

Government of India

Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbag Road,
New Delhi — 110003

Dated: 28th December, 2021

To

Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: Proposal for diversion of 184.23 ha of forest land (174.39 ha encroached (ex-post facto approval) and 9.84 ha virgin land) in favour of M/s Electrosteel Steels Limited in the State of Jharkhand - reg.

Sir,

I am directed to refer to letter of even number dated 17.12.2019 of this Ministry conveying the in-principle approval of the Central Government for diversion of 183.23 ha of Forest land (174.23 Ha encroached (ex-post facto approval) and 9.84 ha virgin land) in favour of M/s Electrosteel Steels Limited (now known as ESL Steel Limited) in the State of Jharkhand with certain conditions and this Ministry's communications of even number dated 12.04.2021, 13.05.2021 and 24.06.2021 (Copies enclosed) requesting the State to submit information/compliance within the period stipulated therein failing which Ministry will initiate process of withdrawing Stage-I clearance or rejecting the case. Requisite information is awaited from the State. The State Government has not submitted the requisite information till date.

In view of the above, I am directed to request the State Government to submit information as desired in Ministry's communications dated 12.04.2021, 13.05.2021 and 24.06.2021 to the Ministry for further necessary action in the matter.

End: As above.

Yours faithfully,

sd/-

(Charan Jeet Singh)
Scientist 'D'

Copy to:-

1. Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi
2. Addl. PCCF & Nodal Officer (FCA), Government of Jharkhand, Ranch
3. User Agency
4. Guard File

Signed by Charan Jeet
Singh
Date: 28-12-2021 14:50:09
Reason: Approved

I/4829/2021

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbag Road,
New Delhi — 110003

Dated: 24th June, 2021

To,
Additional Chief Secretary (Forests),
Government of Jharkhand,
Nepal House, Doranda
Ranchi.

Sub: Proposal for diversion of 184.23 ha of forest land (174.39 ha encroached (ex-post facto approval) and 9.84 ha virgin land) in favour of M/s Electrosteel Steels Limited in the State of Jharkhand - reg.

Sir,

I am directed to refer to letter of even number dated 17.12.2019 of this Ministry conveying the in-principle approval of the Central Government for diversion of 183.23 ha of Forest land (174.23 Ha encroached (ex-post facto approval) and 9.84 ha virgin land) in favour of M/s Electrosteel Steels Limited (now known as ESL Steel Limited) in the state of Jharkhand with certain conditions.

It is to inform that this Ministry vide letter of No. 11/84/2021 dated 12.04.2021 and DO dated 13.05.2021 (copies enclosed) conveyed the details of cases involving violation of Forest (Conservation) Act, 1980, including the instant case of M/S Electrosteel Steels Ltd. and requested the States to submit requisite information within a period of one month failing which Ministry will initiate process of withdrawing Stage-I clearance or rejecting the case. Requisite information is awaited from the State. The State Government has not submitted the requisite information till date.

It is to further recall that on the basis of available records it is apparent that the said encroachment of notified forest land of 91 ha and revenue forest land of 83 ha, total 174 ha of forest land by M/S Electrosteel Steels Ltd (including its predecessor) was effected around the year 2010. This encroachment was purportedly done on the basis of settlement of lands in favour of private persons by local revenue officials. Reportedly, this has adversely affected the cases filed by Forest Department for forest land encroachment as well as eviction of encroachment. Therefore, in addition to penal levies, the State Government was requested to enquire and fix the responsibility for above said settlement of forest lands to private persons in violation of the relevant laws, so that such instances of forest land encroachment and violation of Forest (Conservation) Act 1980 doesn't recur.

In the meantime, this Ministry has received a representation dated 02.02.2021 from the User Agency on the above subject wherein citing the non-availability of suitable non-forest land, modifications in the relevant conditions of Stage-I approval dated 17.12.2019 have been solicited from the Ministry to enable them to take up CA in other states or alternatively only

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charge money from them for raising CA.

I am directed to request the State Government to submit information as desired in Ministry's communications dated 13.05.2021 and 12.04.2021 on the highest priority basis and also send their comments/view on the submission made by the User Agency and for further necessary action in the matter.

End: As above.

Yours faithfully,

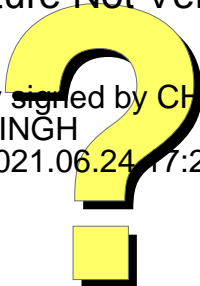
sd/-
(Charan Jeet Singh)
Scientist 'D'

Copy to:-

1. Principal Chief Conservator of Forests, Government of Jharkhand, Ranchi.
2. Regional Officer,, Integrated Regional Office of MoEF&CC, Ranchi
3. Nodal Officer (FCA), Forest Department, Govt. of Jharkhand, Ranchi.
4. User Agency.
5. Monitoring Cell (Forest Conservation Division).
6. Guard File.

Signature Not Verified

Digitally signed by CHARAN
JEET SINGH
Date: 2021.06.24 17:22:10 IST



संजय कुमार
SANJAY KUMAR



वन महानिदेशक एवं विशेष सचिव
भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
DIRECTOR GENERAL OF FOREST & SPL. SECY.
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE

D O No. FC/11/84/2021-FC

Dated : 13.5.2021

Sub: Proposals of State Government under Forest (Conservation) Act 1980 in cases where violations have been reported

Please refer to letter of even no. dated 12.4.2021 of the Inspector General of Forests (Forest Conservation), Govt. of India (copy along with enclosures attached for ready reference) wherein urgent request was made to you to take necessary action within a month towards sending compliance of conditions of Stage-I clearance or to the queries raised by Govt. of India on proposal of the State Govt. to accord Stage-I clearance. All these cases involve violation of Forest (Conservation) Act 1980, and they have been/ are being considered by Govt. of India as a matter of exception on the request of the State Govt. Therefore, it is expected that the State Govt. accords highest priority for immediate resolution of these cases.

You are aware that the cases referred to in the enclosed letter pertain to cases of violations that are very old; and this Ministry has accorded Stage-I clearance / solicited additional information on the proposal more than 2-4 years ago. It is highly unfortunate that despite several reminders these cases are pending with State Government for such long periods. This calls for immediate action in the concerned cases.

I will like to further clarify that the enclosed cases are the ones that are being dealt in the HQ of this Ministry. There may be similar cases being dealt with by the Regional Offices of this Ministry as per the delegation of power under the Forest (Conservation) Rules. Urgent action is requested on these cases as well.

It is once again requested that all these cases be reviewed at your level immediately and the requisite information / compliance report be sent in each of the enclosed cases to this Ministry within a month. This may be treated as the last reminder. In cases no response from State Government is received by this Ministry within the said period, this Ministry shall initiate process of withdrawing Stage-I clearance or rejecting the proposal as the case may be.

I would be grateful for according this the highest priority.

Encl: as above

Yours sincerely,


(Sanjay Kumar)

To
ACS/ PS/ Secy (Forest) ,Andhra Pradesh/ Assam/ Chattisgarh/ Jharkhand/ Karnataka/ Madhya Pradesh/ Maharashtra/ Odisha/ Telangana

Copy:

- 1) **Principal Chief Conservator of Forests**, with a copy of enclosure and with a request to ensure sending of the requisite response to this Ministry within a month. You are also requested to inform the User Agency that adverse decision shall be taken by this Ministry in case of non-compliance.
- 2) **Regional Officer, MoEF&CC**, with a copy of enclosure for information and necessary action. You are requested to remind the concerned officers of the State Government and the User Agencies in the next Fortnightly meeting at your level or as early as possible by convening a special meeting on this topic.





