

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

MA No. 29/2022/EZ

In

O.A. No. 29/2019/EZ

In the matter of

Tribunal on its own motion

Applicant(s)

Vrs.

State of Odisha and others.....

Respondent(s)

Compliance Affidavit filed on behalf of the Respondent No.1

I N D E X

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Cuttack

Date :


Addl. Government Advocate.

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA

MA No. 29/2022/EZ

In

O.A. No. 29/2019/EZ

In the matter of

Tribunal on its own motion Applicant(s)

Vrs.

State of Odisha anotherRespondent(s)

Compliance Affidavit filed on behalf of the

Respondent No.1

I, Sri Pradeep Kumar Jena, aged about 59 years,
S/o Late Srikanta Jena at present serving as Chief
Secretary, Government of Odisha do hereby solemnly
affirm, and state as follows: -

1. That I am working as Chief Secretary, Government
of Odisha. I am submitting the affidavit as per the
order dtd. 15.03.2023 passed by the Hon'ble Tribunal
in MA No. 29/2022/EZ arising out of the OA No.
29/2019/EZ in the matter of Subash Mohapatra vrs
State of Odisha and others.

2. That the Hon'ble Tribunal in the order dtd.
15.03.2023 has passed the following orders:



P.F NO-110

Dated-11/04/2023

Pradeep Kumar Jena



“9. We find that the two Departments of the Government, namely, Forest Department and GA & PG Departments are not able to reconcile the matter between themselves. We, therefore, direct the Chief Secretary, Government of Odisha to file his personal affidavit by the next date of listing to show what action is being taken by the State Government in this regard for obtaining applications seeking Forest Clearance from Central Government/State Government Organizations and Private Organizations, and if the Organizations are not taking steps for filing applications seeking Forest Clearance, what punitive action is being taken by the State Government against such Organizations, private or Government.

10. List on 13.04.2023.”

3. That the Hon'ble Tribunal has initiated the above mentioned M.A. No. 29/2022/EZ on its own motion and directed the Respondents including the Respondent No.1 vide order dtd. 09.11.2022 to file counter affidavit within four weeks.

4. That the OA No. 29/2019 was filed before the Hon'ble Tribunal alleging contravention of the provisions of the Forest (Conservation) Act, 1980 relating to Mouza-Jayadev Vihar, Unit No.16 under Bhubaneswar Municipal Corporation (BMC).



Pradeep Kishan Jena

5. That the applicant has alleged that forest land relating to Khata No. 1427 under Mouza-Jayadev Vihar has been used for non-forest purpose without prior approval of the Competent Authority of the Forest Department.

6. The Hon'ble National Green Tribunal vide order dated:26.04.2022 have disposed of the Original Application with the following direction:

"16. In this view of the matter, we dispose of this Original Application with a direction to the State Government to expedite the process of obtaining Forest Clearance under the Forest (Conservation) Act, 1980, following due process of law. The said exercise shall be completed for all the Government/Private Institutions within a period of four months from the date of this judgment.

17. The District Magistrates & Collectors along with the concerned Divisional Forest Officers of the different Districts where Revenue Forest Land has been identified for taking up Compensatory Afforestation may identify and demarcate encroachment free Revenue Forest area for each proposal in accordance with law within a period of two months.

Pradeep Neemari Jeng



The State Government or the Ministry of Environment, Forests and Climate Change, as the case may be, may also take the Net Present Value (NPV) or Penal Net Present Value (PNPV) while 15 granting clearance under the Forest (Conservation) Act, 1980 in accordance with law.

An Action Taken Report in this regard shall be submitted before the Tribunal on or before 30.09.2022 by the State Government."

7. That as per the order of the Tribunal dtd. 26.04.2022 passed in the Original Application, an affidavit has been submitted by the GA and PG Deptt. Respondent No.1 through online mode indicating the action taken consequent upon the direction of the Hon'ble Tribunal in different points of time.

8. That after receipt of the order dtd. 26.4.2022 passed by the Hon'ble Tribunal, the copy of the order was communicated all the user agencies to take necessary action in this regard for compliance of the order of the Hon'ble Tribunal. Copies of the letters communicated to the user agencies. The user agencies have again informed vide letter No. 02.12.2022 for filing of the forest diversion proposal and to comply the order of the Hon'ble Tribunal.

Pradeep Kumar Singh

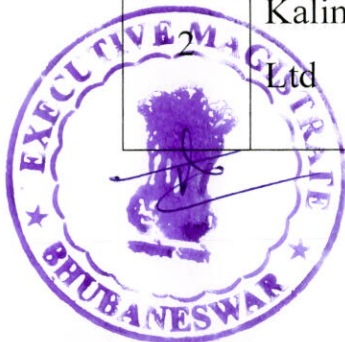


9. That the Hon'ble Tribunal in the order dtd. 15.03.2023 has directed the deponent to file affidavit regarding the action taken by the State Government for obtaining applications for forest clearance by the Central Government Organisations / State Government Organisations/ Pvt. Organisations. The Tribunal has further directed to explain the punitive action taken by the State Government against such organisation who have not taken steps for filing of application for forest clearance. On receipt of the order of the Hon'ble Tribunal, the defaulting organisations have been informed vide letters dtd. 04.04.2023 for compliance of the order of the Hon'ble Tribunal failing which punitive action shall be initiated.

