

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No.RDM-LRGE-CLRFIC-0011-2025- **26810** /R&DM, Dated **24 JUN 2026**

From

Dr. Arabinda Kumar Padhee, IAS,
Additional Chief Secretary to Government

To

Secretary, Board of Revenue, Odisha, Kataka

All RDCs

All Collectors

Sub: Guidelines for recording of Diverted Forest Land in Revenue Records in respect of which Stage-II approval has been accorded under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by the Ministry of Environment, Forest & Climate Change for non-forest use

Madam/Sir,

In inviting a reference to the subject cited above, I am to say that the Collector, Sambalpur has sought clarification on the following points pertaining to forest land for which Stage-II approval has been accorded under Section-2 of the Forest (Conservation) Act, 1980 by the Ministry of Environment, Forest & Climate Change, Government of India for non-forest use by M/s Aditya Aluminium for establishment of an Aluminium Smelter Plant with Captive Power Plant and Ash Pond, subject to fulfillment of certain conditions;

- i. Whether the diverted forest land shall be settled either in favour of the IDCO, Bhubaneswar, for subsequent sub-lease in favour of Aditya Aluminium by IDCO (As IDCO has filed requisition for sanction of lease of the land) or the land has to be settled in favour of the User Agency i.e. M/s Aditya Aluminium, directly, and the procedure to be followed thereof.
- ii. Whether the classification of land could be changed prior to leasing out the land in favour of IDCO, Bhubaneswar/ M/s Aditya Aluminium, in view of clause 2(1) of the order of the Ministry of Environment and Forest (F.C. Division), Government of India.
- iii. Whether illegal possession note (Be. Da note)/ Note of "Reserved for Odisha Jawan") etc. mentioned in the Remarks column of plots (diverted forest land) could be deleted prior to leasing out of the land in view of clause 2 (i) of the order of Ministry of Environment and Forest (F.C. Division), Government of India.

iv. Whether the land shall be recorded in favour of IDCO, Bhubaneswar/ User Agency, after sanction of lease and the procedure to be followed for recording the diverted forest land.

v. Whether the land value i.e. premium or any other Govt. dues are to be levied upon the IDCO, Bhubaneswar/ the User Agency, i.e. M/s Aditya Aluminium, for the diverted forest land or not.

2. It may be noted that the final approval order has been issued under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by the Ministry of Environment, Forest & Climate Change, Government of India for diversion of forest land for non-forest use, subject to fulfillment of several conditions. The conditions mentioned in the order, which are relevant for demarcating and recording of the diverted forest land, are as follows;

i. The legal status of the diverted forest land shall remain unchanged.

ii. The User Agency shall demarcate on ground the forest area proposed to be diverted by erecting, at project cost, four feet high reinforced cement concrete pillars with serial numbers, forward and back bearings and distance from pillar to pillar.

iii. The forest land shall not be used for any purpose other than that specified in the proposal.

3. Thus, the permission accorded by the Ministry of Environment, Forest & Climate Change is only a permission to use the forest land for the specified non-forest purpose, subject to the condition that the legal status of the diverted forest land shall remain unchanged. Accordingly, the forest kism of the land and its ownership status as Government land shall continue to remain the same. Further, forest land is not leaseable under the provisions of the Odisha Government Land Settlement Act, 1962 and the Rules made thereunder and therefore the said land cannot be settled on lease basis in favour of any entity. Besides, the diverted forest land shall not be used for any purpose other than that specified in the proposal, namely, establishment of an Aluminium Smelter Plant with Captive Power Plant and Ash Pond by M/s Aditya Aluminium in the instant case.

4. In view of the above facts and legal position, the queries raised by the Collector, Sambalpur are as clarified given below,-

Sl. No.	Query	Clarification
i	Whether the diverted forest land shall be settled either in favour of the IDCO, Bhubaneswar for subsequent sub-lease in favour of Aditya Aluminium	As explained in Para-3 above, the diverted forest land shall not be settled or leased out either in favour of IDCO for subsequent sub-lease or in favour of the user agency. The approval accorded by the Ministry of