Violation Cases for which Stage-I Pending							
Sl. No.	State	File No.	Name of Proposal / Agenda Item	Area Applied (in ha.)	Category	Remarks	
1	Jharkhand	8-61/2018-FC	PROPOSAL FOR DIVERSION OF 323.49 HA OF FOREST LAND FOR PURANDIH OCP MINE IN FAVOUR OF M/S CENTRAL COALFIELDS LIMITED (CCL) IN CHATRA DISTRICT, JHARKHAND.	323.49	Mining	Status , Quantum of forest land involved and since when the violation reported.	Gair Mumkin jangal jhadi , 101.73 ha of GMJJ without prior permission from Government of India, Since 2014
						Nature of violation	quarry
						When the letter form MoEF&CC Issued	22.08.2019
						Action recommended	State Government requested to submit details of the officials responsible for violation of provisions of FCA 1980 and appropriate action initiated against such persons/authorities as per provisions under relevant Acts.
2	KARNATAKA	8-58/2016-FC	LAND DIVERSTION FOR RCU BELAGAVI	72.177	OTHERS	Status , Quantum of forest land involved and since when the violation reported.	Reserved Forest, 14.362 Ha. Since 2014
						Nature of violation	Construction of 3 buildings in 1995.
						When the letter form MoEF&CC Issued	20.04.2020
						Action recommended	Sought details related with violation with action taken reports
3	Orissa	8-18/1999-FC Vol.	MINING LEASE TO RUNGTA SONS (P) LTD	10.144	MINING	Status , Quantum of forest land involved and since when the violation reported.	Improper demarcation of Safety Zone
						Nature of violation	Demarcation of Safety zone and construction of road in the Safety Zone over 260 mtr from ML boundary
						When the letter form MoEF&CC Issued	08.09.2015
						Action recommended	Sought comprehensive report along with photos on stated violations.
4	Orissa	8-32/1993-FC VOL-III	PROPOSAL FOR DIVERSION OF ADDITIONAL 41.819 HA OF FOREST LAND I.E. (32.425 HA OF DLC FOREST LAND FOR MINING AND ALLIED ACTIVITIES, SAFETY ZONE AREA OF 8.568 HA AND GREENERY OF 0.826 HA) IN ADDITION TO ALREADY DIVERTED 567.087 HA OF FOREST LAND IN JODA EAST IRON & MANMORA MANGANESE MINES IN FAVOUR OF M/S TATA STEEL LTD IN KEONJHAR FOREST DIVISION OF ODISHA DURING 3RD RML PERIOD.	41.819	MINING	Status , Quantum of forest land involved and since when the violation reported.	5.01 Ha Reserved Forest Since 1980

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						<p>Nature of violation</p> <p>i) Violation of Safety zone ii) Afforestation has been done in the six illegal pits, iii) Portion of OB dump had spilled over to RF area iv) A toe wall also has been constructed around the dump, the slurry pipe has been demarcated in the new land use pattern.</p> <p>When the letter form MoEF&CC Issued</p> <p>04.06.2015</p> <p>Action recommended</p> <p>Sought clarification from State Government.</p>
5	ORISSA	8-99/2005-FC VOL.	JURURI IRON ORE MINES, KALINGA MINING CORPORATION, JALAHARI	6.679	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Village forest & non forest land 3.745 Ha.</p> <p>Nature of violation</p> <p>Minerals inside virgin village Forest, Construction of road in safety zone, Dumping of Over Burden in safety zone</p> <p>When the letter form MoEF&CC Issued</p> <p>06.12.2016</p> <p>Action recommended</p> <p>Shall pay additional NPV at the rate 20 per cent for each year since the violation & penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980.</p>
6	ORISSA	8-17/2001-FC VOL.	NUAGAON IRON ORE MINE OF KAMALJEET SINGH AHLUWALIA, GUALI	63.3	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Revenue forest 15.481 Ha. , since 2011</p> <p>Nature of violation</p> <p>Un-authorised extraction of mineral and subsequent</p> <p>When the letter form MoEF&CC Issued</p> <p>20.12.2016</p> <p>Action recommended</p> <p>Shall pay additional NPV at the rate 20 per cent for each year since the violation & penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980.</p>
7	Orissa	8-26/2019-FC	PROPOSAL FOR DIVERSION OF 1243.270 HA OF FOREST LAND INVOLVE IN THE MINING LEASE AREA OVER 1322.019 HA OF DUBNA-SAKRADIHI IRON AND MANGANESE ORE MINES OF M/S OMC LTD IN KEONJHAR DISTRICT, ODISHA.	1243.27	Mining	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Since 1994 to 2007</p> <p>Nature of violation</p> <p>Production of Iron ore from 1994-95 to 2006-07 wit.</p> <p>When the letter form MoEF&CC Issued</p> <p>20.12.2016</p> <p>Action recommended</p> <p>In following information sought: (i) Form the documents submitted by the State Government it is learnt that the user agency has paid compensation for violations from 1994-95 to 2006-07. On perusal of record it is not clear whether violation of the provision of FCA 1980 was considered in WP (Civil) 114, Common Cause vs Union of India judgment passed by Hon'ble Supreme Court in 2017. Clarification in this regard may be submitted (ii) On analysis of facts submitted by the State Government, it is clear that violation of provision of FCA 1980 started from 1989 and 1991 in Sakradihi Iron mining lease over 564 ha and Dubna Manganese mining lease over 1135.419 ha, respectively. However, in the proposal it has been mentioned that violation was considered from 1994-95 to 2006-07. Specific comments shall be submitted in this regards.</p>
8	TELANGANA	8-14/2007-FC	DIVERSION OF 114.12 HECTARES (DIVERSION OF 27.00 HA AND 8.21 HA FOR WHICH STAGE-I GRANTED BY REG. OFFICE) OF FOREST LAND FOR CONSTRUCTION OF JONNALA BOGUDA BALANCING RESERVOIR UNDER MAHATMA GANDHI LIFT IRRIGATION PROJECT (KALVAKURTHI) IN MEHABOOB NAGAR DISTRICT, TELANGANA.	114.12	IRRIGATION	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>114.12 Ha Reserve Forest Since 1980</p> <p>Nature of violation</p> <p>Completed without due approval for diversion of forest land for non-forestry under section 2 (ii) of FC Act 1980.</p> <p>When the letter form MoEF&CC Issued</p> <p>19.09.2017</p> <p>Action recommended</p> <p>Completed without due approval for diversion of forest land for non-forestry under section 2 (ii) of FC Act in spite of directions and notices issued by the forest department and this amounts to blatant violation of the Forest Conservation Act 1980.</p>

Violation Cases for which Stage-II Pending

Sl. No.	State	File No.	Name of Proposal / Agenda Item	Area Applied (in ha.)	Category	Remarks	
1	ANDHRA PRADESH	8-64/2014-FC	DIVERSION OF 155.06 HA OF FOREST LAND IN KONDAPALLI RESERVE FOREST OF KRISHNA DIVISION FOR EXTENSION OF ASH POND, IN FAVOUR OF THE EXECUTIVE ENGINEER (CIVIL), ASH POND DIVISION, VIJAYAWADA THERMAL POWER STATION (VTPS), IBRAHIMPATNAM IN KRISHNA DISTRICT IN THE STATE OF ANDHRA PRADESH.	155.06	THERMAL	Status , Quantum of forest land involved and since when the violation reported.	42.27 ha Reserved Forest Since 2012
						Nature of violation	Construction of Ash Pipe Line, Guest House, project Hostel and Hospital (14.92 ha), tunnel (0.43 ha), Ash disposal pipe line (10.99 ha) and another 15.93 ha oStageIII ash pond
						When the letter form MoEF&CC Issued	08.05.2018
						Action recommended	(i) State Government would furnish the action taken report against the officials who violated the provisions of Forest (Conservation) Act, 1980 ; (ii) The penalty for violations shall be worked out as per guidelines issued by MoEF&CC vide letter dated 29th January, 2018.
2	Andhra Pradesh	8-APA079/2007-FCD	DIVERSION OF 1016 HA OF FOREST LAND IN FAVOR OF EXECUTIVE ENGINEER, SOMASILA PROJECT DIVISION -IV ATMAKU FOR FORESHORE SUBMERSION & EXCAVATION OF CANALS UNDER SOMASILA PROJECT IN PRODDATUR, KADAPA, RAJAMPET & NELLORE DIVISIONS IN NELLORE DISTRICT IN THE STATE OF ANDHRA PRADESH.	1016	Irrigation	Status , Quantum of forest land involved and since when the violation reported.	about 172 ha Reserved Forest since 1980
						Nature of violation	Construction without approval
						When the letter form MoEF&CC Issued	08.02.2019
						Action recommended	(i) The user Agency shall provide evidence of commencement of project work before 1980, without which the work shall be treated as violation under FC Act and the State Government shall levy penal NPV as per norms; (ii)NPV of five times shall be levied from user agency for the project area falling within the Sanctuary;
3	Assam	8-34/2013-FC	DIVERSION OF 98.59 HA OF FOREST LAND FOR TIKOK OPEN CAST PROJECT IN SALEKI PRF UNDER DIGBOI DIVISION BY NORTH EASTERN COALFIELDS, COAL INDIA LIMITED, ASSAM.	98.59	Mining	Status , Quantum of forest land involved and since when the violation reported.	57.20 Ha Reserve Forest land Since 2003
						Nature of violation	57.20 ha (44.27 ha broken up and utilized from 2003 and 12.93 ha broken up before 2003 but utilized from 2003.
						When the letter form MoEF&CC Issued	26.12.2019
						Action recommended	(i) The State Government should raise penal CA over the degraded forest land twice in extent of the area broken up and utilized by the user agency since 2003 i.e. 57.20 ha (44.27 ha broken up and utilized from 2003 and 12.93 ha broken up before 2003 but utilized from 2003 onward) from the funds to be realized from the user agency. (iv) The State Government shall realise from the user agency penal NPV @ 20% of the rates applicable on the date of grant of Stage-I approval of the forest land utilized for nonforestry purpose (57.20) without obtaining prior approval of the Govt. of India, under the Forest (Conservation) Act,1980 for each year or fraction thereof.(Explanation: in case of patch of forest land has been utilized for non-forestry purpose without obtaining prior approval under the Forest (Conservation) Act, 1980 for 3 (three) years, penal NPV to be realized for such forest land will be @ 60% (20%x 3 years) of the rates applicable on the date of grant of Stage-I approval.