Copies of the letters issued to the defaulting organisations are enclosed herewith at **Annexure- A series.**

10. That the present position of the diversion proposal already filed in the PARIVESH -1 before the Nodal Officer O/o PCCF and Hoff is as follows:

Sl No	User Agency	Status
Update till 27.02.2023		
1	Fortune Tower IDCO	Online Uploading done. File Pending with MoEF.
2	Kalinga Hospitals Ltd	Online Uploading done. DFO Chandaka(WL) raised Query against CA Land. File pending with District Collector for CA Land.



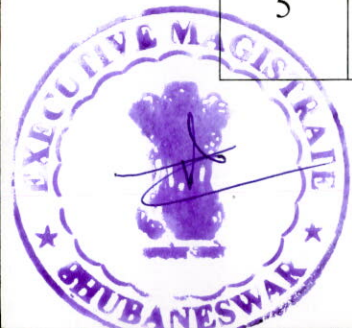
Pradeep Kumar Jena

3	Mayfair Lagoon	Online Uploading done.File Pending with MoEF.
4	Tech Mahindra	Online Uploading done.MoEF ask for Penal Provision.
5	Women's Polytechnic	ORSAC Authenticated the DGPS Survey of Forest area.
6	LIC of India	Under Scrutiny by Nodal Officer O/o PCCF and Hoff , Odisha.
7	Ferro Alloys Corporation Pvt. Ltd.	Diversion proposal filed by User Agency in PARIVESH-1

Apart from the above seven (7) another eight organisations under process of filing the diversion proposal as detail below :

Sl No	User Agency	Status
1	ORSAC	Online Uploading done. DFO Chandaka(WL) raised Query against CA Land. File pending with District Collector.
2	Sandy Tower	DGPS Survey of Forest area completed.
3	SWASTI Plaza	DGPS Survey of Forest area completed.
4	Gopabandhu Academy of Admiration	Proposal Submitted to PCCF Nodal.
5	RMRC	DGPS Survey of Forest area completed & submitted to ORSAC for vetting.

Pradeep
Heeman Sent



6	Odissi Research Centre	Survey by ORSAC under process
7	ESIC	DGPS survey of forest area completed & submitted to ORSAC for vetting.
8	Aditya Aluminium Project Hindalco Industries Ltd.	DGPS survey of forest area completed & submitted to DFO, Chandaka Wild Life Division.

11. That in the meantime, the Deputy Inspector of General of Forest (C), Integrated Regional Office, Ministry of Environment, Forest & Climate Change in letter No. 7(115) 2021-FCE dtd. 31.03.2023 has requested the Addl. Chief Secretary, Forest and Environment Deptt. Government of Odisha to submit a composite proposal in all the cases mentioned in the order dtd. 26.04.2022 by the Hon'ble National Green Tribunal in OA No. 29/2019/EZ so that appropriate and holistic decision can be taken in the matter.

12. That the operative part of the letter No. 7(115) 2021-FCE dtd. 31.03.2023 of Deputy Inspector of General of Forest (C), Integrated Regional Office, Ministry of Environment, Forest & Climate Change is quoted below for better appreciation:



Pradeep Kumar Jena

“The Hon’ble NGT, Kolkata in order dated 26.04.2022 in OA No. 20/2019/EZ has mentioned the following 32 cases where Central /State Government organisations and Private organisation have unauthorisedly used forest kissam land in village-Jayadev Vihar of Bhubaneswar without prior approval of Ministry of Environment, Forest & Climate Change. As per the order the organisations and the area involved is as below:

1. Government Organisation:

SL No.	Name of the allottee	Purpose	Area (in acre)
1	Fortune Tower (IDCO)	Institutional	3.614
2	East Coast Railway	Residential Colony	32.141
3	Indian Medical Rsearch Centre	IMRC	20.000
4	Gopabandha Academy of Administration	Training Centre	11.144
5	ODISI Research Centre	ODISI Research Centre	5.034
6	Women’s Polytechnic	Government Polytechnic	15.000

Pradeep Kumar Singh



7	Employees Insurance Corporation (ESI)	Hospital	4.854
8	Life Insurance Corporation	Housing Scheme	10.000
9	Education Deptt. for establishment of English Language	Language Teaching Institute	2.000
10	NALCO	Office building	5.463
11	Government of Odisha Tele communication Deptt.	Establishment of Telephone Exchange	1.706
12	Orissa Remote Sensing application Centre(ORSAC)	Office	5.000
13	Deptt. of Tele Communication for Construction of Administration Building	Administrative e- building	0.818
14	Forest Deptt.	Institutional	1.021

Pradeep Kumar Jena

2.Private Organisation:

SL No.	Name of the allottee	Purpose	Area (in acre)