	<p>by IDCO (As IDCO has filed requisition for sanction of lease of the land) or the land has to be settled in favour of the User Agency i.e. Aditya Aluminium, directly, and the procedure to be followed thereof.</p>	<p>Environment, Forest & Climate Change permits only user rights over the diverted forest land in favour of the user agency, i.e. M/s Aditya Aluminium for the approved non-forest purpose. IDCO has no role in settlement or leasing of the said forest land in the instant case and, therefore, its requisition for lease cannot be entertained.</p> <p>However, the user right over the diverted forest land for non-forest purpose may be appropriately recognized in the revenue records.</p>
ii	<p>Whether the classification of land could be changed prior to leasing out the land in favour of IDCO, Bhubaneswar/ Aditya Aluminium in view of the clause 2(1) of the order of Ministry of Environment and Forest (F.C. Division) Government of India.</p>	<p>The question does not arise.</p> <p>As per Clause 2 (i) of the order of the Ministry of Environment & Forests (F.C. Division), Government of India, the legal status of the diverted forest land shall remain unchanged. Accordingly, the classification (kizam) of the land cannot be changed either before or after its use for the approved non-forest purpose.</p>
iii	<p>Whether illegal possession note (Be. Da note)/ Note of "Reserved for Odisha Jawan" etc. mentioned in the Remarks column of plots (diverted forest land) could be deleted prior to leasing of the land in view of clause 2(i) of the order Ministry of Environment and Forest (F.C. Division) Government of India.</p>	<p>Illegal possession notes on forest land are ordinarily not expected. Further, forest land cannot be reserved for Jawans. If illegal possession notes are still there and the land or any portion thereof are occupied by forest dwellers, these could have been settled, where admissible, under the provisions of the Forest Rights Act, 2006 in favour of eligible forest dwellers prior to grant of Stage-II approval.</p> <p>Since Stage-II approval presupposes completion of all statutory compliances, entries such as illegal possession notes or notes like "Reserved for Odisha Jawan" do not represent the actual and lawful position on the ground.</p>

		Accordingly, such entries in the Remarks column should be deleted.
iv	Whether the land shall be recorded in favour of IDCO, Bhubaneswar/ User Agency, after sanction of lease and the procedure to be followed for recording the diverted forest land.	<p>The land shall not be recorded in favour of IDCO, Bhubaneswar or the user agency, as no lease is to be sanctioned in respect of the diverted forest land.</p> <p>However, the user right permitted by the Ministry of Environment, Forest & Climate Change under Section 2 of the Forest (Conservation) Act, 1980 may be recorded in the Remarks column of the concerned plots in the Record of Rights, as a token of recognition of such user right for the approved non-forest purpose.</p>
v	Whether the land value i.e. premium or any other Govt. dues are to be levied upon the IDCO, Bhubaneswar/ the User Agency i.e. Aditya Aluminium for the diverted forest land or not.	The principle laid down in this Department G.O. No.10894 dated.31.03.2017 (Copy enclosed) may be followed.

5. Procedure for recording of diverted forest land in revenue records:

Forest land is diverted under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by the Ministry of Environment, Forest & Climate Change, Government of India, for specified non-forest use in favour of the User Agency, subject to the condition that the legal status of the diverted forest land shall remain unchanged; that is, the kissam/classification of the forest land remains unchanged.

Accordingly, after careful consideration of the legal provisions relating to diversion of forest land for non-forest use, the Government have been pleased to issue the following guidelines for handing over and recording of diverted forest land in revenue records:

- i. After Stage-II (Final) Approval, the Forest, Environment & Climate Change Department of the State Government issues a "Reasoned Order" authorising the District Collector/ Divisional Forest Officer, as the case may be, to hand over possession of the revenue forest land/notified forest land for the approved non-forest use, subject to fulfilment of the stipulations mandated by the Ministry of Environment, Forest & Climate Change, Government of India,

and the Forest, Environment & Climate Change Department of the State Government, after which such diverted forest land is handed over to the User Agency. *(The details of the diverted land, as reflected in the Stage-II order of MoEF&CC, Government of India, and the Reasoned Order of Government of Odisha, shall be recorded in the remarks column of the revenue records instead of mutating the land in favour of the User Agency).*