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7	Karnataka	VOL.	DIVISION FOR ALREADY ESTABLISHED 39.60 MW WIND POWER PROJECT IN FAVOUR OF M/S CHITRADURGA WIND POWER PRIVATE LIMITED, BANGALORE-REGARDING.	56.508	WIND POWER	Action recommended	(i) Penal CA on non- forest land shall be raised. This shall be equivalent to the area utilized by the user agency without approval. (ii) Penal NPV for land utilized in violation of the provision of FCA 1980 shall be charge at the rate of 20 percent per annum since the violation had commenced.
8	KARNATAKA	8-47/2008-FC	TRANSFER OF LEASE TO INVESTOR/POWER PRODUCER FROM DEVELOPERS IN RESPECT OF DIVERSION OF 215.55 HA OF FOREST LAND DIVERTED IN FAVOUR OF M/S ENERCON (INDIA) LIMITED – REGARDING	215.55	WIND POWER	Status , Quantum of forest land involved and since when the violation reported.	57.30 ha Reserved forest Since 2015
						Nature of violation	57.30 ha of forest land as deviation/violation due to change in width of road, length of electrical line, corridor etc.
						When the letter form MoEF&CC Issued	21.12.2015
						Action recommended	(i.) The user agency has utilised only 166.92 hectares of forest land in this Malaprabha Project, against the diversion of 215.55 ha permitted to them. The current status of the remaining land to be intimated along with the action taken for regeneration of this area, if any. (ii.) Revised digital map in shape files of the forest land diverted and the land utilized in violation of the approval granted under FC Act clearly indicating the area approved but not utilized and the area utilized beyond the approved area, be submitted.
9	KARNATAKA	8-89/1997-FC	DIVERSION OF 2.70 HA FOR THE EXISTING APPROACH ROAD FOR MINING PROJECT ML NO. 2294 AT NIRUTHADI STATE FOREST HOLALKERE RANGE CHITRADURGA DIVISION IN FAVOUR OF SRI R. PRAVEEN CHANDRA, BENGALURU- REVIEW OF CONDITION FOR PENALTY- REGARDING.	2.7	MINING	Status , Quantum of forest land involved and since when the violation reported.	1.46 Ha Reserved Forest Since 2008
						Nature of violation	1.46 Ha additional forest area is being used for Approach Road
						When the letter form MoEF&CC Issued	27.09.2017
						Action recommended	(i) The User agency shall pay NPV at the rate 20 per cent for the area under violation (1.46 ha) , for each year since the violation of Forest (Conservation) Act 1980 has commenced; (ii) User' agency shall raise penal CA on degraded forest land equivalent to the land(1.46 ha) utilised in violation of the provision of Forest (Conservation) Act 1980 (iii) State Government shall submit the action taken report against the officials who had allowed the usage of 1.46 ha of forest land as road without prior approval of MOEF&CC as per the provisions of FCA 1980
10	KARNATAKA	8-27/2005-FC (VOL.)	DIVERSION OF 4.4 HA OF FOREST LAND FOR WIDENING OF EXISTING APPROACH ROAD FOR ML NO. 1111 S. M. BLOCK FOREST IN FAVOUR OF M/S NMDCLTD. DONIMALAI, SANDUR (BELLARY FOREST DIVISION & DISTRICT).	4.4	MINING	Status , Quantum of forest land involved and since when the violation reported.	5.71 ha Notified Forest Under Section-4 Since 2014.
						Nature of violation	Widening of forest road
						When the letter form MoEF&CC Issued	27.09.2017
						Action recommended	i) The User agency shall pay NPV at the rate 20 per cent for the area under violation(5.71 ha) , for each year since the violation of Forest. (Conservation) Act 1980 has commenced; (ii) User agency shall raise penal CA on degraded forest land equivalent to the land (5.71 ha) utilised in violation of the provision of Forest (Conservation) Act 1980
11	KARNATAKA	8-20/2002-FC	DIVERSION OF 0.45 HA. (REVISED TO 0.68) OF FOREST LAND FOR APPROACH ROAD TO EXISTING MINING LEASE OF M/S GOGGA GURUSHANTAIH & BROS., HOSAPETE (ML NO. 2522) IN NEB RANGE, SANDUR TALUK BALLARY DISTRICT KARNATAKA.	0.45	ROAD	Status , Quantum of forest land involved and since when the violation reported.	0.45 Ha Forest Land notified under Section-4 Since 2016
						Nature of violation	Utilization of approach road without permission
						When the letter form MoEF&CC Issued	19.12.2017

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Sl. No.	KA	VOL.	Project Name	Area (ha)	Category	Action recommended	Remarks
12	MADHYA PRADESH	8-59/2017-FC	SHOBHAPUR UG MINE	80.902	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Nature of violation</p> <p>When the letter form MoEF&CC Issued</p> <p>Action recommended</p>	<p>(i) Penal CA on Forest land shall be raised. This shall be equivalent to the area utilized by the user agency without approval under the provisions of FCA 1980;</p> <p>(ii) Penal NPV for land utilized in violation of the provision of FCA 1980 shall be charge at the rate of 20 percent per annum since the violation had commenced;</p> <p>253.53 ha Forest land Since 2007</p> <p>Illegal Mining</p> <p>03.05.2018</p> <p>(i) Action is required to be initiated against the authorities in WCL in accordance with the Section 3(A) and 3(B) of the Forest Conservation Act, 1980 against the officials who violated the provisions of FC Act 1980. State Government may also initiate legal action under Indian Forest Act 1927 for violation of their relevant law.</p> <p>(ii) The Regional Office, Bhopal shall visit the Shobhapur underground mining project and report the status of the forest clearance and the ongoing mining activities without valid Forest clearance under section 2(ii) of the FC Act along with the Nodal officer, Forest Conservation, Madhya Pradesh Forest Department. WCL will provide the copy of FC granted in past along with the details of the mining area of Sobhapur underground mining project over 460.844 ha which as per the EC report involves 357.079 ha of forest land.</p> <p>(iii) The State Government shall submit documentary evidence for the forest area broken up prior to 25.10.1980 and after 25.10.1980 to the date of filing of proposal and current status of operations in proposed area.</p>
13	MADHYA PRADESH	8-60/2017-FC	SATPURA-II UG MINE	97.143	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Nature of violation</p> <p>When the letter form MoEF&CC Issued</p> <p>Action recommended</p>	<p>253.53 ha Forest land Since 2007</p> <p>Illegal Mining</p> <p>03.05.2018</p> <p>(i) Action is required to be initiated against the authorities in WCL in accordance with the Section 3(A) and 3(B) of the Forest Conservation Act, 1980 against the officials who violated the provisions of FC Act 1980. State Government may also initiate legal action under Indian Forest Act 1927 for violation of their relevant law.</p> <p>(ii) The Regional office, Bhopal shall visit the Shobhapur / Satpura-II underground mining project and report the status of the forest clearance and the ongoing mining activities without valid Forest clearance under section 2(ii) of the FC Act along with the Nodal officer, Forest Conservation, Madhya Pradesh Forest Department. WCL will provide the copy of FC granted in past along with the details of the mining area of Sobhapur underground mining project over 458.0 ha which as per the EC report involves 355.40 ha of forest land.</p> <p>(iii) The State Government shall submit documentary evidence for the forest area broken up prior to 25.10.1980 and after 25.10.1980 to the date of filing of proposal and current status of operations in proposed area.</p>

