that is

inconvenient to their case. It is submitted that the fact that the village connectivity justification was first formally articulated in the response by IDCO to the EDS dated 17.04.2025 does not render it an afterthought or a fabrication. It is further submitted that the Appellants have once again misread the FAC's conclusion. The FAC observed that the road is "primarily" designed to support the movement of heavy vehicles. It did not find that village connectivity is a false or fabricated purpose. The word "primarily" expressly leaves room for secondary purposes, and the village connectivity purpose is one such secondary, but genuine, purpose of the road.

51. The contents of Paragraph 62 and 63 are denied, but do not require any specific rebuttal in view of the answer given in the preceding paragraphs.

52. That the contents of paragraph 64 are denied as false and devoid of any merit in view of the explanation given in the preceding paragraphs. Further, if the admission by the Appellant that the question of law in Stage I and Stage II are the same, then this admission itself vitiates the earlier Appeal and should be accordingly dismissed.

53. In reply to the contents of Paragraph no. 65, it is denied to the extent that the Applicant seeks to allege that the Answering Respondent is playing a fraud on the legal system and abetting IDCO in obtaining clearance for the access road as a standalone project. Such language is not only unwarranted, but also misconceived and in bad taste. The compliance under the FRA has been carried out as is evident from the records, although, it cannot be a subject matter before this Hon’ble Tribunal. It is further submitted that the procedure under the Forest Conservation Rules, 2023 has been scrupulously including Rule 10.

54. The Contents of paragraphs no. 66, 67 and 68 do not require any specific rebuttal.

55. That the contents under the heading “Grounds” are summarily denied in view of the submissions made hereinabove.

56. That in view of the submissions made hereinabove, this Appeal may be dismissed as such by this Hon’ble Tribunal.

Date: 06.07.2026
Place: Kolkata

**DRAWN & FILED BY:**

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**SETTLED BY:**
Mr. Sanjay Upadhyay
*[Senior Advocate]*

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

**APPEAL NO. 11 OF 2026**

**IN THE MATTER OF:**

Munidei Majhi & Ors. ...Applicant

*-Versus-*

MOEF & CC & Ors. ...Respondent (s)

**AFFIDAVIT**

I, Satyapriya, S/o Shri Arvind Shankar Singh, aged about 45 years, am the authorized signatory for M/s Vedanta Limited Core-6, 3rd Floor, Scope Complex, 7, Lodhi Road, New Delhi-110003, do hereby solemnly affirms and declares as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this affidavit.
2. The contents of the accompanying Reply are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Reply are true and correct to the best of my knowledge.

I identified the deponent who has signed in my presence

For Vedanta Limited

Authorised Signatory

**DEPONENT**

**VERIFICATION:**

- 6 JUL 2026

Verified at New Delhi on this.....day of....., 2026 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.

NOTARY GOVT. OF INDIA NEELAM SHARMA ADVOCATE DELHI REGD. NO. 8227 EXPIRY DATE 01/09/2030

ATTESTED

NOTARY (Govt. of India) Neelam Sharma, Advocate Enrol. No.-D1281/2001 Ch. No. 165A, Gate No. 11 Patiala House Courts, New Delhi-110001 (M):9899408301

For Vedanta Limited

Authorised Signatory

**DEPONENT**

- 6 JUL 2026

Gmail ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

# Service in Munidei Majhi Vs. MoEF&CC & Ors. [Appeal No. 11 of 2026]

1 message

**ELDF** <eldflegal@gmail.com> Mon, Jul 6, 2026 at 11:17 AM
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Cc: Eisha Krishn <eisha@eldfindia.com>, Mansi Bachani <mansi@eldfindia.com>

Dear Sir/Ma'am

Please find attached copy of the Reply Affidavit filed on behalf of Respondent No. 04 M/s Vedanta Ltd. in the above mentioned case.

*Thanks & Regards*
--
**Sameer Manher**
*Clerk*
*Enviro Legal Defence Firm*
*29, Presidential Estate LGF,*
*Nizamuddin East New Delhi – 110013*
*Ph. No. 011-40573181*

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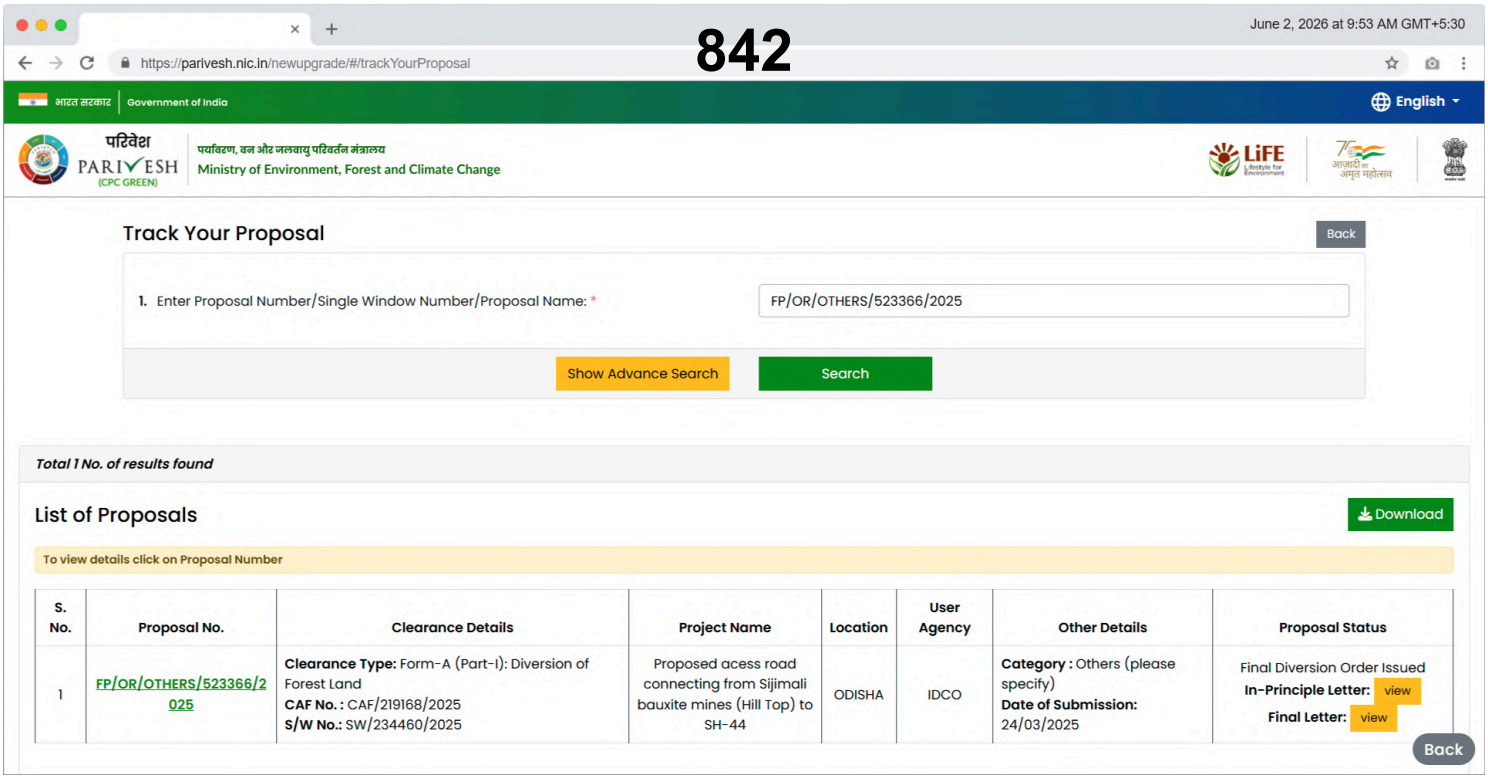