1	Estate India Hotel (Hotel Oberoi)	Hotel	12.000
2	Jamsed Pur, NISWAS	Jamased Pur, NIWAS	3.000
3	Ferro Alloys Corporation Ltd.	Institution	1.000
4	Sudarshan Art & Craft	Craft Centre	2.008
5	Kalinga Hospital Pvt. Ltd.	Hospital	10.000
6	Hotel Pranam now Hotel Suryans	Hotel	0.413
7	Stock Exchange Assn Ltd.	Stock Exchange	1.000
8	Hotel Swaosti Plaza	Hotel	0.773
9	Sandy Resorts Pvt. Ltd.	Hotel	2.404
10	Satyam Computer Used as Software Industrial (Now Tech. Mahendra)	Satyam Computer	6.734
11	Aditya Aluminium Project (Hindolo Industries Ltd.)	Institution	3.000
12	Loyola Education Society	School	12.000
13	Hotel Mayfari & Resorts Pvt. Ltd.	Hotel	10.237
14	Santa Memorial Rehabilitation Centre	Spinal Cord Physiotherapy Centre	1.992

Pradeep Kumar Jena



15	Jagannath Project Pvt. Ltd.	Hotel	0.612
16	Small Industrial Development Bank (SIDBI)	Office Building	0.500
17	Vocational Rehabilitation Centre for physical Orthopaedic Training Institute	Vocational Rehabilitation Centre for physical Orthopaedic Training Institute	1.000
18	Medirad Tech India Ltd. (Hemalata Cancer Hospital)	Used as Cancel Hospital	1.397

“As per the information available in this office Fortune Towers, Satyam Computer (Mahindra Tech) and Hotels Mayfair & Resorts Pvt. Ltd. have submitted forest diversion proposal under Section 2(ii) of FC Act, 1980.

The Hon'ble NGT, Easter Zone, Kolkata in its order dtd. 26.04.2022 in OA No. 29/2019/EZ directed that “State Government to expedite the process of obtaining forest clearance under F (C) Act, 180 following due process of land. The said exercise shall be completed for all the Government/private Institutions within a period of four months from the date of this judgment”



Pradeep Kumar Jena

The proposals submitted to this office were sent to Ministry as per the direction given vide Ministry letter No. FC-7/43/2020-FC dated 22.03.2022 & No. FC-11/113-2022-FC dated 08.09.2022. Ministry has returned the proposals with a direction that issue related to violation needs to be examined holistically in context of 42 cases mentioned by the NGT in its order dated 26.04.2022.

So, there is a need to deal the all these proposals holistically. It is therefore, requested to submit a composite proposal for above cases mentioned by the NGT, Eastern Zone, Kolkata so that appropriate and holistic decision can be taken in the matter. ”

Copy of the letter No. 7(115) 2021-FCE dtd. 31.03.2023 of Deputy Inspector of General of Forest(C), Integrated Regional Office, Ministry of Environment, Forest & Climate Change is annexed herewith at **Annexure-B**

13. That the Collector & DM, Khordha , Sub-Collector, Bhubaneswar , District Welfare Officer, Khrodha and Zonal Deputy Commissioner, North Zone, BMC were intimated vide this Deptt. letter No. 13878/CA dtd. 18.05.2022 to take necessary action for issue of FRA certificate in favour of the user agencies for compliance of the provisions of the Scheduled Tribe and Other Traditional Forest Dwellers



Pradeep Kumar Jena

(Recognition of Forest Right) Act, 2006 as pre-requirement for filing of forest diversion proposal.

14. That after obtaining Government approval, Consultancy for Engineering and Environment Planning has been engaged by the GA and PG Deptt. order No. 29120 dtd. 17.10.2022 to co-ordinate with different organisations for filing of forest diversion proposal.

A copy of the order No. 29120 dtd. 17.10.2022 is annexed herewith at **Annexure-C**.

15. That on receipt of the order of the Hon'ble Tribunal dtd. 26.04.2022, the Revenue and Disaster Management Deptt. was requested to earmark degraded forest land in a particular Tahasil for administrative convenience for filing of Forest Diversion Proposal by all the Government and Private organisations.

16. That the R &DM Department, after taking views of the Deptt. of Forest Environment & Climate Change given their views for earmarking of degraded revenue forest land as per requirement out of the land bank for filing forest diversion proposal by the user agencies by all the Government and Private organisations following the principle laid down in R &



Pradeep Kumar Jena

DM Deptt. No. 10894 dtd. 31.03.2017 and GO No. 22958 dec. 04.08.2014 read with GO No. 31312 dtd.24.10.2014.

17. That after receipt of the views of the R & DM Deptt., Collectors of 18 districts have been informed vide GA and PG Deptt. Letter No. 24291 dtd. 29.08.2022 to render necessary assistance to the user agencies in the matter.

18. That it is submitted that the GA and PG Department and Deptt. of Forest Environment and Climate Change have taken sincere efforts for compliance of the order of the Hon'ble Tribunal. The User Agencies have been duly intimated for compliance of the order of the Hon'ble Tribunal by way of filing forest diversion proposal.

19. That the Principal Secretary, has taken a meeting on 07.12.2022 involving the Director of Estates, Collector and DM, Khordha, DFO, Chandka Wild Life Division and Joint Director of Estates to expedite the process of filing the forest diversion proposal by the user agencies.

20. That the Chief Secretary has also taken a review meeting on 08.12.2022 with the concerned officials to



Pradeep Kumar Singh

expedite the process of filing forest diversion proposal by the User Agencies.