14	MADHYA PRADESH	8-37/2017-FC	MAJHGAON DAM	426.763	IRRIGATION	Status , Quantum of forest land involved and since when the violation reported.	Protected Forest
						Nature of violation	construction carried out without prior approval
						When the letter form MoEF&CC Issued	03.05.2018
						Action recommended	(i) The proposed dam is 8 km long & C-shaped earthen dam at Parma District. In 2016 monsoon there were two (2) dam burst cases at Panna. Looking in to length of dim, shape of dam, earthen dam, pre 2015 design and act of violation is also reported. So a study from reputed national institute for required structural approval shall be undertaken and the recommendations be implemented by the user agency to avoid any possible unforced conditions. (ii) Penal CA shall be raised over 426 ha of the degraded forest land forest land since work has been done in violation of FC; (iii) Penal NPV will be imposed as per the guideline of the ministry as applicable in this case.
15	MADHYA PRADESH	8-52/2017-FC	PROPOSAL FOR DIVERSION OF 201.079 HECTARES OF FOREST LAND FOR TAWA - II UNDERGROUND COAL MINING IN FAVOUR OF M/S. WESTERN COAL FIELDS LIMITED, PATHAKHERA IN BAITUL DISTRICT STATE OF MADHYA PRADESH	201.079	MINING	Status , Quantum of forest land involved and since when the violation reported.	201.079 Ha Reserved Forest Since 1980
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	14.05.2018
						Action recommended	(i) Action is required to be initiated against the authorities in WCL in accordance with the Section 3(A) and 3(B) of the Forest Conservation Act, 1980 against the officials who violated the provisions of FC Act 1980. (ii) State Government may also initiate legal action under Indian Forest Act 1927 for violation of their relevant law
16	Madhya Pradesh	8-06/2018-FC	PROPOSAL FOR DIVERSION OF 107.816 HA OF FOREST LAND FOR TAWA UNDERGROUND COAL MINING PROJECT IN FAVOUR OF M/S MANAGER, WCL, PATHAKHEDA REGION IN BETUL DISTRICT, MADHYA PRADESH.	107.816	Mining	Status , Quantum of forest land involved and since when the violation reported.	107.816 Ha Reserved Forest Since 1980
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	02.11.2018
						Action recommended	The user agency shall pay the NPV and Penal NPV for entire area (50% NPV for underground mining + 50% Penal NPV = 100% NPV) as per the Ministry's guidelines dated 29.01.2018;
17	Madhya Pradesh	8-194/1984-FC PT.	RENEWAL FOR DIVERSION OF 1195.00 HA OF FOREST LAND IN FAVOUR OF M/S. NORTHERN COALFIELDS LIMITED FOR MINING OF COAL IN AMLORI OPEN CAST MINING IN SINGRAULI DISTRICT IN THE STATE OF MADHYA PRADESH.	1195.00	Mining	Status , Quantum of forest land involved and since when the violation reported.	1195 Ha Reserved Forest (528.319 Ha) and Protected Forest (666.681 Ha) Since 2017
						Nature of violation	Illegal Mining without approval
						When the letter form MoEF&CC Issued	12.12.2018
						Action recommended	The user agency shall deposit the NPV for entire area (1195 ha. Forest land) and penal NPV for 895 ha. Forest land, as per Ministry's guideline dated 29.01.2018;
			PROPOSAL FOR DIVERSION OF 193.19 HA OF FOREST LAND FOR UNDERGROUND MINING OF COAL FOR MAHAKALI COLLIERY IN FAVOUR OF WCL IN CHANDERPUR IN MAHARASHTRA SUBMITTED BY THE STATE GOVERNMENT OF MAHARASHTRA.			Status , Quantum of forest land involved and since when the violation reported.	125.49 ha (RF & PF) Since 1980
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	22-06-2018

18	MAHARASHTRA	8-34/2007-FC		193.17 HA.	MINING	Action recommended	(i) Action shall be initiated against the official under section 3A and 3B of FCA 1980. State Government shall provide the name of the official of WCL who allowed the mining under their jurisdiction in the forest area without prior permission of Government of India under FCA 1980. State government shall provide the name prior to stage II approval to regional office and regional office shall initiate the legal proceedings. (ii) User agency shall pay for penal CA over double the area in violation of FCA 1980. CA shall be carried over degraded forest area. A detail CA scheme and cost estimate shall be submitted. The amount shall be deposited in Ad hoc CAMPA. (iii) State Government shall submit FCA proposal for regularization judpi land, allotted for rehabilitation of the residents of Siddharth Nagar in 1988 as per simplified procedure for diversion of Judpi land conveyed to Govt. of Maharashtra (iv) State government shall take action for the violation as per the guidelines F. No. 11-42/2007 FC dated 29.01.2018 issued by MoEF&CC.
19	MAHARASHTRA	8-115/2000-FC	DIVERSION OF 19.52 HA OF FOREST LAND FOR RAISING THE HEIGHT OF BARVI DAM FOR SUBMERGENCE AND REHABILITATION IN DISTRICT THANE OF MAHARASHTRA.	14.17	IRRIGATION	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	14.17 Ha Recorded Forest Land Since 2016 Dam height increased 11.04.2018 State Government shall provide the Clarification, detail and extent of forest land which is under submergence due to Increase in dam height in second Phase of construction without approval under Forest conservation Act 1980 and submit to the Regional Office for examination and recommendation of suitable penalty.
20	Odisha	8-57/2018-FC	PROPOSAL FOR DIVERSION OF 76.882 HA. OF FOREST LAND (INCLUDING 2.279 HA. SAFETY ZONE) WITHIN THE TOTAL ML AREA OF 86.886 HA. IN GONUA IRON & MANGANESE MINES IN VILLAGE GONUA & PATABEDA BY SRI PAWAN KUMAR AHLUWALIA IN BONAI FOREST DIVISION UNDER SUNDARGARH DISTRICT OF ODISHA.	76.882	Mining	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	Dumping over 6.007 ha and cleared area over 54.40 ha. KF forest land Since 2000 Dumping and cleared area 15.11.2017 Violation as reported by the state government shall be dealt as per the provisions of MoEF&CC letter no 11-42/2017-FC dated 29.01.2018
21	Odisha	8-68/2018-FC	DEVELOPMENT OF OUTER HARBOUR, INNER HARBOUR INCLUDING WESTERN DOCK & MECHANIZATION OF EXISTING OPERATIONAL BERTHS BY M/S PARADIP PORT TRUST, ODISHA	75.635	Others	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	75.635 Ha Revenue Forest Land Since 1980 21.385ha. of forest land is used for Rail-cum Road connectivity (Transport corridor) and 54.250 ha is used for used as stack yard of coal and gypsum without prior approval under FCA, 1980 31.12.2018 Stage-I granted with a request that the State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018
22	Odisha	8-46/2018-FC	KHANDBANDH IRON ORE MINES	345.189	Mining	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued	345.189 Ha Revenue Forest and DLC Since 1994 illegal production of iron ore during the period from 1994-95 to 2009-10 on Revenue Forest, on DLC Forest since 1998-99 to 2009-10 31.01.2019

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						Action recommended	The User Agency shall pay penal NPV as per guideline issued by this Ministry's Letter No. 11-42/2017-FC dated 29.01.2018
23	ORISSA	8-39/2016-FC	BALDA BLOCK IRON MINES OF M/S SERAJUDDIN & CO.	34.39	MINING	Status , Quantum of forest land involved and since when the violation reported.	2.34 Ha DLC Forest Since 2016
						Nature of violation	1) Illegal mining & Dumbing over 2.34 Ha DLC virgin forest land without prior approval 2) felling of trees
						When the letter form MoEF&CC Issued	15.10.2018
						Action recommended	(i) The user agency shall pay additional NPV at the rate 20 per cent for each year since the violation of Forest (Conservation) Act 1980 has commenced. (ii) User agency shall raise penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980.
24	ORISSA	8-14/2016-FC	KALIAPANI CHROMITE MINES, VILLAGE:KALIAPANI,TEHSIL: SUKINDA, DIST. JAJPUR,ODISHA.	64.119	MINING (Modification in Stage-I Condition)	Status , Quantum of forest land involved and since when the violation reported.	64.119 Ha Revenue Forest (Sabik KISSAM) Since 2016
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	18.11.2016
						Action recommended	Stage-I granted with penal conditons as per the Guideline issued on 29.01.2018
25	ORISSA	8-40/2017-FC	DIVERSION OF 44.109 HA FOREST LAND IN SIDHAMATH RF	44.109	MINING	Status , Quantum of forest land involved and since when the violation reported.	14.8297 Ha Reserved Forest Since 2010
						Nature of violation	The user agency has disturbed 14.8297 ha of area both inside and outside the lease in the Sidhamath Reserve Forest & 42 nos. of trees illegally felled.
						When the letter form MoEF&CC Issued	13.09.2017
						Action recommended	Stage-I granted with penal conditons as per the Guideline issued on 29.01.2018
26	Telangana	8-216/1985-FC PT I	02ND RENEWAL OF TANDUR MINING LEASE FOR A REDUCED AREA OF 4902 HA OF FOREST LAND OUT OF EXISTING LEASE AREA OF 7273.0 HA IN BELLAMPALLY FOREST DIVISION OF ADILABAD CIRCLE IN FAVOUR OF M/S. SCCL.	4902	Mining	Status , Quantum of forest land involved and since when the violation reported.	37.25 Ha Reserved Forest Since 2015
						Nature of violation	Utilised 37.25 hecatres of forest land in Goleti OCP (BPA OCI) without obtaining prior approval of Central Government under the FC Act.
						When the letter form MoEF&CC Issued	12.12.2018
						Action recommended	The user agency shall pay the NPV for 1427.22 ha and penal NPV for 37.25 ha @20% of NPV per year since 01.01.2015;

FC-11/84/2021-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 12th April, 2021

To,

The Addl. Chief Secretary/Principal Secretary (Forest),
All State Governments/UT Administrations

Sub: Violation of Forest (Conservation) Act 1980-regarding.