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परिवेश PARIVESH (CPC GREEN)

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change

LiFE Lifestyle for Environment

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FP/OR/OTHERS/523366/2025

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| S. No. | Proposal No. | Clearance Details | Project Name | Location | User Agency | Other Details | Proposal Status |
|---|---|---|---|---|---|---|---|
| 1 | FP/OR/OTHERS/523366/2025 | **Clearance Type:** Form-A (Part-I): Diversion of Forest Land<br>**CAF No. :** CAF/219168/2025<br>**S/W No.:** SW/234460/2025 | Proposed acess road connecting from Sijimali bauxite mines (Hill Top) to SH-44 | ODISHA | IDCO | **Category :** Others (please specify)<br>**Date of Submission:** 24/03/2025 | Final Diversion Order Issued<br>**In-Principle Letter:** view<br>**Final Letter:** view |

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परिवेश PARIVESH (CPC GREEN)

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
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## Proposal Details

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| **Proposal No.:** | **FP/OR/OTHERS/523366/2025** |
| **Single Window No.:** | **SW/234460/2025** |
| **CAF No.:** | **CAF/219168/2025** |
| **Project Name:** | Proposed acess road connecting from Sijimali bauxite mines (Hill Top) to SH-44 |
| **State:** | ODISHA |
| **Project Category:** | OTHERS(Approach Road from Sijimali Bauxite Mines (Hill top) to SH-44 to for Transportation of Bauxite ore.) |
| **Area (ha):** | 4.911 |
| **Application For:** | Form-A (Part-I): Diversion of Forest Land |
| **Date of Submission:** | 24/03/2025 |
| **Scenario :** | Scenario 4 |
| **Demand/Payment:** | |
| **Additional Demand/Payment:** | |
| **In-Principle Letter:** | Granted 05/01/2026 View 06/05/2026 |
| **Final Approval:** | Granted 07/05/2026 View View Corrigendum |

## Proposal History/Timeline

Preview

| Activity | Start Date - End Date |
|---|---|
| **Final Diversion Order Issued** | 07/05/2026-07/05/2026 |
| Start Date | 07/05/2026 |
| End Date | 07/05/2026 |
| **Processed by State Government for Diversion Letter** | 07/05/2026-07/05/2026 |
| **Processed by DIGF RO for Stage-II Letter** | 05/05/2026-07/05/2026 |
| **Processed by RO Head for Stage-II Letter** | 05/05/2026-05/05/2026 |
| **Processed by DIGF RO for Stage-II Letter** | 05/05/2026-05/05/2026 |
| **Processed by RO Head for Stage-II Letter** | 05/05/2026-05/05/2026 |
| **Processed by DIGF RO for Stage-II Letter** | 04/05/2026-05/05/2026 |
| **Processed by Technical Officer RO for Stage-II Letter** | 23/04/2026-04/05/2026 |
| **Processed by State Secretary for Compliance Review** | 21/04/2026-23/04/2026 |
| **Processed by Nodal Officer for Compliance Approval** | 21/04/2026-21/04/2026 |
| **Processed by Nodal Officer for Compliance Review** | 16/04/2026-21/04/2026 |
| **Processed by DFO For Compliance Review** | 25/03/2026-16/04/2026 |
| **Processed by UA due to EDS by DFO** | 11/03/2026-25/03/2026 |
| **Processed by DFO For Compliance Review** | 07/03/2026-11/03/2026 |
| **Processed by UA for Compliance Report** | 02/02/2026-07/03/2026 |
| **Processed by UA for Compensatory Levies Payment** | 17/01/2026-02/02/2026 |
| **Processed by Nodal for Compensatory Levies Review** | 12/01/2026-17/01/2026 |
| **Processed by DFO for Levies** | 05/01/2026-12/01/2026 |
| **In-Principle Approval Granted (Stage-I)** | 05/01/2026-05/01/2026 |
| **Processed by Technical Officer - IRO** | 05/01/2026-05/01/2026 |
| **Processed by RO Head** | 05/01/2026-05/01/2026 |
| **Processed by Technical Officer - IRO** | 17/12/2025-05/01/2026 |
| **Processed by State Secretary for Recommendation** | 17/12/2025-17/12/2025 |
| **Processed by Nodal Officer for Recommendation** | 16/12/2025-17/12/2025 |
| **Processed by DFO for Scrutiny and Recommendation** | 12/12/2025-16/12/2025 |
| **Submitted** | 10/02/2025-12/12/2025 |
| **Processed by PP due to EDS by DFO** | 12/08/2025-12/12/2025 |
| **Processed by DFO due to EDS by Nodal Officer** | 11/08/2025-12/08/2025 |
| **Processed by Nodal Officer due to EDS by State Secretary** | 11/08/2025-11/08/2025 |
| **Processed by State Secretary due to EDS by MoEFCC, HQ** | 09/08/2025-11/08/2025 |
| **Processed by IGF - MoEFCC, HQ** | 07/08/2025-09/08/2025 |
| **Processed by AIGF - MoEFCC, HQ** | 07/08/2025-07/08/2025 |
| **Processed by Forest Advisory Committee (FAC) – MoEFCC, HQ** | 20/07/2025-07/08/2025 |
| **Processed by IGF - MoEFCC, HQ** | 20/07/2025-20/07/2025 |
| **Processed by AIGF - MoEFCC, HQ** | 18/07/2025-20/07/2025 |
| **Processed by Technical Officer - MoEFCC, HQ** | 15/07/2025-18/07/2025 |
| **Pending at Technical Officer - MoEFCC, HQ** | 29/06/2025-15/07/2025 |
| **Processed by AIGF - MoEFCC, HQ** | 24/06/2025-29/06/2025 |