21. That the Chief Secretary has again taken review meeting on 10.04.2023 with Forest, GA and PG Deptt. and other concerned Departments for early filing and processing of diversion proposal by the User Agencies.

22. That in this connection, it is pertinent to mention here that it is taking longer time for selecting and finding proper for compensatory afforestation by different user agencies as a result, it is getting late to file the diversion proposal.

23. That sincere steps are being taken in the matter for compliance of the order of the Hon'ble Tribunal by the user agencies. Because of involvement of different Central Government and State Government Department/Organisations and private organisations, it is humbly prayed that a period of six months' time may kindly be granted for taking steps in the matter and expediting the completion of the process following the due process of law.

Pradeep Kumar Singh



24. That, the facts stated above are true to the best of my knowledge and belief based on official records.

Pradeep Kumar Jeng
Deponent

The above deponent being personally known to me appears before me on *11/4/2023* at *3* AM / PM and states on oath that the contents of the show cause reply are true to the best of his knowledge based on official records.

[Signature]
11/4/2023
Executive Magistrate

**Executive Magistrate &
Assistant Collector
Bhubaneswar**

CERTIFICATE

Certified that the cartridge papers are not readily available.

Cuttack
Date: *11/04/2023*

[Signature]
Addl. Government Advocate

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9634 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The President/MD/Director
Hotel Suryans
Jayadev Vihar Bhubaneswar

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34321 dated 02.12.2022, No.391 dated 05.01.2023 and No. 13417 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

TRUE COPY ATTESTED

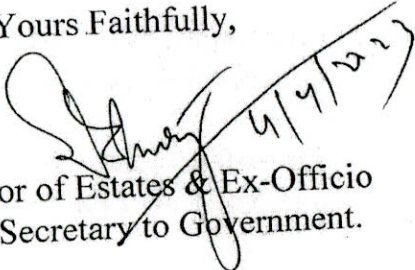
[Signature]
Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kism, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9635 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Additional Secretary
Forest, Environment, and Climate
Change Department

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kismam.

Ref: This office letter No. 34437 dated 02.12.2022, No. 336 dated 05.01.2023 and No. 13788 dated 18.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that " *no further activities shall be taken up without first complying with the*

TRUE COPY ATTESTED

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

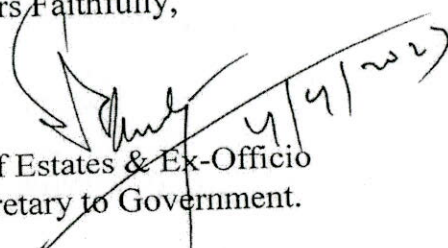
requirements of law." The said order has also been communicated to you and wherein Secretary, Forest and Environment Department is also a party to it.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980. Further, the Hon'ble NGT (EZ) Kolkata in their order dated 15.03.2023 has expressed a great displeasure and wanted to know about what punitive action has been initiated by the State Government against the default organization, private or Government.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early date for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9636 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Regional Director
Employee State Insurance Corporation
Jayadev Vihar Bhubaneswar


Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34343 dated 02.12.2022, No. 441 dated 05.01.2023 and No. 13257 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

TRUE COPY ATTESTED

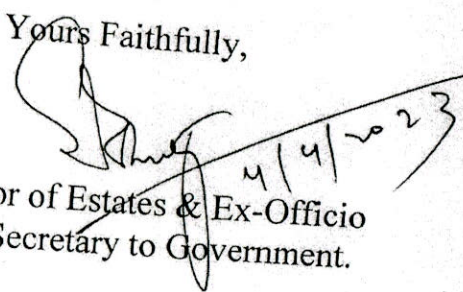

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


4/4/2023
Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED



Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Dept.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9637 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

Sri Sudarsan Sahoo, Proprietor
Sudarsan Art and Craft Village
Jayadev Vihar, Bhubaneswar


Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kisam.

Ref: This office letter No. 34393 dated 02.12.2022, No. 385 dated 05.01.2023 and No. 13395 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

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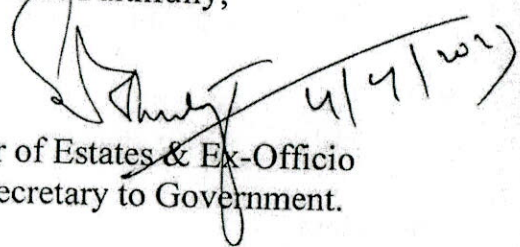

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kisam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9638 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The president/MD/Director
Kalinga Hospitals Pvt. Ltd.
Jayadev Vihar Bhubaneswar.

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kismam.

Ref: This office letter No. 34351 dated 02.12.2022, No. 329 dated 05.01.2023 and No. 13406 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to

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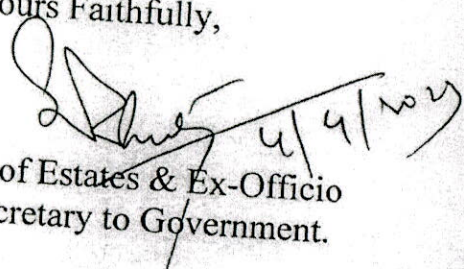
[Signature]
Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt

avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


4/4/2024
Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9639 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Chief General Manager
Telecom BSNL Odisha,
BSNL Bhawan, Ashok Nagar
Bhubaneswar.