- ii. On receipt of the Reasoned Order from the Forest, Environment & Climate Change Department of the State Government along with the copy of the Stage-II approval granted by the GoI, MoEF&CC, the Tahasildar shall initiate a Revenue (Mutation) Misc. case to incorporate the details thereof in the Remarks column.
- iii. The Tahasildar shall conduct a joint field enquiry along with the representative of DFO, User Agency and the concerned Amin & R.I of the area to ascertain and demarcate the boundary of the diverted forest land and prepare the map of the diverted area.
- iv. The Tahasildar shall hand over the possession of the diverted forest land to the User Agency strictly as per the demarcated boundary, on proper acknowledgement with instructions to comply with to the condition laid down in the orders issued by the MoEF&CC, Government of India from time to time, which stipulates that *"the User Agency shall demarcate on ground the forest area proposed to be diverted by erecting, four feet high reinforced concrete pillars serial numbers, forward and back bearings and distance from pillar to pillar at project cost"*.
- v. The joint enquiry report shall form a part of the case record and Tahasildar shall pass appropriate order for recording of the user right in revenue records.
- vi. If **any illegal possession note** exists in the remark columns of any of the plots for which forest diversion has been allowed, then such note of possession shall be deleted.
- vii. In the remarks column **against the full plots** in respect of which forest diversion has been allowed, it shall be mentioned that "As per the Order No. _____ dated _____ of GoI, MoEF&CC granting Stage- II approval and the Reasoned Order No. _____ dated _____ of Forest, Environment & Climate Change Department, Government of Odisha, this Plot has been handed over to _____ for use for the specified non- forest purpose i.e. for establishment of _____. (MoEF&CC ଚାକର ତା _____ ର ପତ୍ର ସଂଖ୍ୟା _____ ରେ ପ୍ରଦାନ କରିଥିବା Stage-II ଅନୁମୋଦନ ତଥା ଓଡ଼ିଶା ସରକାରଙ୍କ ଜଙ୍ଗଲ, ପରିବେଶ ଓ ଜଳବାୟୁ ପରିବର୍ତ୍ତନ ବିଭାଗଙ୍କ ତା _____ ର ଆଦେଶ ସଂଖ୍ୟା _____ ଅନୁଯାୟୀ ଏହି ଜମିକୁ ଅଣ ଜଙ୍ଗଲ ଉଦ୍ଦେଶ୍ୟରେ ବ୍ୟବହାର ନିମନ୍ତେ ଅର୍ଥାତ ଏକ _____ ସ୍ଥାପନ ନିମନ୍ତେ _____ କୁ ହସ୍ତାନ୍ତର କରାଯାଇଛି ।".

viii. If it is seen that a **part of the plot has been diverted**, a bata plot will be created in respect of the diverted forest land and recorded in the same khata without changing the Kisam of land. The bata plot shall be numbered as a sub-plot of the original plot. For example, if the original forest kisam plot No. is 2250 with area of Ac.100.00 and diverted forest land is Ac.20.00, then the Bata plot numbers will be 2250/1 for Ac.20.00.

ix. After creation of the bata plot, the area of the original plot will be accordingly reduced. For example, after creation of bata plot in respect of the above example, the area in respect of plot No.2250 will be Ac.80.00. However, the bata plot so created will be recorded in the same Government khata and in the remarks column of the bata plot No., it will be mentioned that "As per the Order No. _____ dated _____ of GoI, MoEF&CC granting Stage- II approval and the Reasoned Order No. _____ dated _____ of Forest, Environment & Climate Change Department, Government of Odisha, this Plot has been handed over to _____ for use for the specified non-forest purpose i.e. for establishment of _____. (MoEF&CC ଡାକର ତା _____ ର ପତ୍ର ସଂଖ୍ୟା _____ ରେ ପ୍ରଦାନ କରିଥିବା Stage-II ଅନୁମୋଦନ ତଥା ଓଡ଼ିଶା ସରକାରଙ୍କ ଜଙ୍ଗଲ, ପରିବେଶ ଓ ଜଳବାୟୁ ପରିବର୍ତ୍ତନ ବିଭାଗଙ୍କ ତା _____ ର ଆଦେଶ ସଂଖ୍ୟା _____ ଅନୁଯାୟୀ ଏହି ଜମିକୁ ଅଣ ଜଙ୍ଗଲ ଭିତ୍ତିରେ ବ୍ୟବହାର ନିମନ୍ତେ ଅର୍ଥାତ ଏକ _____ ସ୍ଥାପନ ନିମନ୍ତେ _____ କୁ ହସ୍ତାନ୍ତର କରାଯାଇଛି ।"

x. Nothing shall be recorded in the remarks column of the original forest plot, which has not been diverted.

xi. No separate khata shall be prepared in favour of the User Agency.

xii. The Tahasildar shall correct the RoR in Bhulekh and Bhunaksha portals accordingly. For the purpose, he shall initiate suo-motu mutation case in LRMS Portal.

6. This has the concurrence of Forest, Environment and Climate Change Department, Government of Odisha and is being issued with Government approval.

Yours faithfully,



Additional Chief Secretary to Government

24.06.2024

Memo No. 26811 /R&DM, Dated 24 JUN 2026

Copy forwarded to the Principal Secretary to Government, Forest, Environment and Climate Change Department for kind information with a request to intimate all DFOs accordingly.

