



No.5-JHC214/2012-BHU

8th October, 2013

To

The Principal Secretary,
Forest & Environment Deptt.,
Govt. of Jharkhand, Ranchi.

Sub:-

Diversion of 10.225 ha of forest land for laying of Sambalpur-Khunti Petroleum product pipe line by Indian Oil Corporation Ltd.

Sir,

I am directed to refer State Govt. letter No. 3/Van Bhumi-29/2011-1808/Va.Pa. dated 30.04.2012, wherein prior approval of the Central Government for 10.225 ha of forest land for laying of Sambalpur-Khunti Petroleum product pipe line by Indian Oil Corporation Ltd. was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Central Government, the in-principle approval for diversion of the said forest land was accorded by this office vide letter of even number dated 04.09.2012 subject to fulfillment of the certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government of Jharkhand vide their letter No. 3/Van.Bhumi-29/2011-3661/Va.Pa. dated 07.09.2013, approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 10.225 ha of forest land for laying of Sambalpur-Khunti Petroleum product pipe line by Indian Oil Corporation Ltd., subject to the fulfillment of the following conditions:-

1. Legal status of forest land diverted shall remain unchanged.
2. The State Govt. shall realize from the user agency additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
3. Compensatory Afforestation shall be raised and maintained for 10 years over 21.00 ha of degraded forest land identified in Plot No.415 and 4574 & 4790 of village Rimju, Thana No.40 and village Kontangia, Thana No.50 of Khunti and Simdega Forest Division respectively at the cost of user agency. The cost of subsequent maintenance as and when required and demanded by the Forest Department shall also be borne by the user agency.
4. The boundary of diverted forest land shall be continued to be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars each inscribed with its serial number, DGPS coordinates, forward and back bearing, and distance from pillar to pillar. The distance between any two pillars shall be kept at 50 mtr and each pillar should be clearly visible from pillars on both sides.
5. DFO will prepare a list of trees which are necessarily required to be felled in the forest land. The user agency will furnish the list of actual number of trees to be felled in the project before transfer of forest land to the user agency.

6. Felling of trees on the diverted forest land shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department.
7. Wherever possible and technically feasible, the user agency shall undertake afforestation measures along the pipeline within the area diverted under this proposal, in consultation with the State Forest Department at project cost.
8. In the portion the pipeline passing through elephant corridor/habitat the pipeline shall be laid at at-least 2 meter depth below the ground level and the user agency shall take appropriate measures to ensure that the landscape of the RoW in such stretches, to the extent possible, merge with the surrounding landscape.
9. The site specific wildlife conservation plan prepared for protection and conservation of wildlife in and around the project area and approved by the CWLW, Jharkhand shall be implemented at project cost.
10. The user agency shall ensure that no damage to flora and fauna found in the adjoining area will be caused during the execution of the project and also after the project becomes operational. Any damage done in this respect shall be assessed by the concerned DFO and will be compensated at the project cost.
11. The user agency shall prepare a plan in consultation with State Forest Department for plantation of indigenous tree species suitable to the area, in all available open spaces.
12. The user agency shall prepare a fire protection scheme in consultation with the Forest Department to protect the wildlife and forest during execution/operation of oil pipe line at the project cost.
13. Physical impact of the project shall be monitored regularly and any adverse impact on the area shall be reported immediately with immediate stoppage of any activity related to the project.
14. The User Agency should ensure that no oil or any hazardous substance is released at the work site and/or around it.
15. No earth or any construction material shall be borrowed from outside nor any debris resulting during construction shall be disposed off in the adjoining forest area.
16. No additional or new path will be constructed inside the adjoining forest area for transportation of construction materials for execution of the project work.
17. No labour camps shall be established on the forest land.
18. The user agency shall provide alternate fuel to labourers working at the site to avoid damage/tree felling.
19. The user agency shall ensure that there shall be no damage to the available forests, wildlife, if any by the user agency or by the Labourers/Contractors engaged by them.
20. The forest land shall not be used for any purpose other than that specified in the proposal.
21. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
22. The forest land diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
23. The approval under the Forest (Conservation) Act, 1980 is subject to the clearance under all other Acts, Rules/Regulation as may be applicable to such project.

24. The user agency will obtain the clearance under the provision of ST&OTFD (Recognition of Forest Rights) Act, 2006 before implementation of the project and will submit certificate towards settlement of all claims and rights over the proposed forest land as per the Guidelines of Ministry communicated vide letter No.11-9/1998-FC (Pt) dated 30.07.2009, 03.08.2009 read with guidelines dated 05.02.2013 and 05.07.2013.
25. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the Regional Office, regularly.
26. Any other conditions that the Central Government or Addl. PCCF(Central) of Eastern Regional Office, Bhubaneswar 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.
27. The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
28. In case of non-compliance of any of the above conditions, the concerned Divisional Forest officer shall report through the State Govt. to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest(Conservation) Act, 1980 on 25.10.1992. **Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.**

The State Government shall ensure compliance of all the above conditions.

Yours faithfully,

(S. Mohapatra)

Conservator of Forests (Central)

Copy to:-

1. The Inspector General of Forests(FC), Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
3. The PCCF & Nodal Officer, Forest Department, Govt. of Jharkhand, Doranda, Ranchi.
4. The Divisional Forest Officer, Khunti/Ghumla/Simdega Forest Division, Khunti/Ghumla/Simdega, Jharkhand.
5. The Chief Construction Manager, Paradip Raipur Ranchi Pipeline Project, Indian Oil Corporation Ltd., Ranchi -834001.
- ✓ 6. Guard File.


Conservator of Forests (Central)