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kismam.

Ref: This office letter No. 34385 dated 02.12.2022, No. 340 dated 05.01.2023 and No. 13806 dated 18.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

TRUE COPY ATTESTED

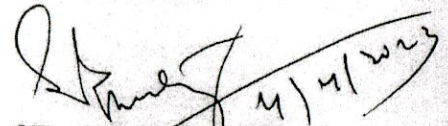

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kisam, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.


This is National Green Tribunal urgent.

Yours Faithfully,



Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED



Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9640 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

Dr. Sanjeet Kumar Patra, MD
Sandy Resort Pvt. Ltd.
P1 & P1/A, Jayadev Vihar
Bhubaneswar.


Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kisam.

Ref: This office letter No.375 dated 05.01.2023, No. 34409 dated 02.12.2022 and No. 13356 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject and with reference to your letter dated 05.04.2021, it is learnt that you have engaged the Aptech Solution Pvt. Ltd. For filing of Forest Diversion Proposal of Government land allotted to you and later on detected to be with forest kisam. Now, you are requested to intimate the present status of the forest

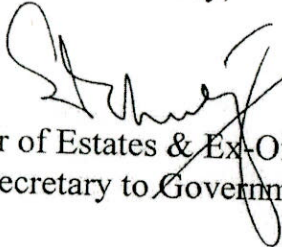
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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.


diversion proposal as required for compliance of direction of Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others. Further, the Hon'ble NGT has passed an order in their judgment dated 15.03.2023 directing this Department to intimate punitive action against the default lease holder. Hence, you are requested to intimate this Department the present status of the forest diversion proposal relating to your leasehold Government plot allotted to you.

This is National Green Tribunal urgent.

Yours Faithfully,


4/4/2023
Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9641 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Chief General Manager
Telecom BSNL Odisha,
BSNL Bhawan, Ashok Nagar
Bhubaneswar.

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34385 dated 02.12.2022, No. 340 dated 05.01.2023 and No. 13806 dated 18.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

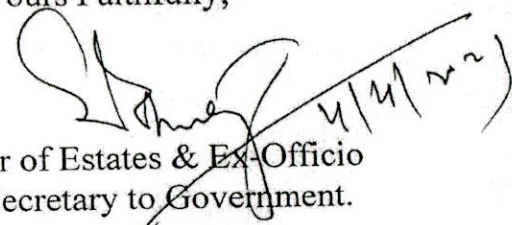
5 that " no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicacy for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9642 /CA, Bhubaneswar, Dated. 04.04.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Regional Manager, LIC
Surya Nagar, Divisional Office
Plot No. GD 2/8, 2/9
Maitree Vihar, BBSR

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kizam.

Ref: This office letter No. 34389 dated 02.12.2022, No. 387 dated 05.01.2023 and No. 13303 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para

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Deputy Director of Estates
cum-Joint Secy. to Govt.
GA & PG Deptt.

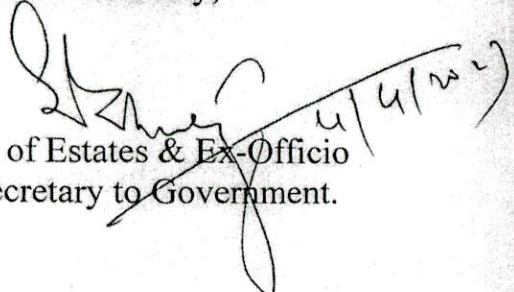
5 that “ no further activities shall be taken up without first complying with the requirements of law.” The said order has also been communicated to you.

In view of the above directions of the Hon’ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon’ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9643 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Chief General Engineer
Principal Chief Engineer
Rail Sadan Bhubaneswar

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34325 dated 02.12.2022, No. 401 dated 05.01.2023 and No. 13885 dated 18.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

TRUE COPY ATTESTED

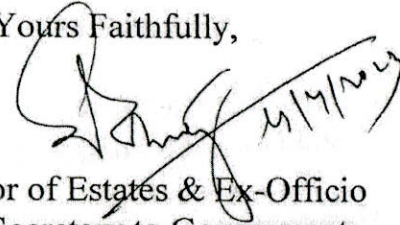

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kism, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9644 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The President/MD/Director
Vocational Rehabilitation Centre
Physical Orthopedic Training Institute
Jayadev Vihar Bhubaneswar

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34405 dated 02.12.2022, No. 381 dated 05.01.2023 and No. 13669 dated 17.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

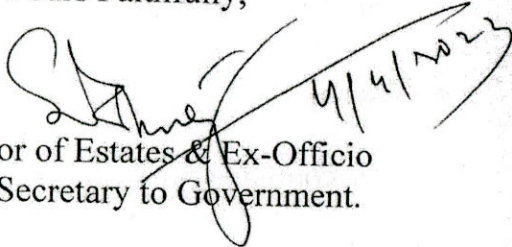
5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kisam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimated the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) at Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9645 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The president/MD/Director
East India Hotels/Hotel Trident
Jayadev Vihar, Bhubaneswar.

