



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23020 of 2024

*Chandan Mohanty*

..... *Petitioner(s)*

*Mr. Ananta Narayan Pattanayak, Adv.*

*-Versus-*

*State of Odisha & Ors.*

..... *Opposite Parties*

*Mr. Ashok Parija, Sr. Adv*

*Along with associate*

*for O.P.10*

*Mr. G.R. Mohapatra, ASC*

**CORAM:**

**DR. JUSTICE S.K. PANIGRAHI**

**ORDER**

**23.09.2024**

**Order No.**

01. 1. This matter is taken up through a hybrid arrangement.
2. Heard learned counsel for the parties.
3. Pursuant to order dated 17.09.2024, the Divisional Forest Officer, Rajnagar, Kendrapara is personally present in Court today.
4. Learned counsel for the Petitioner submits that there is issue of clearance of forest for the purposed project under the Erasama, Tahasil. Due to such clearance of forest, about six villages of the said area have been affected badly. The Petitioner belongs to Dthinkia G.P. which has also been affected because of such clearance of forest in an around the village.



5. Learned Senior Counsel Mr. A.K. Parija appearing for the Opposite Party No.10 submits that the Petitioner has already received the compensation for land acquisition from the Opposite Party No.10. He further submits that the Opposite Party No.10 has been granted diversion of 1083.69 hector for forest clearance by the Ministry of Environment Forest, Government of India. Therefore, no illegality has been committed by the project proponent. Since it is a green field project, it requires some forest clearance for setting up of the project and other activities in the said area. But, the project proponent will leave no stone unturned in creating the forest in the vacant space inside the project area. The Opposite Party No.10 shall take steps to plant trees in and around the affected villages. They will also utilize their CSR fund for plantation of the trees so that the people who are losing their forest will be benefitted.

6. The Divisional Forest Officer, Rajnagar, Kendrapara who is present today in the Court is directed to furnish the information with regard to total number of plants approximately to be felled for the purpose of the said project and what steps they have taken for creating compensatory forest in place of the trees cleared. He will also inform to this Court about the steps they have taken during the ongoing monsoon season in so far as the afforestation is concerned. Let the DFO apprise this Court about the tidal forest



being created in that area and how many plants of tidal forest species have been planted.

7. It is also observed that the process of compensatory forestation is very slow in the State and especially in the industrial area such compensatory forest creation is tardy. Hence, the Secretary, Forest and Environment, Government of Odisha shall be present in Court through Virtually Mode on the next date of hearing to apprise this Court about the status of compensatory forest being created in the State especially in the aftermath of the industrialization at different parts of the State.

8. List this matter on 8<sup>th</sup> October, 2024.

9. Personal appearance of the Divisional Forest Officer, Rajnagar, Kendrapara is dispensed with.

*( Dr. S.K. Panigrahi )*  
*Judge*