Madam/sir,

Pl find enclosed a list of cases of forest land diversion wherein violation of Forest (Conservation) Act 1980 has been reported by the State Government (**Annexure-1 & Annexure-II**). All these cases were recommended by the state for approval to Central Government. These cases were examined in the Ministry and significant amount of time, energy and resources were utilized in processing these cases. However, many of these cases are pending for more than a year as the State govt. has not submitted the requisite information asked by the ministry.

Annexure-1 includes those cases in which this Ministry has accorded In-principle (Stage-I) approval with a specific condition in each case that penal action will be taken by the State/ UT against the erring officials responsible for violation of the Forest (Conservation) Act 1980.

Annexure-II includes those cases in which Stage-I clearance is pending for want of requisite information regarding the detail of action taken for violation of the Forest (Conservation) Act 1980.

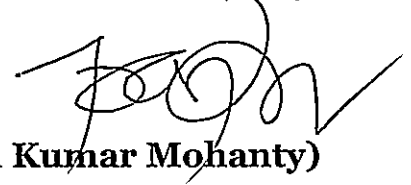
In many of the cases the forest land under violation may not be under the administrative control of the State Forest Department. Obviously, the responsibility of protection of such forests and maintenance of records lie with District Revenue officials and the information might not be readily available with the department.

However, you may also appreciate that these cases have been dealt by the Forest Advisory Committee and/or this Ministry as a matter of special dispensation after lengthy deliberations in each case and in the genuine expectation that the State Government will take time-bound action against such violations.

It is therefore requested to send the requisite compliance report including detailed information of penal action against those responsible for violation, within one month, failing which the Ministry may consider initiating action for revoking the Stage-I (*in-principle*) approval/ rejecting the proposal.

Encl.as above.

Yours Sincerely,



(Anjan Kumar Mohanty)
Inspector General of Forests

Copy to:

1. Principal Chief Conservator of Forests, all State Governments/UT Administrations
2. Nodal Officer (FCA), all State Governments/UT Administrations
3. All Integrated Regional Offices (Central), MoEF&CC, GoI.

Sl. No.	State	File No.	Name of Proposal / Agenda Item	Area Applied (in ha.)	Category	Remarks	
1	ANDHRA PRADESH	8-64/2014-FC	DIVERSION OF 155.06 HA OF FOREST LAND IN KONDAPALLI RESERVE FOREST OF KRISHNA DIVISION FOR EXTENSION OF ASH POND, IN FAVOUR OF THE EXECUTIVE ENGINEER (CIVIL), ASH POND DIVISION, VUJAYAWADA THERMAL POWER STATION (VTPS), IBRAHIMPATNAM IN KRISHNA DISTRICT IN THE STATE OF ANDHRA PRADESH.	155.06	THERMAL	Status , Quantum of forest land involved and since when the violation reported.	42.27 ha Reserved Forest Since 2012
						Nature of violation	Construction of Ash Pipe Line, Guest House, project Hostel and Hospital (14.92 ha), tunnel (0.43 ha), Ash disposal pipe line (10.99 ha) and another 15.93 ha oStageIII ash pond
						When the letter form MoEF&CC Issued	08.05.2018
						Action recommended	(i) State Government would furnish the action taken report against the officials who violated the provisions of Forest (Conservation) Act, 1980 ; (ii) The penalty for violations shall be worked out as per guidelines issued by MoEF&CC vide letter dated 29th January, 2018.
2	Andhra Pradesh	8-APA079/2007- FCD	DIVERSION OF 1016 HA OF FOREST LAND IN FAVOR OF EXECUTIVE ENGINEER, SOMASILA PROJECT DIVISION -IV ATMAKU FOR FORESHORE SUBMERSION & EXCAVATION OF CANALS UNDER SOMASILA PROJECT IN PRODDATUR, KADAPA, RAJAMPET & NELLORE DIVISIONS IN NELLORE DISTRICT IN THE STATE OF ANDHRA PRADESH.	1016	Irrigation	Status , Quantum of forest land involved and since when the violation reported.	about 172 ha Reserved Forest since 1980
						Nature of violation	Construction without approval
						When the letter form MoEF&CC Issued	08.02.2019
						Action recommended	(i) The user Agency shall provide evidence of commencement of project work before 1980, without which the work shall be treated as violation under FC Act and the State Government shall levy penal NPV as per norms; (ii) NPV of five times shall be levied from user agency for the project area falling within the Sanctuary;
						Status , Quantum of forest land involved and since when the violation reported.	57.20 Ha Reserve Forest land Since 2003
						Nature of violation	57.20 ha (44.27 ha broken up and utilized from 2003 and 12.93 ha broken up before 2003 but utilized from 2003.
						When the letter form MoEF&CC Issued	26.12.2019

459600/2021/FC							
3	Assam	8-34/2013-FC	DIVERSION OF 98.59 HA OF FOREST LAND FOR TIKOK OPEN CAST PROJECT IN SALEKI PRF UNDER DIGBOI DIVISION BY NORTH EASTERN COALFIELDS, COAL INDIA LIMITED, ASSAM.	98.59	Mining	Action recommended	<p>(i) The State Government should raise penal CA over the degraded forest land twice in extent of the area broken up and utilized by the user agency since 2003 i.e. 57.20 ha (44.27 ha broken up and utilized from 2003 and 12.93 ha broken up before 2003 but utilized from 2003 onward) from the funds to be realized from the user agency.</p> <p>(iv) The State Government shall realise from the user agency penal NPV @ 20% of the rates applicable on the date of grant of Stage-I approval of the forest land utilized for nonforestry purpose (57.20) without obtaining prior approval of the Govt. of India, under the Forest (Conservation) Act, 1980 for each year or fraction thereof. (Explanation: in case of patch of forest land has been utilized for non-forestry purpose without obtaining prior approval under the Forest (Conservation) Act, 1980 for 3 (three) years, penal NPV to be realized for such forest land will be @ 60% (20% x 3 years) of the rates applicable on the date of grant of Stage-I approval.</p>
4	CHHATTISGARH	8-08/2018-FC	DIVERSION OF 402.966 HA OF FOREST LAND FOR KUSHMUNDA & LAXMAN OPENCASE MINING OF COAL IN FAVOUR OF SECL IN KORBA DISTRICT OF CHHATTISGARH	402.966	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Nature of violation</p> <p>When the letter form MoEF&CC Issued</p>	<p>402.966 ha Revenue forest land after 12.12.1996</p> <p>Illegal possession of Revenue Forest land</p> <p>26.04.2018</p> <p>i. strict action under section 3A/3B of FC Act against the in-charge of the Kushmunda OCP should be initiated by Regional office, Nagpur</p> <p>ii. Penalty should be imposed, as per guideline no 11-42/2017-FC dated 29.01.2018</p> <p>iii. Penal CA will be done on degraded forest land on equal the forest land diverted illegally and at least 1000 plants per ha will be planted (402.996 x 1000 = 402996 plants) on the identified penal CA land with 10 years maintenance.</p> <p>iv. A study should be undertaken at the project cost to assess the impact of intervention undertaken by the SECL, in consultation with the State Forest Department,</p> <p>v. A Monitoring Committee with DCF as one of its member, should be constituted to monitor the compliance and implementation of reclamation plan;</p>
5	JHARKHAND	8-80/2010-FC	DIVERSION OF 249.90 HA OF FOREST LAND FOR COAL MINING PROJECT IN WEST BOKARO COLLIERY IN FAVOUR OF M/S TATA STEEL LIMITED. (COAL MINING)	249.9	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p> <p>Nature of violation</p> <p>When the letter form MoEF&CC Issued</p>	<p>70.972 ha of Gair Mumkin Jungle land after 12.12.1996</p> <p>Illegal Mining</p> <p>15.10.2018</p> <p>(i) The user agency shall carry out penal compensatory afforestation over an area of 141.944 ha (2x70.972 ha area for breaking forest land without permission) of degraded forest land) at the cost of the user agency. The shape file for identified degraded land for Penal CA may be given prior to Stage-II clearance;</p> <p>(ii) User agency shall pay penalty and appropriate action to be initiated for the violation as per MoEF&CC guidelines no. 11-42/2016-FC dated 29.01.2018</p>