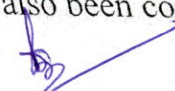
Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 34433 dated 02.12.2022, No. 359 dated 05.01.2023 and No. 13387 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

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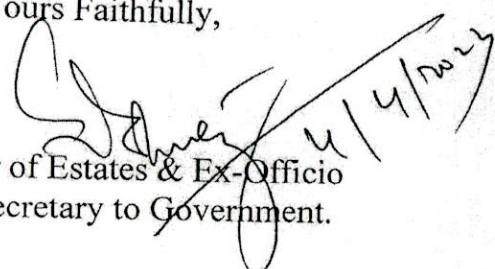

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kisam, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9646 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The President/MD/Director
Hotel SWOSTI PLAZA
Bhubaneswar.

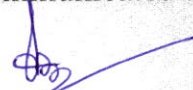
Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kizam.

Ref: This office letter No. 13350 dated 13.02.2022, No. 34363 dated 02.12.2022 and No. 342 dated 05.01.2023.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

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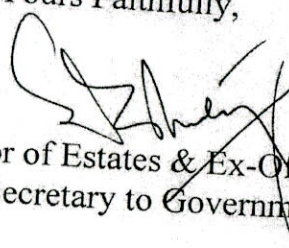

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


4/4/23
Director of Estates & Ex-Officio
Addl. Secretary to Government.

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9647/CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The president/MD/Director
Aditya Aluminium Project
Jayadev Vihar, Bhubaneswar.


Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 13436 dated 13.05.2022, No. 34359 dated 02.12.2022 and No. 334 dated 05.01.2023.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

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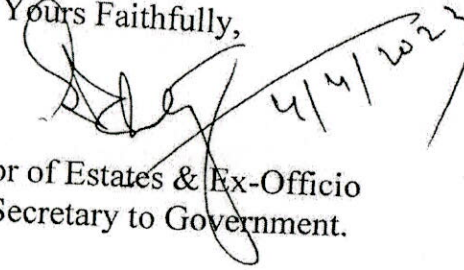

Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


4/4/2023
Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED



Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9648 /CA, Bhubaneswar, Dated. 04.4.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The General Manager (Admin)
National Aluminum Company
Corporate office, NALCO Bhawan
Bhubaneswar.

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kism.

Ref: This office letter No. 367 dated 05.01.2023, No. 34425 dated 02.12.2022 and No. 13285 dated 13.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

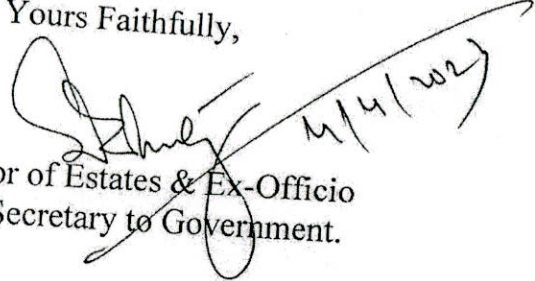
5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kism, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9649 /CA, Bhubaneswar, Dated. 04.4.2023

GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

The Executive Vice-President
Santa Memorial Rehabilitation Centre
108/D, Master Canteen Building
Station Square, Unit-III
Bhubaneswar.

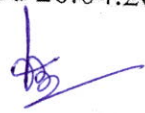
Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kizam.

Ref: This office letter No. 13647 dated 17.05.2022, No. 34417 dated 02.12.2022 and No. 373 dated 05.01.2023.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

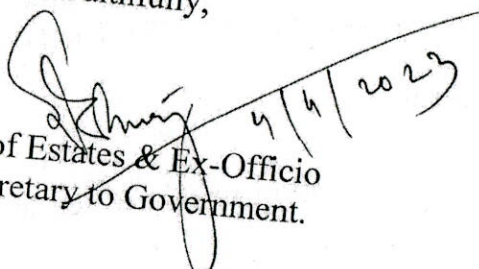
5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kizam, which attracts the provisions of Forest Conservation Act 1980.


However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,

 4/4/2023
Director of Estates & Ex-Officio
Addl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

Court Matter
Urgent



Government of Odisha
General Administration & Public Grievance Department

L. No. 9650/CA, Bhubaneswar, Dated. 04.11.2023
GAD-CA4-CASE1 0093/2019

From,

Sri Sushant Kumar Mohanty, IAS
Director of Estates & Ex-Officio
Addl. Secretary to Government.

To,

Sri Chinmaya Das
Stock Exchange Association
Jayadev Vihar, Bhubaneswar.

Sub: Preparation and filing of Forest Diversion Proposal for the allotted Government land which were later detected with forest kismam.

Ref: This office letter No. 34338 dated 02.12.2022, No. 13344 dated 13.05.2022 and No. 13870 dated 18.05.2022.

Sir/Madam,

In continuation to this office letters mentioned above on the captioned subject, it is further informed you that the Hon'ble National Green Tribunal (Eastern Zone) in O.A. No. 29/2019/EZ in the matter of Subash Mohapatra vrs State and others, has passed an order in their judgment dated 26.04.2022 in para 5 that "no further activities shall be taken up without first complying with the requirements of law." The said order has also been communicated to you.