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|---|---|
| Processed by Technical Officer - MoEFCC, HQ | 10/06/2025-24/06/2025 |
| Processed by AIGF - MoEFCC, HQ | 10/06/2025-10/06/2025 |
| Processed by IGF - MoEFCC, HQ | 07/06/2025-10/06/2025 |
| Processed by Additional Director General of Forest, MEF | 04/06/2025-07/06/2025 |
| Processed by IRO Head | 02/06/2025-04/06/2025 |
| Processed by DIGF | 02/06/2025-02/06/2025 |
| Processed by Technical Officer - IRO | 31/05/2025-02/06/2025 |
| Processed by State Secretary due to EDS by IRO | 29/05/2025-31/05/2025 |
| Processed by Nodal Officer due to EDS by State Secretary | 28/05/2025-29/05/2025 |
| Processed by DFO due to EDS by Nodal Officer | 23/05/2025-28/05/2025 |
| Processed by PP due to EDS by DFO | 22/05/2025-23/05/2025 |
| Processed by DFO due to EDS by Nodal Officer | 20/05/2025-22/05/2025 |
| Processed by Nodal Officer due to EDS by State Secretary | 19/05/2025-20/05/2025 |
| Processed by State Secretary due to EDS by IRO | 19/05/2025-19/05/2025 |
| Processed by IRO Head | 19/05/2025-19/05/2025 |
| Processed by DIGF | 16/05/2025-19/05/2025 |
| Processed by IRO Head | 16/05/2025-16/05/2025 |
| Processed by DIGF | 15/05/2025-16/05/2025 |
| Processed by Technical Officer - IRO | 09/05/2025-15/05/2025 |
| Processed by State Secretary for Recommendation | 06/05/2025-09/05/2025 |
| Processed by Nodal Officer for Recommendation | 23/04/2025-05/05/2025 |
| Processed by DFO due to EDS by Nodal Officer | 17/04/2025-23/04/2025 |
| Processed by UA due to EDS by DFO | 17/04/2025-17/04/2025 |
| Processed by DFO due to EDS by Nodal Officer | 15/04/2025-17/04/2025 |
| Processed by Nodal Officer for Recommendation | 07/04/2025-15/04/2025 |
| Processed by DFO for Scrutiny and Recommendation | 07/04/2025-07/04/2025 |
| Processed by UA for DFO EDS Reply | 05/04/2025-07/04/2025 |
| Processed by DFO for Scrutiny and Recommendation | 24/03/2025-05/04/2025 |
| Processed by UA for DFO EDS Reply | 05/03/2025-24/03/2025 |
| Processed by DFO for Scrutiny and Recommendation | 11/02/2025-05/03/2025 |
| Submitted | 10/02/2025-11/02/2025 |

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Government of Odisha

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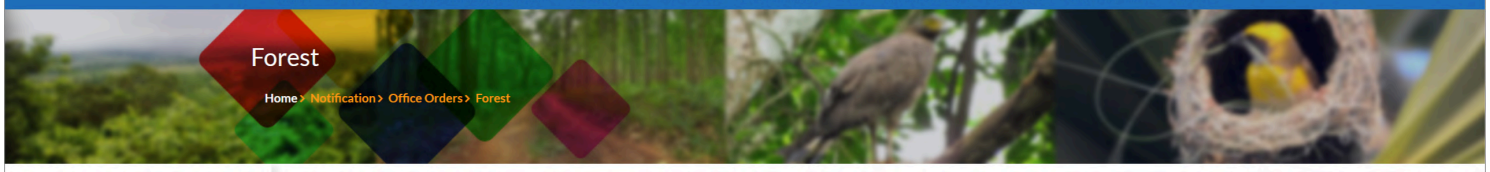