Additional Secretary to Government

Memo No. 26812 /R&DM, Dated 24 JUN 2026 24/06/26

Copy forwarded to All Sub-Collectors/ All Tahasildars/ All Land Acquisition Officers/ All Special Land Acquisition Officers for information and necessary action.

Additional Secretary to Government

Memo No. 26813 /R&DM, Dated 24 JUN 2026 24/06/26

Copy forwarded to the Director, ROTI, Gothapatna, Bhubaneswar and all Branch Officers of Revenue & DM Department for kind information and reference.

Additional Secretary to Government

Memo No. 26814 /R&DM, Dated 24 JUN 2026 24/06/26

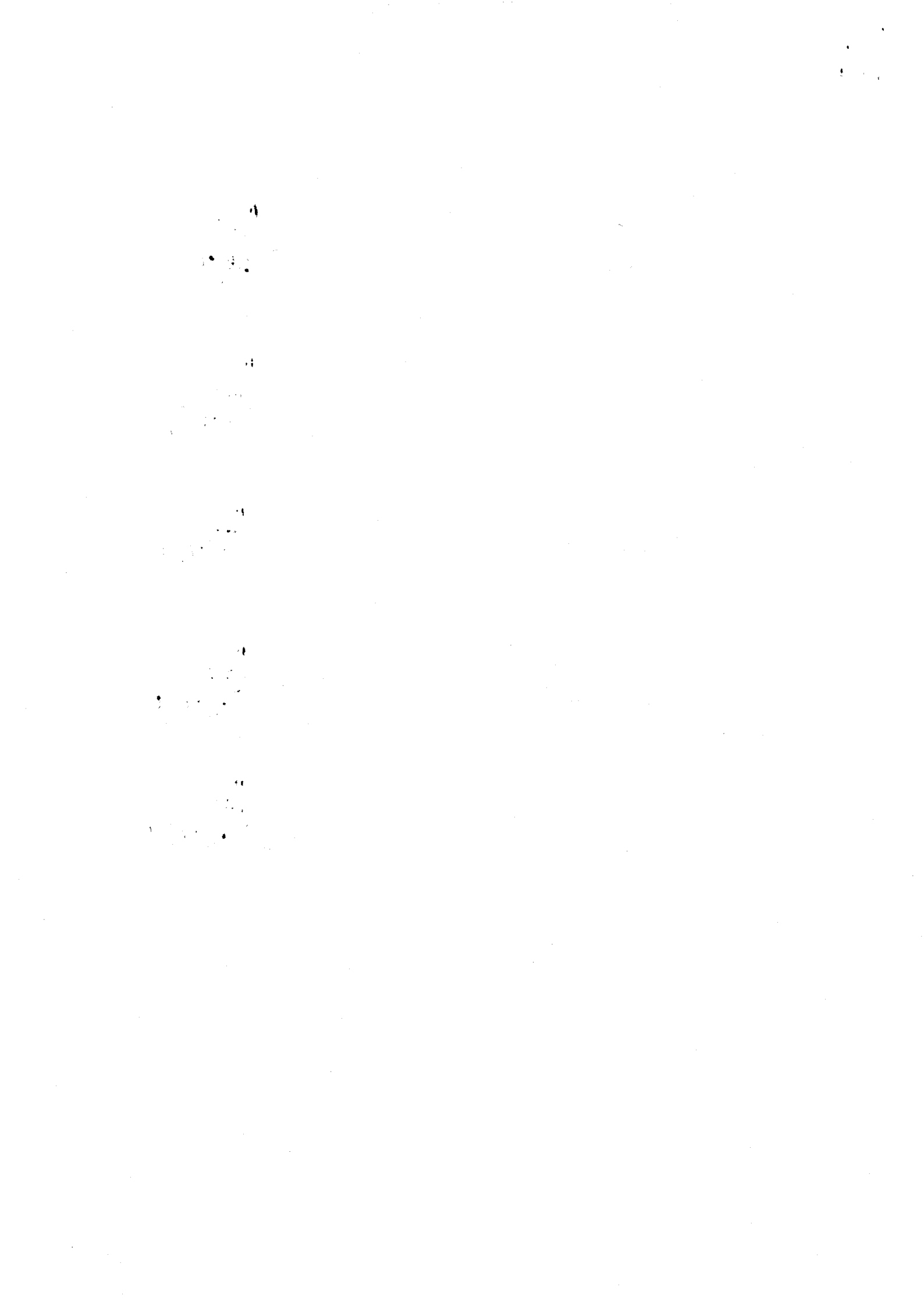
Copy forwarded to the Director (Technical), NIC, Bhubaneswar with a request to extend necessary technical support to the field officers in case of any issues arising in the software.