459600/2021/FC	Jharkhand	8-21/2019-FC	PROPOSAL FOR DIVERSION OF 184.23 HA OF FOREST LAND (174.39 HA ENCROACHED AND 9.84 HA VIRGIN LAND) IN FAVOUR OF M/S ELECTROSTEEL STEELS LIMITED IN THE STATE OF JHARKHAND	184.23	Encroachment	Status , Quantum of forest land involved and since when the violation reported.	184.23 Ha Protected and Gair Mumkin Jungle Jhari Since 2008
						Nature of violation	Construction of Steel Plant
						When the letter form MoEF&CC Issued	17.12.2019
						Action recommended	(i) User agency shall provide non forest land equivalent to five times the forest land encroached for the purpose of Compensatory afforestation, (ii) User agency shall pay five times of applicable NPV for the area used under encroachment. he State (iii) Government, Jharkhand should get a thorough inquiry conducted into the illegitimacy of the settlement or transfer or claims to title, rights (tenancy or otherwise) or interests on the forest lands ("GM Jungle Jhari" lands and notified protected forest lands) involved in this proposal before procurement of these lands by the then User Agency M/s Electrosteel Integrated Ltd before 2010, and the ground for the encroachment over these lands vested in the State to secure the interests of State in the notified forest lands and other forest lands.
7	Karnataka	8-11/2009-FC VOL.	PROPOSAL FOR MODIFICATION OF APPROVAL GRANTED EARLIER AND POST FACTO APPROVAL FOR 14.491 HA. OF ADDITIONAL FOREST LAND UTILIZED, IN THE CASE OF DIVERSION OF 56.508 HA. OF FOREST LAND IN HYARADA RESERVE FOREST, DAVANGERE DIVISION FOR ALREADY ESTABLISHED 39.60 MW WIND POWER PROJECT IN FAVOUR OF M/S.CHITRADURGA WIND POWER PRIVATE LIMITED, BANGALORE-REGARDING.	56.508	WIND POWER	Status , Quantum of forest land involved and since when the violation reported.	14.591 Ha Reserved Forest Since 2015
						Nature of violation	Change in land use without prior approval
						When the letter form MoEF&CC Issued	05.05.2017
						Action recommended	(i) Penal CA on non- forest land shall be raised. This shall be equivalent to the area utilized by the user agency without approval. (ii). Penal NPV for land utilized in violation of the provision of FCA 1980 shall be charge at the rate of 20 percent per annum since the violation had commenced.
8	KARNATAKA	8-47/2008-FC	TRANSFER OF LEASE TO INVESTOR/POWER PRODUCER FROM DEVELOPERS IN RESPECT OF DIVERSION OF 215.55 HA OF FOREST LAND DIVERTED IN FAVOUR OF M/S ENERCON (INDIA) LIMITED – REGARDING	215.55	WIND POWER	Status , Quantum of forest land involved and since when the violation reported.	57.30 ha Reserved forest Since 2015
						Nature of violation	57.30 ha of forest land as deviation/violation due to change in width of road, length of electrical line, corridor etc.
						When the letter form MoEF&CC Issued	21.12.2015
						Action recommended	(i.) The user agency has utilised only 166.92 hectares of forest land in this Malaprabha Project, against the diversion of 215.55 ha permitted to them. The current status of the remaining land to be intimated along with the action taken for regeneration of this area, if any. (ii.) Revised digital map in shape files of the forest land diverted and the land utilized in violation of the approval granted under FC Act clearly indicating the area approved but not utilized and the area utilized beyond the approved area, be submitted.
						Status , Quantum of forest land involved and since when the violation reported.	1.46 Ha Reserved Forest Since 2008
						Nature of violation	1.46 Ha additional forest area is being used for Approach Road
						When the letter form MoEF&CC Issued	27.09.2017

459600/2021/FC

9	KARNATAKA	8-89/1997-FC	DIVERSION OF 2.70 HA FOR THE EXISTING APPROACH ROAD FOR MINING PROJECT ML NO. 2294 AT NIRUTHADI STATE FOREST HOLALKERE RANGE CHITRADURGA DIVISION IN FAVOUR OF SRI R. PRAVEEN CHANDRA, BENGALURU- REVIEW OF CONDITION FOR PENALTY- REGARDING.	2.7	MINING	Action recommended	(i) The User agency shall pay NPV at the rate 20 per cent for the area under violation (1.46 ha) , for each year since the violation of Forest (Conservation) Act 1980 has commenced; (ii) User agency shall raise penal CA on degraded forest land equivalent to the land(1.46 ha) utilised in violation of the provision of Forest (Conservation) Act 1980 (iii) State Government shall submit the action taken report against the officials who had allowed the usage of 1.46 ha of forest land as road without prior approval of MOEF&CC as per the provisions of FCA 1980
10	KARNATAKA	8-27/2005-FC (VOL.)	DIVERSION OF 4.4 HA OF FOREST LAND FOR WIDENING OF EXISTING APPROACH ROAD FOR ML NO. 1111 S. M. BLOCK FOREST IN FAVOUR OF M/S NMDC LTD. DONIMALAI, SANDUR (BELLARY FOREST DIVISON & DISTRICT).	4.4	MINING	Status , Quantum of forest land involved and since when the violation reported.	5.71 ha Notified Forest Under Section-4 Since 2014.
						Nature of violation	Widening of forest road
						When the letter form MoEF&CC Issued	27.09.2017
						Action recommended	i) The User agency shall pay NPV at the rate 20 per cent for the area under violation(5.71 ha) , for each year since the violation of Forest. (Conservation) Act 1980 has commenced; (ii) User agency shall raise penal CA on degraded forest land equivalent to the land (5.71 ha) utilised in violation of the provision of Forest (Conservation) Act 1980
11	KARNATAKA	8-20/2002-FC VOL.	DIVERSION OF 0.45 HA. (REVISED TO 0.68) OF FOREST LAND FOR APPROACH ROAD TO EXISTING MINING LEASE OF M/S GOGGA GURUSHANTHAI & BROS., HOSAPETE (ML NO. 2522) IN NEB RANGE, SANDUR TALUK BALLARY DISTRICT KARNATAKA.	0.45	ROAD	Status , Quantum of forest land involved and since when the violation reported.	0.45 Ha Forest Land notified under Section-4 Since 2016
						Nature of violation	Utilization of approach road without permission
						When the letter form MoEF&CC Issued	19.12.2017
						Action recommended	(i) Penal CA on Forest land shall be raised. This shall be equivalent to the area utilized by the user agency without approval under the provisions of FCA 1980. (ii) Penal NPV for land utilized in violation of the provision of FCA 1980 shall be charge at the rate of 20 percent per annum since the violation had commenced;
						Status , Quantum of forest land involved and since when the violation reported.	253.53 ha Forest land Since 2007
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	03.05.2018

459670/2021/FC							
12	MADHYA PRADESH	8-59/2017-FC	SHOBHAPUR UG MINE	80.902	MINING	Action recommended	<p>(i) Action is required to be initiated against the authorities in WCL in accordance with the Section 3(A) and 3(B) of the Forest Conservation Act, 1980 against the officials who violated the provisions of FC Act 1980. State Government may also initiate legal action under Indian Forest Act 1927 for violation of their relevant law.</p> <p>(ii) The Regional Office, Bhopal shall visit the Shobhapur underground mining project and report the status of the forest clearance and the ongoing mining activities without valid Forest clearance under section 2(ii) of the FC Act along with the Nodal officer, Forest Conservation, Madhya Pradesh Forest Department. WCL will provide the copy of FC granted in past along with the details of the mining area of Sobhapur underground mining project over 460.844 ha which as per the EC report involves 357.079 ha of forest land.</p> <p>(iii) The State Government shall submit documentary evidence for the forest area broken up prior to 25.10.1980 and after 25.10.1980 to the date of filing of proposal and current status of operations in proposed area.</p>
13	MADHYA PRADESH	8-60/2017-FC	SATPURA-II UG MINE	97.143	MINING	Status , Quantum of forest land involved and since when the violation reported.	253.53 ha Forest land Since 2007
						Nature of violation	Illegal Mining
						When the letter form MoEF&CC Issued	03.05.2018
						Action recommended	<p>(i) Action is required to be initiated against the authorities in WCL in accordance with the Section 3(A) and 3(B) of the Forest Conservation Act, 1980 against the officials who violated the provisions of FC Act 1980. State Government may also initiate legal action under Indian Forest Act 1927 for violation of their relevant law.</p> <p>(ii) The Regional office, Bhopal shall visit the Shobhapur / Satpura -II underground mining project and report the status of the forest clearance and the ongoing mining activities without valid Forest clearance under section 2(ii) of the FC Act along with the Nodal officer, Forest Conservation, Madhya Pradesh Forest Department. WCL will provide the copy of FC granted in past along with the details of the mining area of Sobhapur underground mining project over 458.0 ha which as per the EC report involves 355.40 ha of forest land.</p> <p>(iii) The State Government shall submit documentary evidence for the forest area broken up prior to 25.10.1980 and after 25.10.1980 to the date of filing of proposal and current status of operations in proposed area.</p>
						Status , Quantum of forest land involved and since when the violation reported.	Protected Forest
						Nature of violation	construction carried out without prior approval
						When the letter form MoEF&CC Issued	03.05.2018