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| 2 | Order regarding non-forestry use of 9.828 ha of forest land for construction of 33KV transmission | FE-DIV-FLD-0031-2024-32874/FE&CC | 10/11/2025 | Download(5.67 MB) |
| 3 | Order regarding Diversion of 4.519 ha of Forest land for construction of proposed Rail Corridor in village Kadei | FE-DIV-FLD-0106-2023-32447/FE&CC | 01/11/2025 | Download(5.74 MB) |
| 4 | Order regarding proposal for seeking prior approval of the Central Govt. for diversion of 23.80 ha of forest land | FE-DIV-FLD-0021-2017 ( 10F- ( Cons)-228/2016 )-31741/FE&CC | 24/10/2025 | Download(6.12 MB) |
| 5 | Order regarding Proposal for redrawing of Safety Zone & change in land use pattern over 0.9113 ha of forest land | FE-DIV-FLD-0051-2020-26055/FE&CC | 30/08/2025 | Download(5.55 MB) |
| 6 | Order regarding M/s Thriveni Earthmovers Private Ltd. for non-forestry use of 94.351 ha of forest land | FE-DIV-FLD-0002-2023-25802/FE&CC | 25/08/2025 | Download(9.2 MB) |
| 7 | Order regarding Diversion of 83.838 ha Revenue Forest Land | FE-DIV-FLD-0045-2024-23207/FE&CC | 04/08/2025 | Download(8.44 MB) |
| 8 | Order regarding diversion of 16.463 ha forest land | FE-DIV-FLD-0170-2021-14172/FE&CC | 11/06/2025 | Download(6.76 MB) |
| 9 | Order regarding Diversion of 6.0459 ha of forest land for construction of proposed Intake Water PipelineCorridor for (TTPS) | FE-DIV-FLD-0017-2024-18047/FE&CC | 22/07/2025 | Download(6.69 MB) |
| 10 | Order regarding non-forestry use of 32.225 ha of forest land | FE-DIV-FLD-0001-2016-17693/FE&CC | 19/07/2025 | Download(8.31 MB) |
| 11 | Re-diversion of 0.257ha of forest land and change in land use of 0.11ha of already diverted forest land in Bonai FOrest Division | FE-DIV-FLD-0021-2025 | 05/07/2025 | Download(8.54 MB) |
| 12 | Order reagarding non-forestry use of 2.833ha of Forest land in favour of RWSS Division | FE-DIV-FLD-00+-2023-15370/FE&CC | 26/06/2025 | Download(7.01 MB) |
| 13 | Order regarding non-forestry use of 1524.17 ha of forest land for construction of Brutanga Irrigation Project in Nayagargh | FE-DIV-FLD-0032-2021-13637/FE&CC | 25/07/2024 | Download(5.43 MB) |
| 14 | Order regarding proposal for diversion of balance forest of 80.826 ha including 3.916 ha of forest land | FE-DIV-FLD-0067-2021-11105/FE&CC | 15/05/2025 | Download(7.51 MB) |
| 15 | Order regarding Diversion of 25.56 ha of forest land in jharsuguda | FE-DIV-FLD-0024-2025-11066/FE&CC | 15/05/2025 | Download(6.5 MB) |
| 16 | Order regarding 7th meeting of the State Broadband Committee under the chairmanship of Chief Secretary | FE-DIV-MISC-0012-2024-10780/FE&CC | 08/05/2025 | Download(1.63 MB) |
| 17 | Order regarding Re-diversion of 1.132 ha of forest land | FE-DIV-FLD-0080-2024-8407/FE&CC | 09/04/2025 | Download(6.93 MB) |
| 18 | Order regarding non-forestry use of 67.352 ha of forest land for Iron & Manganese Ore mining in village Raikela | FE-DIV-FLD-0068-2022-8067/FE&CC | 04/04/2025 | Download(8.64 MB) |
| 19 | Order regarding Diversion of 6.1487 ha of forest area | FE-DIV-FLD-0009-2023-5157/FE&CC | 01/03/2025 | Download(7.15 MB) |
| 20 | Order regarding M/s Mahanadi Coalfield Ltd for non-forestry use of 125.24 ha of forest land | FE-DIV-FLD-0012-2023-5036/FE&CC | 28/02/2025 | Download(10.19 MB) |

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Forest, Environment and Climate Change Department
Government of Odisha

Shri Mohan Charan Majhi
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| 22 | Order regarding non-forestry use of 417.073 ha & Re-diversion of 171.774 ha forest land | FE-DIV-FLD-0142-2021-5839/FE&CC | 07/03/2025 | Download(9.79 MB) |
| 23 | Order regarding Diversion of 0.485 ha of forest land | FE-DIV-FLD-0069-2023-5999/FE&CC | 10/03/2025 | Download(6.04 MB) |
| 24 | Order regarding Diversion of 18.004 ha Revenue Forest Land | FE-DIV-FLD-0055-2024-(10F (Cons) 39/2024)- 4340/FE&CC | 20/02/2025 | Download(7.53 MB) |
| 25 | Order regarding Disposal of 771.0762 MT of Red sanders | PT3-FE-PRO-FPRO-0001-2019-2898/FE&CC | 01/02/2025 | Download(2.09 MB) |
| 26 | Order regarding Diversion of 10.803 ha of forest land | FE-DIV-FLD-0124-2021-2850/FE&CC | 01/02/2025 | Download(6.4 MB) |
| 27 | Order regarding proposal for non-forestry use of 64.119 ha | FE-DIV-FLD-0087-2022-2352/FE&CC | 27/01/2025 | Download(5.48 MB) |
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| 29 | Order regarding Diversion of 594.618 ha | FE-DIV-FLD-0071-2022-2019/FE&CC | 21/01/2025 | Download(4.08 MB) |
| 30 | Order regarding Diversion of 2.622 ha of forest land | FE-DIV-FLD-0138-2021-1981/FE&CC | 21/01/2025 | Download(4.16 MB) |
| 31 | Office order regarding Nodal Officer | PT1-FE-FE3-CASE-0191-2024-2148/FE&CC | 22/01/2025 | Download(361.51 KB) |
| 32 | Order regarding Diversion of 13.077 ha of forest land | FE-DIV-FLD-0004-2024-25154/FE&CC | 16/12/2024 | Download(3.99 MB) |
| 33 | Order regarding Diversion of 0.764 ha of forest land | FE-DIV-FLD-0090-2022-23787/FE&CC | 30/11/2024 | Download(3.75 MB) |
| 34 | Order regarding Diversion of 7.535 ha of forest land | FE-DIV-FLD-0009-2024-22205/FE&CC | 18/11/2024 | Download(3.63 MB) |
| 35 | Order regarding Smt. Sujata Rani Sahu, Retd. Sociologist | FE-FE1-MISC-0019-2022-21563/FE&CC | 07/11/2024 | Download(692.38 KB) |
| 36 | Order regarding Disposal of 771.0762 MT of Red sanders heartwood in log form fallen due to cyclone "Titili" | PT3-FE-PRO-FPRO-0001-2019-20740/FE&CC | 29/10/2024 | Download(990.54 KB) |
| 37 | Order regarding Diversion of 41.297 ha of forest land | FE-DIV-FLD-0098-2023-19508/FE&CC | 09/10/2024 | Download(3.87 MB) |
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| 39 | Order regarding 66.242 ha of forest land within Netrabandha Pahar Iron Ore Block in villages Baldihi & Sanua under Bonai Forest Division | FE-DIV-FLD-0026-2023-19540/FE&CC | 09/10/2024 | Download(3.31 MB) |
| 40 | Order regarding Proposal seeking prior approval under Section 2 (1) (ii) of the Van | FE-DIV-FLD-0017-2023-18539/FE&CC | 26/09/2024 | Download(5.86 MB) |