TRUE COPY ATTESTED

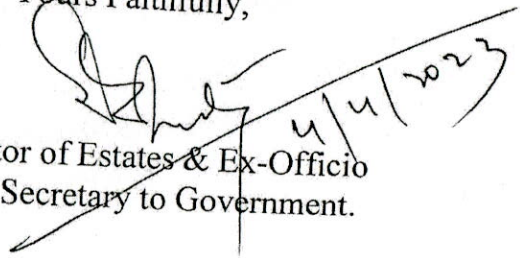

Deputy Director of Estate
cum Joint Secy. to Govt.
GA & PG Deptt.

In view of the above directions of the Hon'ble National Green Tribunal (Eastern Zone), you are once again requested to file forest diversion proposal to avoid further legal complicity for the Government land allotted to you and later detected with forest kism, which attracts the provisions of Forest Conservation Act 1980.

However, in the meantime if you have initiated steps to file the Forest Diversion proposal on the leasehold plot allotted in your favour, please intimate the present status to the undersigned at an early dated for compliance of the order dated 15.03.2023 of Hon'ble National Green Tribunal (Eastern Zone) Kolkata. Otherwise this Department may be forced to initiate punitive action against the default lease holder.

This is National Green Tribunal urgent.

Yours Faithfully,


Director of Estates & Ex-Officio
Adl. Secretary to Government.

TRUE COPY ATTESTED


Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.



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

No.7(115)2021-FCE

31st March, 2023

To

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



Sub: OA No.29/2019/EZ in the matter of Subash Mohapatra Vrs. State of Odisha & Other before Hon'ble NGT, EZ, Kolkata – regarding.

Ref: This office letter No.5-ORB510/2022-BHU dated 03.03.2023

Madam,

With reference subject cited as above, I am directed to inform that the Hon'ble NGT, Kolkata in order dated 26.04.2022 in OA No.29/2019/EZ has mentioned the following 32 cases where Central/State Govt. organizations and Private organization have unauthorizedly used forest kism land in village Jaydev Vihar of Bhubanesar without prior approval of Ministry of Environment, Forest & Climate Change. As per the order the organizations and the area involved is as below:

1. Government Organizations:

Sl. No.	Name of the Allottee	Purpose	Area (in Acre)
1.	Fortune Tower (IDCO)	Institutional	3.614
2.	East Coast Railway	Residential Colony	32.141
3.	Indian Medical Research Centre	IMRC	20.000
4.	Gopabandhu Academy of Administration	Training Centre	11.144
5.	ODISI Research Centre	ODISI Research Centre	5.034
6.	Women's Polytechnic	Government Polytechnic	15.000
7.	Employees Insurance Corporation (ESI)	Hospital	4.854
8.	Life Insurance Corporation	Housing Scheme	10.000
9.	Education Deptt. for establishment of English Language Teaching Institute.	Language Teaching Institute	2.000
10.	NACLO	Office building	5.463
11.	Government of Odisha Telecommunication Department	Establishment of Telephone Exchange	1.706
12.	Orissa Remote Sensing Application Centre (ORSAC)	Office	5.000
13.	Deptt. of Tele Communication for Construction of Administration Building.	Administrative e-Building	0.818
14.	Forest Deptt.	Institutional	1.021

2. Private Organizations:

Sl. No.	Name of the Allottee	Purpose	Area (in Acre)
1.	East India Hotel (Hotel Oberoi)	Hotel	12.000
2.	Jamsed pur, NISWAS	Jamsed pur, NIWAS	3.000
3.	Ferro Alloys Corporation Ltd.	Institution	1.000
4.	Sudarshan Art & Craft	Craft Centre	2.008

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5.	Kalinga Hospital Pvt. Ltd.	Hospital	10.000
6.	Hotel Pranam now Hotel Suryans	Hotel	0.413
7.	Stock Exchange Assn Ltd.	Stock Exchange	1.000
8.	Hotel Swosti Plaza	Hotel	0.773
9.	Sandy Resorts Pvt. Ltd.	Hotel	2.404
10.	Satyam Computer Used as Software Industries (Now Tech Mahendra)	Satyam Computer	6.734
11.	Aditya Aluminium Project (Hindolo Industries Ltd.)	Institution	3.000
12.	Loyola Education Society	School	12.000
13.	Hotel Mayfair & Resorts Pvt. Ltd.	Hotel	10.237
14.	Santa Memorial Rehabilitation Centre	Spinal Cord Physiotherapy Centre	1.992
15.	Jagannath Projects Pvt. Ltd.	Hotel	0.612
16.	Small Industrial Development Bank (SIDBI)	Office Building	0.500
17.	Vocational Rehabilitation Centre for Physical Orthopaedic Training Institute	Vocational Rehabilitation Centre for Physical Orthopaedic Training Institute	1.000
18.	Medirad Tech India Ltd. (Hemalata Cancer Hospital)	Used as Cancer Hospital	1.397

As per the information available in this office Fortune Towers, Satyam Computer (Mahindra Tech) and Hotels Mayfair & Resorts Pvt. Ltd. have submitted forest diversion proposal under Section 2 (ii) of FC Act, 1980.

The Hon'ble NGT, Eastern Zone, Kolkata in its order dated 26.04.2022 in OA No.29/2019/EZ directed that "State Govt. to expedite the process of obtaining forest clearance under F (C) Act, 1980 following due process of land. The said exercise shall be completed for all the Government/Private Institutions within a period of four months from the date of this judgement".