Additional Secretary to Government

Memo No. 26815 /R&DM, Dated 24 JUN 2026 24/06/26

Copy forwarded to OSD, e-Governance Branch with a request to upload the guidelines on the official website of the Revenue & DM Department.

Additional Secretary to Government



GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. GE (GL) -S- 10/2017- 10894 / R&D.M Dated 31-3-2017

From

Dr. Mona Sharma, IAS
Principal Secretary to Government

To

All Collectors

Sub- Clarification regarding realization of premium from the user agencies for use of forest land for mining, industrial and other purposes

Madam/ Sir,

I am directed to say that the erstwhile Revenue & Excise Department vide G.O No. 18758/R dated 07.04.1998 had communicated the decision of Government that the user agencies have to pay the premium for the forest land used for mining, industries or other purposes. The principle regarding determination of quantum of premium for different purposes was also laid down in the aforesaid G.O.

2. Subsequently, this Department vide G.O No. 34969/R&DM dated 31.08.2007, while reiterating the same position, further communicated the decision of Government that the premium shall be collected by the Collector of the concerned district irrespective of the category of the forest land, whether it is of revenue forest, reserved forest, protected forest etc. The said G.O also specified that in all such cases, the user agency need not pay any premium for the non-forest lands alienated in favour of Forest & Environment Department for compensatory afforestation.

3. However, the aforesaid two G.Os of this Department have been quashed by Hon'ble High Court of Orissa in separate judgments passed in different writ petitions and also by the Hon'ble Supreme Court in SLP filed by the State Government against the judgments of Hon'ble High Court in the meantime. Now, the State Government is contemplating to file a fresh Inter Locutory Application before the Hon'ble Apex Court praying for allowing the Government to collect the premium/ user charges of the forest land used by user agencies.

4. Under these circumstances, doubts are being raised in several quarters as to whether the user agencies are liable to pay the premium of the forest land being

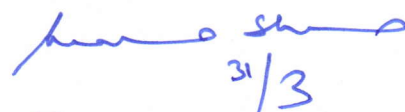
diverted for non-forest use or not. It has also come to the notice of Government that handing over the forest land to user agencies, for which final approval of Central Government have already been accorded, are getting delayed due to absence of clear-cut guidelines issued from Government.

5. Keeping the above position in view, the Government, after careful consideration, have been pleased to decide that the forest land in respect of which Central Government has accorded final approval for diversion under section 2 of the Forest (Conservation) Act, 1980 may be handed over to the user agency following due procedure of law subject to the condition that the user agency shall furnish an undertaking through an affidavit to the effect that the agency shall pay such amount to the State Government as would be decided in accordance with the final judgment of the Hon'ble Supreme Court in respect of the forest land diverted for non-forest use.

6. Government have further been pleased to decide that in respect of the non-forest government land being alienated in favour of State Forest & Environment Department for compensatory afforestation purpose, the project proponents/ user agencies other than Government projects shall have to pay the cost of such land as per the principles laid down in this Department G.O No. 22958/R&DM dated 04.08.2014 read with G.O No. 31312/R&DM dated 24.10.2014.

Appropriate action may be taken in the matter accordingly.

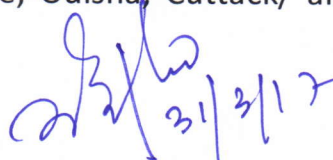
Yours faithfully,



Principal Secretary to Government

Memo No. *108915* / RDM Dated *31.3.2017*

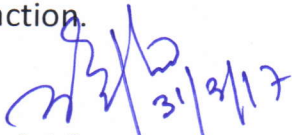
Copy forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ all RDCs for information and necessary action.



Joint Secretary to Government

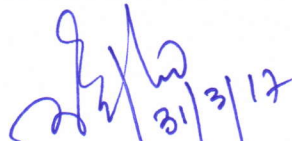
Memo No. 10896 / RDM Dated 31.3.2017

Copy forwarded to Forest & Environment Department/ Industries Department/
Steel & Mines Department for information and necessary action.


31/3/17
Joint Secretary to Government

Memo No. 10897 / RDM Dated 31.3.2017

Copy forwarded to Deputy Secretary to Government (in charge of IMU Cell)/ all
seats of LR&GE (A)/ (B)/ (C) Branch of Revenue & DM Department for information and
necessary action.


31/3/17
Joint Secretary to Government