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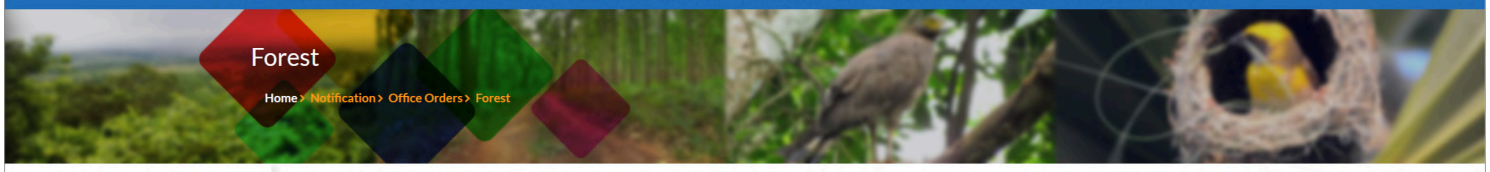


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| 41 | Order regarding Diversion of 3.116 ha of Forest Land | FE-DIV-FLD-0042-2023-18382/FE&CC | 25/09/2024 | Download(4.64 MB) |
| 42 | Order regarding Diversion of 48.2894 ha of additional Forest Land | FE-DIV-FLD-0165-2021-18262/FE&CC | 24/09/2024 | Download(4.68 MB) |
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| 44 | Order regarding Diversion of 19.43 ha of Revenue forest land in village laikera | FE-DIV-FLD-0016-2024-13883/FE&CC | 30/07/2024 | Download(4.33 MB) |
| 45 | Order regarding diversion of 38.062 ha of forest land for establishment of Aluminimum Refinery Plant at Kansariguda | FE-DIV-FLD-0041-2023-17135/FE&CC | 05/09/2024 | Download(4.22 MB) |
| 46 | Order regarding Diversion of 69.77 ha of forest land for construction of Khurda Road | FE-DIV-FLD-0010-2022-17179/FE & CC | 05/09/2024 | Download(3.78 MB) |
| 47 | Order regarding Diversion of 3.104 ha of forest land for construction of 11KV transmission | FE-DIV-FLD-0074-2023-17123/FE&CC | 04/09/2024 | Download(4.08 MB) |
| 48 | Order regarding Diversion of 7.184 ha of Forest land for construction of 132 KV Single Conductor Transmission | FE-DIV-FLD-0021-2024-16976/FE&CC | 03/09/2024 | Download(3.89 MB) |
| 49 | Order regarding Diversion of 10.635 ha of Forest land | FE-DIV-FLD-0089-2022-16943/FE&CC | 03/09/2024 | Download(3.95 MB) |
| 50 | Order regarding Diversion of 0.680 ha of Revenue Forest Land | FE-DIV-FLD-0010-2024-14927/FE&CC | 17/08/2024 | Download(4.27 MB) |
| 51 | Order regarding proposal for non-forestry use of 3.454 ha of forest land | FE-DIV-FLD-0068-2022-15267/FE&CC | 21/08/2024 | Download(4.33 MB) |
| 52 | Order regarding Diversion of 6.754 ha of Forest Land | FE-DIV-FLD-0056-2021-14034/FE&CC | 01/08/2024 | Download(4.07 MB) |
| 53 | Order regarding Diversion of 19.43 ha of Revenue Forest land in Laikera for construction of Railway Siding Corridor | FE-DIV-FLD-0016-2024-13883/FE&CC | 30/07/2024 | Download(4.17 MB) |
| 54 | Order regarding the following DCF, OFS, Gr-A officers are allowed to avail the benefit under MACP Scheme | FE-FE1-MISC-0019-2022-4293/FE&CC | 11/03/2024 | Download(1.05 MB) |
| 55 | M/s Jio Digital Fibre Pvt. Ltd. requesting for laying of Optical Fibre Cable along Bhawanipatna-Gunupur-Kashipur Road under jurisdiction of Kalahandi (South) Division for lunching 4G network in the State of Odisha | FE-DIV-FLD-0003-2022-10977/FE&CC | 30/05/2023 | Download(1.87 MB) |
| 56 | Order regarding Diversion of 7.8199 ha of Forest Land | FE-DIV-FLD-0011-2022-9032/FE&CC | 02/05/2023 | Download(5.76 MB) |
| 57 | Order regarding Diversion of 0.827 ha of Revenue Forest Land for modification of 132KV Budhipadar-Jorbaga line from LOC No.71 to 73 in Belpahar in favour of OPTCL, Jharsuguda | FE-DIV-FLD-0132-2021-8771/FE&CC | 29/04/2023 | Download(5.45 MB) |
| 58 | Order regarding proposal for seeking prior permission under Section 2 (iii) of Forest (Conservation) Act, 1980 for grant of lease over 112.621 ha forest land in village Baldihi of Netrabandha Pahar Iron Ore Block | FE-DIV-FLD-0017-2022-10F (Cons) 10/2022-8518/FE&CC | 25/04/2023 | Download(2.22 MB) |
| 59 | Order regarding proposal for non-forestry use of 66.20 ha forest land in respect of Jindal Chromite Mines & Forest Block No.27 of Mahagiri DPF of Jajpur District | FE-DIV-FLD-0115-2021-8330/FE&CC | 21/04/2023 | Download(6.08 MB) |
| 60 | Order regarding Diversion of 362.7794 ha of forest land for development of Economic Corridor, Inter Corridor, Feeder route and coastal road to improve efficiency of freight movement in India under Bharatmala Pariyojana Raipur-Vishakhapatnam sector | FE-DIV-FLD-0165-2021-6899/FE&CC | 06/04/2023 | Download(7.09 MB) |