459600/2021/FC						
14	MADHYA PRADESH	8-37/2017-FC	MAJHGAON DAM	426.763	IRRIGATION	<p>Action recommended</p> <p>(i) The proposed dam is 8 km long & C-shaped earthen dam at Parma District. In 2016 monsoon there were two (2) dam burst cases at Panna. Looking in to length of dim, shape of dam, earthen dam, pre 2015 design and act of violation is also reported. So a study from reputed national institute for required structural approval shall be undertaken and the recommendations be implemented by the user agency to avoid any possible unforced conditions.</p> <p>(ii) Penal CA shall be raised over 426 ha of the degraded forest land forest land since work has been done in violation of FC.</p> <p>(iii) Penal NPV will be imposed as per the guideline of the ministry as applicable in this case.</p>
15	MADHYA PRADESH	8-52/2017-FC	PROPOSAL FOR DIVERSION OF 201.079 HECTARES OF FOREST LAND FOR TAWA - II UNDERGROUND COAL MINING IN FAVOUR OF M/S. WESTERN COAL FIELDS LIMITED, PATHAKHERA IN BAITUL DISTRICT STATE OF MADHYA PRADESH	201.079	MINING	<p>Status , Quantum of forest land involved and since when the violation reported.</p>
						201.079 Ha Reserved Forest Since 1980
						<p>Nature of violation</p> <p>Illegal Mining</p>
						<p>When the letter form MoEF&CC Issued</p> <p>14.05.2018</p>
16	Madhya Pradesh	8-06/2018-FC	PROPOSAL FOR DIVERSION OF 107.816 HA OF FOREST LAND FOR TAWA UNDERGROUND COAL MINING PROJECT IN FAVOUR OF M/S MANAGER, WCL, PATHAKHEDA REGION IN BETUL DISTRICT, MADHYA PRADESH.	107.816	Mining	<p>Status , Quantum of forest land involved and since when the violation reported.</p>
						107.816 Ha Reserved Forest Since 1980
						<p>Nature of violation</p> <p>Illegal Mining</p>
						<p>When the letter form MoEF&CC Issued</p> <p>02.11.2018</p>
17	Madhya Pradesh	8-194/1984-FC PT.	RENEWAL FOR DIVERSION OF 1195.00 HA OF FOREST LAND IN FAVOUR OF M/S. NORTHERN COALFIELDS LIMITED FOR MINING OF COAL IN AMLORI OPEN CAST MINING IN SINGRAULI DISTRICT IN THE STATE OF MADHYA PRADESH.	1195.00	Mining	<p>Action recommended</p> <p>The user agency shall pay the NPV and Penal NPV for entire area (50% NPV for underground mining + 50% Penal NPV = 100% NPV) as per the Ministry's guidelines dated 29.01.2018;</p>
						<p>Status , Quantum of forest land involved and since when the violation reported.</p>
						1195 Ha Reserved Forest (528.319 Ha) and Protected Forest (666.681 Ha) Since 2017
						<p>Nature of violation</p> <p>Illegal Mining without approval</p>
						<p>When the letter form MoEF&CC Issued</p> <p>12.12.2018</p>
						<p>Action recommended</p> <p>The user agency shall deposit the NPV for entire area (1195 ha. Forest land) and penal NPV for 895 ha. Forest land, as per Ministry's guideline dated 29.01.2018;</p>
						<p>Status , Quantum of forest land involved and since when the violation reported.</p>
						125.49 ha (RF & PF) Since 1980
						<p>Nature of violation</p> <p>Illegal Mining</p>
						<p>When the letter form MoEF&CC Issued</p> <p>22-06-2018</p>

459600/2021/FC							
18	MAHARASHTRA	8-34/2007-FC	PROPOSAL FOR DIVERSION OF 193.19 HA OF FOREST LAND FOR UNDERGROUND MINING OF COAL FOR MAHAKALI COLLIERY IN FAVOUR OF WCL IN CHANDERPUR IN MAHARASHTRA SUBMITTED BY THE STATE GOVERNMENT OF MAHARASHTRA.	193.17 HA.	MINING	Action recommended	(i) Action shall be initiated against the official under section 3A and 3B of FCA 1980. State Government shall provide the name of the official of WCL who allowed the mining under their jurisdiction in the forest area without prior permission of Government of India under FCA 1980. State government shall provide the name prior to stage II approval to regional office and regional office shall initiate the legal proceedings. (ii) User agency shall pay for penal CA over double the area in violation of FCA 1980. CA shall be carried over degraded forest area. A detail CA scheme and cost estimate shall be submitted. The amount shall be deposited in Ad hoc CAMPA. (iii) State Government shall submit FCA proposal for regularization judpi land, allotted for rehabilitation of the residents of Siddarth Nagar in 1988 as per simplified procedure for diversion of Judpi land conveyed to Govt. of Maharashtra (iv) State government shall take action for the violation as per the guidelines F. No. 11-42/2007 FC dated 29.01.2018 issued by MoEF&CC.
19	MAHARASHTRA	8-115/2000-FC	DIVERSION OF 19.52 HA OF FOREST LAND FOR RAISING THE HEIGHT OF BARVI DAM FOR SUBMERGENCE AND REHABILITATION IN DISTRICT THANE OF MAHARASHTRA.	14.17	IRRIGATION	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	14.17 Ha Recorded Forest Land Since 2016 Dam height increased 11.04.2018 State Government shall provide the Clarification, detail and extent of forest land which is under submergence due to Increase in dam height in second Phase of construction without approval under Forest conservation Act 1980 and submit to the Regional Office for examination and recommendation of suitable penalty.
20	Odisha	8-57/2018-FC	PROPOSAL FOR DIVERSION OF 76.882 HA. OF FOREST LAND (INCLUDING 2.279 HA. SAFETY ZONE) WITHIN THE TOTAL ML AREA OF 86.886 HA. IN GONUA IRON & MANGANESE MINES IN VILLAGE GONUA & PATABEDA BY SRI PAWAN KUMAR AHLUWALIA IN BONAI FOREST DIVISION UNDER SUNDARGARH DISTRICT OF ODISHA.	76.882	Mining	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	Dumping over 6,007 ha and cleared area over 54.40 ha. KF forest land Since 2000 Dumping and cleared area 15.11.2017 Violation as reported by the state government shall be dealt as per the provisions of MoEF&CC letter no 11-42/2017-FC dated 29.01.2018
21	Odisha	8-68/2018-FC	DEVELOPMENT OF OUTER HARBOUR, INNER HARBOUR INCLUDING WESTERN DOCK & MECHANIZATION OF EXISTING OPERATIONAL BERTHS BY M/S PARADIP PORT TRUST, ODISHA	75.635	Others	Status , Quantum of forest land involved and since when the violation reported. Nature of violation When the letter form MoEF&CC Issued Action recommended	75.635 Ha Revenue Forest Land Since 1980 21.385ha. of forest land is used for Rail-cum Road connectivity(Transport corridor) and 54.250 ha is used for used as stack yard of coal and gypsum without prior approval under FCA, 1980 31.12.2018 Stage-I granted with a request that the State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018
						Status , Quantum of forest land involved and since when the violation reported.	345.189 Ha Revenue Forest and DLC Since 1994

