

**GOVERNMENT OF ODISHA
FOREST AND ENVIRONMENT DEPARTMENT**

No.22572400122017 / No. 10F(Con) 41/2017 (Pt) *8931* /F&E., dt. *18-08-18*

ORDER

Government of India, MoEF&CC vide their guidelines bearing F.No. 11-9/98-FC dt. 13.5.2011/16.6.2011/10.12.2012/15.2.2013/17.5.2013/5.3.2014 had earlier accorded general approval under Section 2 of Forest Conservation Act, 1980 for diversion of forest land up to 5 ha. not located within any Protected Areas involving felling of trees not exceeding 50 trees per hectare for creation of critical public utility infrastructure of 14 categories by Government Departments in identified LWE affected districts as specified in their guidelines dt. 13.5.2011 and 5.3.2014 referred to above. MoEF&CC, Gol in their guidelines bearing F.No. 11-9/98-FC dt. 1.2.2013 had also extended the above general approval to all categories of public roads and quarrying of materials used in construction of public roads. Further this general approval order was also extended to projects involving diversion of forest land, not located within the Protected Areas for construction of two lane public roads by Government Departments in identified LWE affected districts irrespective of the area of forest land involved in such projects involving felling of less than 50 trees per ha. The relevant Forest Diversion proposals filed/processed under Forest Conservation Rules, 2003 with amendments thereto used to be placed before the State Government for approval. This special dispensation was valid up to 31.12.2018 as per prescriptions of Gol, MoEF&CC guidelines bearing F.No. 11-09/98-FC dt. 25.2.2016.

2) While the matter stood thus, the Government of India, MoEF&CC vide guideline bearing F.No. 11-09/1998-FC(LWE) dt. 15.2.2018 have prescribed that the validity of general approval granted for diversion of forest land under Section 2 of Forest Conservation Act, 1980 for the critical public utility infrastructure projects in identified LWE districts by Government Departments has been further **extended up to 31.12.2020. Further, the MoEF&CC vide their guidelines dt. 15.2.2018 have also extended the general approval so granted to 14 categories of projects as specified in their guidelines dt. 13.5.2011 and 5.3.2014 referred to above, involving diversion of forest land more than 5ha.(up to 40 ha.) and involving**

felling of more than 50 trees per ha. However, proposals involving diversion of more than 5ha.(up to 40ha.) of forest land and/or involving felling of more than 50 trees per ha. for these 14 categories of projects are to be placed before a Committee to be constituted by the State Government as per provisions of para 3(2) of the said guidelines.

3) Now, as per provision of para 3(2) of the guidelines dt. 15.2.2018, the State Government have been pleased to constitute a Committee, as per following composition, to examine and approve the proposals involving diversion of forest land of more than 5ha.(up to 40ha.) of forest land located outside the Protected Areas and/or involving felling of more than 50 trees per ha. for these 14 categories of projects in LWE affected districts of Odisha. The proposals involving diversion of forest land of less than 5 ha. but involving felling of more than 50 trees per ha. for such infrastructure projects are also to be placed before the said Committee for consideration and approval.

(a) Addl. Chief Secretary/Principal Secretary, F&E Department :- Chairperson

(b) Principal Chief Conservator of Forests, Odisha :- Member

(c) Addl. Pr. CCF(Central), Eastern Regional Office
MoEF&CC, Government of India, Bhubaneswar :- Member

(d) Sri P.R. Mohanty, Ex-Director General of Forests, Gol &
Expert Member of Regional Empowered Committee :- Expert Member

(e) Addl. PCCF(Forest Diversion) & Nodal Officer, FC Act/
C.C.F(Forest Diversion) & Nodal Officer, FC Act :- Member Convener

4) Forest Diversion proposals pertaining to the prescribed 14 categories of critical public utility infrastructure projects of Government Department in identified LWE affected districts as mentioned at Para 3 above, shall be placed before the Committee by the Member Convener in their meeting to be convened with prior approval of Chairperson of the Committee. The meeting of the Committee shall be convened at least once in a month having at least one such proposal to be placed for consideration. After consideration/approval of Committee, details of the proposal(s) including authenticated land schedule of diverted revenue/DLC/Sabik kism forest land (A3/A4 size map showing patches of RF/PRF/DPF and location of boundary pillars under jurisdiction of Forest Department so diverted duly authenticated by concerned Divisional Forest Officer) along with minutes of the meeting thereof may be furnished by the Member Convener to F&E department to place the matter before Government for obtaining approval under Forest

Conservation Act, 1980. After obtaining State Government's order, reasoned order under Section 2 of Forest Conservation Act, 1980 shall be issued for these forest diversion by the State Forest Department.