The proposals submitted to this office were sent to Ministry as per the direction given vide Ministry letter No.FC-7/43/2020-FC dated 22.03.2022 & No.FC-11/113/2022-FC dated 08.09.2022. Ministry has returned the proposals with a direction that issue related to violation needs to be examined holistically in context of 42 cases mentioned by the NGT in its order dated 26.04.2022.

So, there is a need to deal the all these proposals holistically. It is therefore, requested to submit a composite proposal for above cases mentioned by the NGT, Eastern Zone, Kolkata so that appropriate and holistic decision can be taken in the matter.

Yours faithfully,

Padma Mahanti

(Padma Mahanti)

Dy. Inspector General of Forests (C)

Copy to:

1. The PCCF & HoFF, Forest Department, Govt. of Odisha, Aranya Bhawa, Chandrasekharpur, Bhubaneswar-751023 for kind information and necessary action.
2. The PCCF & Nodal Officer (FCA), Forest Department, Govt. of Odisha, Aranya Bhawan, Chandrasekharpur, Bhubaneswar-751023 for kind information and necessary action.

Dy. Inspector General of Forsts (C)

[Signature]
Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.

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[Handwritten initials]



Government of Odisha
General Administration & Public Grievance Department

No 29120 /CA, Bhubaneswar, Date 17/10/2022
GAD-CA4-CASE1-0054-2022

From

Shri Sushanta Kumar Mohanty
Director of Estates & Ex-Officio
Addl. Secretary to Government

To

Mr. Biswajit Chhotray,
M/s: Consultancy for Engineering & environment Planning,
Plot No.266/6427, Milan Paradise, Sailashree Vihar, Bhubaneswar-751021


Sub: Work Order for all related activities leading to Forest Clearance in favour of GA & PG Department and to facilitate filing of Forest Diversion proposals including approval from Govt of India as per MoEF& CC Guideline with respect to FC Act 1980.

Dear Sir,

In inviting a reference to the subject cited with reference to the above cited subject, we are pleased to issue work order for all related activities leading to Forest Clearance in favour of GA & PG Department and to facilitate filing of Forest Diversion proposals including approval from Govt of India as per MoEF& CC Guideline with respect to FC Act 1980.

Sl No	Description of Work	< 1 Ha.	≥ 1 Ha. to < 5 Ha.	≥ 5 Ha. to < 20 Ha.	≥ 20 Ha. to < 40 Ha.
1	Preparation of Land Schedule and Authentication from concerned offices.	20,000	20,000	20,000	20,000
2	DGPS Survey of Forest Area and	1,50,000	2,00,000	2,50,000	3,00,000

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	approval from ORAC				
3	Identification and allocation of CA land from concerned Deptt.	0	1,50,000	2,00,000	2,50,000
4	DGPS Survey of CA area and approval from ORSAC.	0	2,00,000	2,50,000	3,00,000
5	Preparation of Forest Diversion proposal in all respect and online uploading till CCF(N)	3,00,000	5,00,000	6,00,000	12,00,000
6	Stage-I Clearance	1,00,000	1,00,000	1,00,000	1,00,000
7	Stage-II Clearance	1,00,000	1,00,000	1,00,000	1,00,000
	Total Amount	6,70,000	12,70,000	15,20,000	22,70,000

Scope of Work:

- Geo-reference of the Project areas & finding out the exact forest area proposed for Diversion.
- DGPS Survey of Project area as per ORSAC Guideline 2021.
- Approval of DGPS Map at ORSAC.
- Assistance for Demarcation of Pillars at the project Boundary. (Pillars will be provided by User Agency).
- Demarcation, Survey and preparation of DGPS Map of Compensatory Afforestation Land.
- Coordination with DFO for preparation of site specific Compensatory Afforestation scheme and its recommendation by RCCF to PCCF for approval.
- Obtaining FRA clearance from the competent Authority.
- Preparation of Forest Diversion Proposal, as per instructions of MoFE & CC from time to time.
- Online uploading of the Proposal.
- Conducting Site Inspection by DFO for onward processing of the Proposal.
- Follow up at different Level i.e. DFO, Collector, RCCF, PCCF, ACS F&E Dept. GoO, DIGF, F,E & CC Deptt. GoI to expedite the Process and early approval of the Proposal (Both Stage I and Stage II).


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GA & PG Deptt.


Terms & Conditions:

- Work will be completed within 12 months (1 Year) from the date of receipt of Work Order.
- First installment of Payment for step 1, 2 & 3 will be made after completion of step 3.
- Second installment of Payment for step 4 & 5 will be made after completion of step 5.
- Third installment of Payment for step 6 will be made after completion of step 6.
- Fourth & final installment of Payment for step 7 will be made after completion of step 7.
- All the statutory fees will be paid by User Agency.
- All Payments will be made on production of Voucher.
- GST Will be paid extra as applicable.
- You are request the sign the agreement Papers towards executing the Consultancy work within 7 days.

Yours faithfully,


17/1/2011
Director of Estates & Ex-Officio
Addl. Secretary to Government

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Deputy Director of Estate
cum-Joint Secy. to Govt.
GA & PG Deptt.