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23	ORISSA	8-39/2016-FC	BALDA BLOCK IRON MINES OF M/S SERAJUDDIN & CO.	34.39	MINING	<div><div>Status , Quantum of forest land involved and since when the violation reported.</div><div>2.34 Ha DLC Forest Since 2016</div></div> <div><div>Nature of violation</div><div>1) Illegal mining & Dumbing over 2.34 Ha DLC virgin forest land without prior approval 2) felling of trees</div></div> <div><div>When the letter form MoEF&CC Issued</div><div>15.10.2018</div></div> <div><div>Action recommended</div><div>(i) The user agency shall pay additional NPV at the rate 20 per cent for each year since the violation of Forest (Conservation) Act 1980 has commenced. (ii) User agency shall raise penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980.</div></div>
24	ORISSA	8-14/2016-FC	KALIAPANI CHROMITE MINES, VILLAGE:KALIAPANI,TEHSIL: SUKINDA, DIST. JAJPUR,ODISHA.	64.119	MINING (Modification Stage-I Condition)	<div><div>Status , Quantum of forest land involved and since when the violation reported.</div><div>64.119 Ha Revenue Forest (Sabik Kissam) Since 2016</div></div> <div><div>Nature of violation</div><div>Illegal Mining</div></div> <div><div>When the letter form MoEF&CC Issued</div><div>18.11.2016</div></div> <div><div>Action recommended</div><div>Stage-I granted with penal conditons as per the Guideline issued on 29.01.2018</div></div>
25	ORISSA	8-10/2017-FC	DIVERSION OF 44.109 HA FOREST LAND IN SIDHAMATH RF	44.109	MINING	<div><div>Status , Quantum of forest land involved and since when the violation reported.</div><div>14.8297 Ha Reserved Forest Since 2010</div></div> <div><div>Nature of violation</div><div>The user agency has disturbed 14.8297 ha of area both inside and outside the lease in the Sidhamath Reserve Forest & 42 nos. of trees illegally felled.</div></div> <div><div>When the letter form MoEF&CC Issued</div><div>13.09.2017</div></div> <div><div>Action recommended</div><div>Stage-I granted with penal conditons as per the Guideline issued on 29.01.2018</div></div>
26	Telangana	8-216/1985-FC PT I	02ND RENEWAL OF TANDUR MINING LEASE FOR A REDUCED AREA OF 4902 HA OF FOREST LAND OUT OF EXISTING LEASE AREA OF 7273.0 HA IN BELLAMPALLY FOREST DIVISION OF ADILABAD CIRCLE IN FAVOUR OF M/S. SCCL.	4902	Mining	<div><div>Status , Quantum of forest land involved and since when the violation reported.</div><div>37.25 Ha Reserved Forest Since 2015</div></div> <div><div>Nature of violation</div><div>Utilised 37.25 hecatres of forest land in Goleti OCP (BPA OCI) without obtaining prior approval of Central Government under the FC Act.</div></div> <div><div>When the letter form MoEF&CC Issued</div><div>12.12.2018</div></div> <div><div>Action recommended</div><div>The user agency shall pay the NPV for 1427.22 ha and penal NPV for 37.25 ha @20% of NPV per year since 01.01.2015;</div></div>

Violation Cases for which Stage-I Pending

Sl. No.	State	File No.	Name of Proposal / Agenda Item	Area Applied (in ha.)	Category	Remarks
1	Jharkhand	8-61/2018-FC	PROPOSAL FOR DIVERSION OF 323.49 HA OF FOREST LAND FOR PURANDIH OCP MINE IN FAVOUR OF M/S CENTRAL COALFIELDS LIMITED (CCL) IN CHATRA DISTRICT, JHARKHAND.	323.49	Mining	Status , Quantum of forest land involved and since when the violation reported.
						Gair Mumkin jangal jhadi , 101.73 ha of GMJ without prior permission from Government of India, Since 2014
						Nature of violation
						quarry
2	KARNATAKA	8-58/2016-FC	LAND DIVERSION FOR RCU BELAGAVI	72.177	OTHERS	When the letter form MoEF&CC Issued
						22.08.2019
						Action recommended
						State Government requested to submit details of the officials responsible for violation of provisions of FCA 1980 and appropriate action initiated against such persons/authorities as per provisions under relevant Acts
3	Orissa	8-18/1999-FC Vol	MINING LEASE TO RUNGTA SONS (P) LTD	10.144	MINING	Status , Quantum of forest land involved and since when the violation reported.
						Reserved Forest, 14.362 Ha. Since 2014
						Nature of violation
						Construction of 3 buildings in 1995
3	Orissa	8-18/1999-FC Vol	MINING LEASE TO RUNGTA SONS (P) LTD	10.144	MINING	When the letter form MoEF&CC Issued
						20.04.2020
						Action recommended
						Sought details related with violation with action taken reports
3	Orissa	8-18/1999-FC Vol	MINING LEASE TO RUNGTA SONS (P) LTD	10.144	MINING	Status , Quantum of forest land involved and since when the violation reported.
						Improper demarcation of Safety Zone
						Nature of violation
						Demarcation of Safety zone and construction of road in the Safety Zone over 260 mtr from ML boundary
3	Orissa	8-18/1999-FC Vol	MINING LEASE TO RUNGTA SONS (P) LTD	10.144	MINING	When the letter form MoEF&CC Issued
						08.09.2015
						Action recommended
						Sought comprehensive report along with photos on stated violations

4	Orissa	8-32/1993-FC VOL-III	PROPOSAL FOR DIVERSION OF ADDITIONAL 41.819 HA OF FOREST LAND I.E. (32.425 HA OF DLC FOREST LAND FOR MINING AND ALLIED ACTIVITIES, SAFETY ZONE AREA OF 8.568 HA AND GREENERY OF 0.826 HA) IN ADDITION TO ALREADY DIVERTED 567.087 HA OF FOREST LAND IN JODA EAST IRON & MANMORA MANGANESE MINES IN FAVOUR OF M/S TATA STEEL LTD IN KEONJHAR FOREST DIVISION OF ODISHA DURING 3RD RML PERIOD	41.819	MINING	Status , Quantum of forest land involved and since when the violation reported.	5.01 Ha Reserved Forest Since 1980
						Nature of violation	i) Violation of Safety zone ii) Afforestation has been done in the six illegal pits. iii) Portion of OB dump had spilled over to RF area iv) A toe wall also has been constructed around the dump, the slurry pipe has been demarcated in the new land use pattern.
						When the letter form MoEF&CC Issued	04.06.2015
						Action recommended	Sought clarification from State Government

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5	ORISSA	8-99/2005-FC VOL.	JURURI IRON ORE MINES, KALINGA MINING CORPORATION, JALAHARI	6 679	MINING	Status , Quantum of forest land involved and since when the violation reported.	Village forest & non forest land 3.745 Ha
						Nature of violation	Minerals inside virgin village Forest, Construction of road in safety zone, Dumping of Over Burden in safety zone
						When the letter form MoEF&CC Issued	06.12.2016
						Action recommended	Shall pay additional NPV at the rate 20 per cent for each year since the violation & penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980
6	ORISSA	8-17/2001-FC VOL.	NUAGAON IRON ORE MINE OF KAMALJEET SINGH AHLUWALIA, GUALI	63.3	MINING	Status , Quantum of forest land involved and since when the violation reported.	Revenue forest 15 481 Ha , since 2011
						Nature of violation	Un-authorized extraction of mineral and subsequent
						When the letter form MoEF&CC Issued	20.12.2016
						Action recommended	Shall pay additional NPV at the rate 20 per cent for each year since the violation & penal CA equivalent to the land utilized in violation of provision of Forest (Conservation) Act 1980
7	Orissa	8-26/2019-FC	PROPOSAL FOR DIVERSION OF 1243 270 HA OF FOREST LAND INVOLVE IN THE MINING LEASE AREA OVER 1322 019 HA OF DUBNA-SAKRADIHI IRON AND MANGANESE ORE MINES OF M/S OMC LTD IN KEONJHAR DISTRICT, ODISHA	1243.27	Mining	Status , Quantum of forest land involved and since when the violation reported.	Since 1994 to 2007
						Nature of violation	Production of Iron ore from 1994-95 to 2006-07 wit
						When the letter form MoEF&CC Issued	20.12.2016
						Action recommended	In following information sought: (i) From the documents submitted by the State Government it is learnt that the user agency has paid compensation for violations from 1994-95 to 2006-07. On perusal of record it is not clear whether violation of the provision of FCA 1980 was considered in WP (Civil) 114, Common Cause vs Union of India judgment passed by Hon'ble Supreme Court in 2017. Clarification in this regard may be submitted (ii) On analysis of facts submitted by the State Government, it is clear that violation of provision of FCA 1980 started from 1989 and 1991 in Sakradihi Iron mining lease over 564 ha and Dubna Manganese mining lease over 1135 419 ha, respectively However, in the proposal it has been mentioned that violation was considered from 1994-95 to 2006-07. Specific comments shall be submitted in this regards

8	TELANGANA	8-14/2007-FC	DIVERSION OF 114.12 HECTARES (DIVERSION OF 27.00 HA AND 8.21 HA FOR WHICH STAGE-I GRANTED BY REG. OFFICE) OF FOREST LAND FOR CONSTRUCTION OF JONNALA BOGUDA BALANCING RESERVOIR UNDER MAHATMA GANDHI LIFT IRRIGATION PROJECT (KALVAKURTHI) IN MEHABOOB NAGAR DISTRICT, TELANGANA	114.12	IRRIGATION	Status , Quantum of forest land involved and since when the violation reported.	114.12 Ha Reserve Forest Since 1980
						Nature of violation	Completed without due approval for diversion of forest land for non-forestry under section 2 (ii) of FC Act 1980
						When the letter form MoEF&CC Issued	19.09.2017
						Action recommended	Completed without due approval for diversion of forest land for non-forestry under section 2 (ii) of FC Act in spite of directions and notices issued by the forest department and this amounts to blatant violation of the Forest Conservation Act 1980

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