5) However, as per the instant guidelines, proposals involving (i) diversion of forest land up to 5ha. Involving felling of less than 50 trees per ha. for the above mentioned 14 categories of infrastructure projects (ii) diversion of any extent of forest land for 2-lane public road involving felling of less than 50 trees per ha. and (iii) diversion of up to 5ha. of forest land for all categories of public road involving felling of less than 50 trees per ha. and quarrying of materials for use in construction of public roads involving felling of 50 trees per ha. in LWE districts need not be placed before the Committee and such proposals are to be processed/disposed on merit under orders of State Government, as is being done at present.

6) The Expert Member so nominated to the Committee shall have Rs. 3000/- per sitting along with transport facility to be provided by the PCCF, Odisha.

7) The Addl. PCCF(Forest Diversion) & Nodal Officer, FC Act/ C.C.F(Forest Diversion) & Nodal Officer, FC Act, as the case may, shall furnish the report on such diversion forest land undertaken to the Eastern Regional Office of Ministry every month. Besides, he/she may also furnish the information in prescribed proforma as at para 3(4) of the guidelines dt. 15.2.2018 to the Eastern Regional Office for all cases of diversion of forest land taken place under general approval order up to December,2017 and in future on monthly basis.

By order of Governor

(Debidutta Biswal)

Special Secretary to Government

Memo No. 8932 /F&E, Dated: 18-04-18

Copy forwarded to the Asst. Inspector General of Forests, Government of India, MoEF&CC(FC Division), Indira Paryavaran Bhawan, Jor Bagh, Aliganj Road, New Delhi, Pin-110003/Addl. Principal Chief Conservator of Forests(Central), MoEF&CC, Government of India, A/3, Chandrasekharpur, Bhubaneswar for information and necessary action.

Special Secretary to Government

Memo No. 8933 /F&E dt. 18-04-18

Copy forwarded to Addl. Secretary to Government, School & Mass Education Department/Addl. Secretary to Government, Energy Department/Addl. Secretary to Government, Science & Technology Department/Addl. Secretary to Government, E&IT Department/Addl. Sec-

retary to Government, P&C Department/Addl. Secretary to Government, ST&SC Development Department/Addl. Secretary to Government, PR &DW Department/Addl. Secretary to Government, H&UD Department/Addl. Secretary to Government, Water Resources Department/Addl. Secretary to Government, Home Department /Addl. Secretary to Government, Skill Development & Technical Education Department/Addl. Secretary to Government, Rural Development Department/Addl. Secretary to Government, Health & Family Welfare Department for information and necessary action.

Special Secretary to Government

Memo No. 8934 Dated- 18-04-18
Copy forwarded to the Private Secretary to Minister, Forest & Environment for kind information of Hon'ble Minister, F&E

Memo No. 8935 Dated- 18-04-18
Copy forwarded to the PCCF, Odisha/PCCF(WL)&CWLW, Odisha for information and necessary action.

Memo No. 8936 Dated- 18-04-18
Copy forwarded to the Addl. PCCF(Forest Diversion) & Nodal Officer, FC Act, O/O PCCF, Odisha for information and necessary action.

Memo No. 8937 Dated- 18-04-18
Copy forwarded to Shri P.R. Mohanty, IFS(Retd.), Ex- Director General of Forests & Special Secretary, MoEF&CC, Government of India, House No. 2, HIG-1, B.D.A. Colony, Kapila Prasad, Old Town, Bhubaneswar, Pin 751002, Odisha for kind information and necessary action.

Memo No. 8938 Dated- 18-04-18
Copy forwarded to the Private Secretary to Chief Secretary, Odisha for kind information of Chief Secretary.

Memo No. 8939 Dated- 18-04-18
Copy forwarded to the Private Secretary to Addl. Chief Secretary, F&E Department for kind information of Addl. Chief Secretary.

Memo No. 8940 Dated- 18-04-18
Copy forwarded to all Collectors/all RCCFs/all Divisional Forest Officers(T&WL) for information and necessary action.

Special Secretary to Government

Memo No.

8941

Dated-

18.04.18

Copy forwarded to the O.I.C., State Portal, N.I.C., I.T. Department, Odisha Secretariat, Bhubaneswar/ M/s Luminous Infoways Pvt. Ltd, Sadhana, N-6/373, Nayapalli, Jayadev Vihar, Bhubaneswar-15 with a request to upload the order in the website of Forest & Environment Department for information of all.

Memo No.

8942

Dated-

18.04.18

Special Secretary to Government.

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

Special Secretary to Government