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| 61 | Order regarding proposal for use of 3.606 ha of forest land within total Mining Lease area of 264.466 ha in Kathpal Chromite Mining Lease and Kamakshyanagar (East) Forest Range of Dhenkanal Forest Division by M/s Odisha Mining Corporation Ltd. | FE-DIV-FLD-0066-2021-17353/FE&CC | 27/09/2022 | Download(4.9 MB) |
| 62 | Order regarding permission seeking general approval for (i) 0.171 ha of forest land for laying of 132 KV underground transmission line over a distance of 6.363 Km. | FE-DIV-FLD-0001-2022-4306/FE&CC | 02/03/2022 | Download(681.1 KB) |
| 63 | Order regarding diversion of 0.99 ha. of forest land (unsurveyed) for drifting muck disposal of drift materials nad underground investigation tunnel for Upper Indravati Pump Storage Hydra Electric Project. | FE-DIV-FLD-0042-2020-627/FE&CC | 10/01/2022 | Download(5.42 MB) |
| 64 | Order regarding proposal for diversion of 0.442 ha. of forest land in Dalita Manganese Ore Block by OMC Ltd. | FE-DIV-FLD-0149-2021-601/F&E | 10/01/2022 | Download(4.29 MB) |
| 65 | Order regarding proposal for prospecting of minerals over 4.912 ha. of forest land in Khandadhara Sub Block-B by Odisha Mineral Exploration Corporation Ltd. | FE-DIV-FLD-0153-2021-495/FE&CC | 07/01/2022 | Download(4.17 MB) |
| 66 | Order regarding proposal for prospecting of minerals over 6.478 ha. of forest land in Khandadhara Sub Block-A by Odisha Mineral Exploration Corporation Ltd. | FE-DIV-FLD-0152-2021-419/FE&CC | 06/01/2022 | Download(3.89 MB) |
| 67 | Order regarding proposal for prospecting of minerals over 10.491 ha. of forest land in Khandadhara Sub Block-C by Odisha Mineral Exploration Corporation Ltd. | FE-DIV-FLD-0150-2021-409/FE&CC | 06/01/2022 | Download(4.29 MB) |
| 68 | Order regarding proposal for prospecting of minerals over 8.716 ha. of forest land in Khandadhara Sub Block-D by Odisha Mineral Exploration Corporation Ltd. | FE-DIV-FLD-0151-2021-363/FE&CC | 06/01/2022 | Download(4.14 MB) |
| 69 | Order regarding proposal for diversion of 0.633 ha. of forest land for proposing of minerals in Mandajoda Iron & Manganese Ore Block by OMC Ltd. | FE-DIV-FLD-0148-2021-353/F&E | 06/01/2022 | Download(3.77 MB) |
| 70 | Order regarding proposal for diversion of 10.58 ha. of revenue forest land of Sijua Village under Bhubaneswar Tahasil of Khurda District under City Forest Division, Bhubaneswar for construction of Centers of Excellence by AIIMS. | FE-DIV-FLD-0065-2020-343/F&E | 06/01/2022 | Download(4.96 MB) |
| 71 | Order regarding proposal for non-forestry use of 183.218 ha. of forest land involved in the mining area of 380.40 ha. of Bansapani Iron Ore Mines of M/s OMC Ltd. in Keonjhar district, Odisha. | FE-DIV-FLD-0112-2021-22509/FE&CC | 21/12/2021 | Download(8.62 MB) |
| 72 | Order regarding proposal seeking prior approval uner the Forest (Conservation) Act, 1980 for non forestry use of 345.189 ha. of forest land including 6.919 ha in safety zone in Keonjhar District. | FE-DIV-FLD-0076-2021-22418/F&E&CC | 20/12/2021 | Download(9.39 MB) |
| 73 | Order regarding proposal for diversion of 85.175 ha. of fresh forest land and 1.304 ha. re-diversion of forest land for construction of overhead piped conveyor belt. | FE-DIV-FLD-0049-2020-22264/F&E | 18/12/2021 | Download(7.88 MB) |
| 74 | Order regarding proposal for according permission for use of 6.699 ha. of forest land within total Mining lease area of 104.86 ha in Parulipada Manganese Ore Mining Lease. | FE-DIV-FLD-0019-2021/19201/F&E&CC | 01/11/2021 | Download(2.17 MB) |
| 75 | Order regarding proposal for non-forestry use of 68.00 ha. forest land in favour of M/s OMC Ltd. for mining of iron ore in Unchabali (Mahaparbat) Mine. | FE-DIV-FLD-0079-2021/18194/F&E&CC | 08/10/2021 | Download(2.86 MB) |
| 76 | Order regarding diversion of 21.52 ha of Forest Land in Uliburu Reserve Forest (including 2.107 ha for safety zone) for Iron Ore Mining in Bagiaburu Iron Ore Mines by M/s Orissa Mineral Development Corporation Ltd. in Keonjhar District. | FE-DIV-FLD-0119-2021/17896/F&E&CC | 04/10/2021 | Download(2.71 MB) |
| 77 | Order regarding diversion of 18.131 ha of Forest Land for construction of 3rd & 4th line between Jharapada-Budhapanka. | FE-DIV-FLD-0105-2021/16558/F&E&CC | 16/09/2021 | Download(2.52 MB) |
| 78 | Order regrading diversion of balance of 76.7206 ha out of proposed diversion of 117.9648 ha (originally proposed 216.3617 ha) of forest land in favour of Odisha Mining Corporation Limited (OMC). | FE-DIV-FLD-0070-2021-8119/F&E | 23/04/2021 | Download(798.91 KB) |
| 79 | Order regarding proposal seeking prior approval under Section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of 106.016 ha of forest land (diversion of 103.198 ha and change in land use pattern of 2.818 ha) in Rebana RF. | FE-DIV-FLD-0068-2021-8033/F&E | 22/04/2021 | Download(2.14 MB) |
| 80 | Order regarding proposal seeking prior approval under the Forest (conservation) Act, 1980 for non-forestry useof 6.5 ha of forest land in safety zone of Utkal 'D' Coal Mining Project. | FE-DIV-FLD-0032-2020-861/F&E | 13/01/2021 | Download(3.4 MB) |

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| 81 | Order regarding diversion of 176.231 ha of forest land for rehabilitation and upgradation of Talcher-Duburi-Chandikhole Section of NH-23/200 in Odisha. | FE-DIV-FLD-0008-2021-787/F&E | 12/01/2021 | Download(2.48 MB) |
| 82 | Order regarding diversion of 38.098 ha of forest land for construction of 3x800 MW Thermal Power Plant under Kamakhyanagar Tahasil of Dhenkanal District. | FE-DIV-FLD-0053-2020-777/F&E | 12/01/2021 | Download(5.01 MB) |
| 83 | Order regarding diversion of 66.783 ha of forest land and upgradation (four laning) of Cuttack-Angul Section of NH-42. | FE-DIV-FLD-0004-2021-533/F&E | 08/01/2021 | Download(3.54 MB) |
| 84 | Order regarding diversion of 4.928 ha of Revenue Forest land in favour of Tahasildar, Hatdihi Tahasil of Keonjhar District for creation of land bank for relocation of villagers of Pitanau Hamlet located in side Hadgarh Wildlife Sanctuary of Keonjhar. | 10F(Cons) 130/2020-20164/F&E | 14/12/2020 | Download(1.11 MB) |
| 85 | Order regarding diversion of 2.091 ha. of Sabik Kissam Revenue/DLC forest land in village Tentulipada, Rasasingha and Pasasingha under Odopada Tahasil of Dhenkanal district under Dhenkanal Forest Division for construction of oil depot. | 10F(Cons) 89/19-18749/F&E | 23/11/2020 | Download(2.23 MB) |
| 86 | Order regarding proposal for diversion of 2.023 ha. of forest land for construction of Water Treatment Plan (WTP) at Kadaligarh under Rairakhol Tahasil for execution of Mega Pipe Water Supply Scheme in Sambalpur District by R.W.S.S. Division. | 10F(Cons) 154/2020-15894/F&E | 15/10/2020 | Download(1 MB) |
| 87 | Order regarding permission to carry out exploration over 5.0805 ha. of land (0.7380 ha Forest land & 4.3425 ha. non-forest land) by Odisha Mineral Exploration Corporation Limited. | 10F(Cons)-78/19-15535/F&E | 08/10/2020 | Download(5.14 MB) |
| 88 | Order regarding diversion of 137.02 ha of forest land for Coal Mining in favour of M/s National Aluminium Company Limited (NALCO). | 10F(Cons)-78/19-15371/F&E | 06/10/2020 | Download(2.1 MB) |
| 89 | Order regarding proposal for diversion of minerals of 58 nos. of boreholes of 4" diameter and digging of 116 nos. of sumps @2 sumps per each boreholes in Naini Coal Block located in Chhendipada RF under Angul Forest Division of Angul District. | 9F(MG)-331/2017-609/F&E | 06/05/2019 | Download(2.18 MB) |
| 90 | Order regarding the diversion of balance forest land of 517.888 ha. including 9.392 ha. for safety zone in addition to 133.112 ha. of forest land already diverted in favour of M/s Odisha Mining Corporation Ltd. | 10F(Con)-205/2015-26026/F&E | 03/12/2018 | Download(7.64 MB) |
| 91 | Order regarding diversion of 25.74 ha. of Revenue forest land in village Sandhakunda(within the limit of Paradip Port) of Kujanga Tehsil in Jagatsinghpur district for development of Southern Dock Complex inside Paradip Port Complex by Paradip Port. | 10F(Con)-16/2014-17237/F&E | 04/08/2018 | Download(4.12 MB) |
| 92 | Order regarding diversion of forest land for construction of Railwayline from Jakhpura Railway Station to Steel Plant site of M/s Tata Steel Ltd. at Kalinga Nagar in Jajpur district, Odisha. | 10F(Con)-161/2017-16227/F&E | 26/07/2018 | Download(4.26 MB) |
| 93 | Order regarding diversion of 1.912 ha. of forest land within the jurisdiction of Cuttack Forest Division of Jajpur district, Odisha for upgradation of road from RD 1/966Km to 5/00Km(RD Road to Aradapal) over a length of 3.034Km through forest area. | 10F(Con)-138/2018-15101/F&E | 11/07/2018 | Download(2.21 MB) |
| 94 | Order regarding diversion of balance 330.972 ha. of sabik kisam forest land as on 25.10.1980 in addition to already diverted forest land of 73.697 ha. for Chromite mining in their Sukinda Chromite Mine in Jajpur District. | 10F(Con)-51/2018-11885/F&E | 23/05/2018 | Download(10.02 MB) |
| 95 | Order regarding diversion of 240.672 ha. of forest land including 2.776 ha. of forest land for safety zone within total project area of 690 ha. for Ananta Expansion OCP, (Phase-III) of Mahanadi Coalfields Ltd. for coal mining in Angul. | 10F(Con)-254/2016-11872/F&E | 23/05/2018 | Download(8.35 MB) |
| 96 | Order regarding diversion of forest land including 1.665 ha of Safety Zone area within total mining lease area of 653.828 ha. in Garjanbhal Open Cast Coal Mining Project in Sundargarh district of Odisha by M/s Mahanadi Coalfields Limited. | 10F(Con)-180/2017-9843/F&E | 28/04/2018 | Download(3.35 MB) |
| 97 | Order regarding constituting a committee to examine and approve the proposals involving diversion of forest land of more than 5 ha. (upto 40 ha.) of forest land outside the Protected Areas. | 10F(Con)-41/2017-8931/F&E | 18/04/2018 | Download(438.85 KB) |
| 98 | Order regarding diversion of 151.94 ha of forest land for Four/Six laning, Widening and strengthening of existing two lane of National Highway - 215 from 0.00 Km to 163.00 Km (Panikoili-Remuli Section). | 10F(Con)-176/2014-8160/F&E | 10/04/2018 | Download(6.44 MB) |
| 99 | Order regarding re-diversion of 2.8046 ha of forest land (existing within the RoW of already diverted forest land coming within the jurisdiction of Rajnagar(Mangrove) Forest Division, Cuttack Forest Division, City Forest Division and Khurda Forest. | 10F(Con)-131/2017-3825/F&E | 17/02/2018 | Download(1.28 MB) |
| 100 | Order regarding diversion of 360.90 ha of forest land including 8.65 ha of forest land for Safety Zone in favour of M/s B.C. Dagara for Suleipat Iron Mines in villages Ukam, Langalsila, Murumdihi and Bhitarmada Hill under Rairangpur Forest Division. | 10F(Con)-78/2015-2435/F&E | 01/02/2018 | Download(3.38 MB) |

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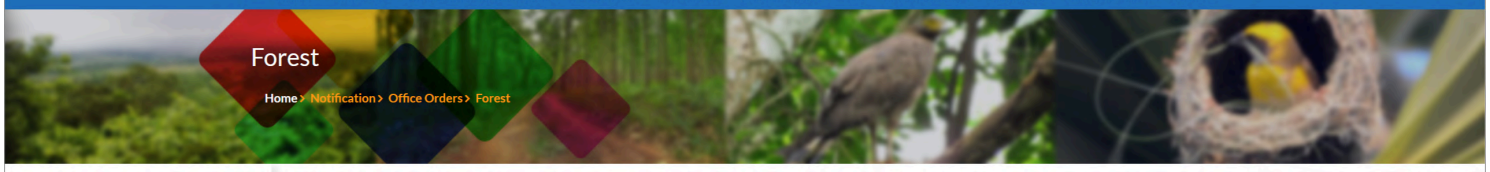


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| 101 | Order regarding the diversion of 12.63 ha of forest land for laying of slurry pipeline for disposal of ash from Captive Power Plant (CPP) of National Aluminium Company Ltd. (NALCO) to Bharatpur South Coal of Mahanadi Coalfields ltd. | 10F(Con)-174/2017-23461/F&E | 15/11/2017 | Download(2.45 MB) |
| 102 | Order regarding the diversion of 434.935 ha of forest land (428.075 ha of forest land within Kodingamali Bauxite Mining lease area including 18.098 ha of forest land in safety zone and 6.86 ha of forest land outside ML area. | 10F(Con)-1/2017-20540/F&E | 07/10/2017 | Download(5.06 MB) |
| 103 | Order regarding the diversion of 1.23 ha of forest land as per sabik record in village Diajharan in Angul district, Odisha for setting up Railway siding by M/s Global Coal and Mining Private Ltd. | 10F(Con)-123/2013-10787/F&E | 23/05/2017 | Download(2.85 MB) |
| 104 | Order of diversion of 6.682 ha of forest land for laying of infrastrcture facilities like integrated pipe conveyor (including transmission line, underground water pipeline, service road) and railway line for transportation of coal. | 10F(Con)-225/2016-5003/F&E | 09/03/2017 | Download(2.67 MB) |
| 105 | Order for diversion of 2.994 ha of forest land in Motu Reserved Forests for cosntruction of approach raod (1.496km) from PWD Road to High Level Bridge over river Sileru near Motu in Malkangiri district, Odisha. | 10F(Con)-08/2017-3821/F&E | 22/02/2017 | Download(1.34 MB) |
| 106 | Order regarding diversion of 0.82 ha of forest land for construction of 132 KV transmission line by M/s SMC Power Generation Ltd. at village Hirma in Jharsugrah district, Odisha. | 10F(Con)-541/2011-1969/F&E | 28/01/2017 | Download(2.04 MB) |
| 107 | Order for diversion of 30.98 ha of forest land in Baitarani RF in Keonjhar district, Odisha for Iron Ore mining by M/s Sree Metalliks Ltd. | 10F(Con)-477/2011-179/F&E | 03/01/2017 | Download(2.51 MB) |
| 108 | Order regarding diversion of 4.16 ha (including Safety Zone of 0.11 ha) of forest land in addition to 45.46 ha of forest land already diverted within Talabira-I Coal Mining lease area of 170.305 ha for coal mining by the new allottee i.e. M/s GMR | 10F(Con)-48/2014-22914/F&E | 05/12/2016 | Download(2.61 MB) |
| 109 | Order regarding diversion of 28.324 ha of forest land including 2.685 ha for safety zone in village Kusumdihi & Kamando in Sundargarh District. | 10F(Con)-86/2016-22500/F&E | 02/12/2016 | Download(2.73 MB) |
| 110 | Order regarding diversion of 279.351 ha of forest land including 2.790 ha. for safety zone in addition to 146.047 ha. for forest land already diverted within total Mining Lease area of 552.457 ha. for Chromite Ore Mining in Jajpur district by M/s. | 10F(Con)-76/2015-4679/F&E | 18/03/2016 | Download(1.88 MB) |
| 111 | Order regarding diversion of 249.9685 ha of forest land in Rebana Reserved Forests in respect of Daitari Extension Area (Mining Infrastructure and Township) of M/s O.M.C. Ltd. in Keonjhar district of Odisha. | 10F(Con)-70/2014-15940/F&E | 28/08/2014 | Download(2.72 MB) |
| 112 | Order regarding diversion of 232.438 ha of forest land in Gandhamardan Block B. | 8-81/2005-FC | 24/04/2006 | Download(813.15 KB) |

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## Proposal Details

| | |
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| **Proposal No.:** | **FP/OR/OTHERS/523366/2025** |
| **Single Window No.:** | **SW/234460/2025** |
| **CAF No.:** | **CAF/219168/2025** |
| **Project Name:** | Proposed acess road connecting from Sijimali bauxite mines (Hill Top) to SH-44 |
| **State:** | ODISHA |
| **Project Category:** | OTHERS(Approach Road from Sijimali Bauxite Mines (Hill top) to SH-44 to for Transportation of Bauxite ore.) |
| **Area (ha):** | 4.911 |
| **Application For:** | Form-A (Part-I): Diversion of Forest Land |
| **Date of Submission:** | 24/03/2025 |
| **Scenario :** | Scenario 4 |
| **Demand/Payment:** | |
| **Additional Demand/Payment:** | |
| **In-Principle Letter:** | Granted 05/01/2026 View 06/05/2026 |
| **Final Approval:** | Granted 07/05/2026 View View Corrigendum |

## Proposal History/Timeline

Preview

| Activity | Start Date - End Date |
|---|---|
| Final Diversion Order Issued | 07/05/2026-07/05/2026 |
| Processed by State Government for Diversion Letter | 07/05/2026-07/05/2026 |
| Processed by DIGF RO for Stage-II Letter | 05/05/2026-07/05/2026 |
| Processed by RO Head for Stage-II Letter | 05/05/2026-05/05/2026 |
| Processed by DIGF RO for Stage-II Letter | 05/05/2026-05/05/2026 |
| Processed by RO Head for Stage-II Letter | 05/05/2026-05/05/2026 |
| Processed by DIGF RO for Stage-II Letter | 04/05/2026-05/05/2026 |
| Processed by Technical Officer RO for Stage-II Letter | 23/04/2026-04/05/2026 |
| Processed by State Secretary for Compliance Review | 21/04/2026-23/04/2026 |
| Processed by Nodal Officer for Compliance Approval | 21/04/2026-21/04/2026 |
| Processed by Nodal Officer for Compliance Review | 16/04/2026-21/04/2026 |

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| 5 | N/A | demand & payment details regarding approved scheme..pdf | Sachin Annasaheb Ohol | 20/04/2026 | Preview |
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