

Minutes of the Meeting of Forest Advisory Committee held on

21st October, 2020

Agenda No-1

File No. 8-02/ 2020-FC

Online proposal No. FP/MP/MIN/28619/2017

Sub: Proposal for diversion of 259.239 ha. of forest land (226.349 ha. forest land in compartment No. RF-338, RF-358, 359 & PF-315 + 32.89 ha. of Revenue forest land=259.239 ha.) for Suliyari Open Cast Coal Mining in Singrouli District in favour of the Andhra Pradesh Minerals Development Corporation Limited (APMDC), Singrauli District, Madhya Pradesh State-reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 21.10.2020. Corresponding agenda note may be seen at parivesh.nic.in. All information available with the division along with background material and fact-sheet, as required by the FAC, were made available to the Committee for their examination and deliberation.
2. A total of 1,298.000 ha land has been acquired under the Coal Bearing Act, 1957 by the user agency. Out of which, 259.239 ha land is forest land for which the instant proposal has been submitted.
3. Committee was informed that the Govt. of Madhya Pradesh vide their letter dated 08.10.2020 has submitted fresh Compensatory Afforestation (CA) patches having extent of 75.00 ha out of total 264.275 ha non-forest land (NFL) submitted in lieu of proposed diversion. The issue of discrepancy regarding legal status of pledged 'NFL' was clarified by the Nodal Officer (FCA), Department of Forests, Govt. of Madhya Pradesh. He explained the details of forest land records maintained at Division level and reasons for discrepancy while handing over details to the Forest Survey of India for formalising GIS layer for Decision Support System (DSS). The issues were resolved by pledging fresh 'NFL' for patches where discrepancy was observed.
4. It was informed that the Govt. of Madhya Pradesh has submitted the CA land in seven villages. NFL patches for CA were discussed and deliberated upon in the FAC and it was observed that Forest Conservation Division for future purposes shall bring only those proposals where issues are resolved as per DSS.
5. The DSS analysis of the area proposed for diversion and CA were made before FAC. The Committee observed that the CA patches provided in Karodiya village are not continuous. There exists a strip of land in between two patches which is not included for CA purpose. Also in the CA patch provided in Harma village, a road is passing through it and an area of around 1 ha within the patch has not been acquired by the user agency. It was observed that these anomalies, though minor in nature, shall be resolved and fine-tuned by the Nodal Officer, FCA, Deptt. of Forests, Govt. of

Madhya Pradesh and revised .kml/shape files of these patches will be submitted.

Decision of FAC:

After thorough deliberations and discussions with the Nodal Officer, FCA, Deptt. of Forests, Govt. of Madhya Pradesh and DDGF, Regional Office, Bhopal, the FAC **recommended for in-principle approval** with General, Standard and following specific conditions:

- i. The State Government shall provide revised .kml/shape files of Compensatory Afforestation patches as per deliberations of the FAC meeting.
- ii. Undertaking provided by the concerned District Collector to make Compensatory Afforestation patches free from encumbrances at the time of initiation of afforestation activity shall be ensured by the State Government.

Agenda No. 2

**File No. 8-48/2018-FC VOL.
Online Proposal No. FP/HP/HYD/39709/2019**

Sub: Proposal for seeking prior approval under the Forest (Conservation) Act, 1980 for use of additional area of 0.9486 ha (in addition to the already diverted 98.1004 ha) of forest land in favour of SJVN Ltd. for Luhri HEP Stage-I for approach road under the jurisdiction of Ani at Luhri Forest Division, District Kullu, Himachal Pradesh -reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 21.10.2020. Corresponding agenda note may be seen at parivesh.nic.in. All information available with the division along with background material and fact-sheet, as required by the FAC, were made available to the Committee for their examination and deliberation.
2. This proposal was also discussed earlier in the FAC meeting held on 11.06.2020 and FAC had sought certain additional information from the Government of Himachal Pradesh.
3. In response to the observation of FAC, APCCF-cum-Nodal Officer (FCA), Himachal Pradesh submitted a detailed report on three alternative alignments and also the compliance report of past approval granted by MoEFCC.
4. It is informed by the State that the construction materials for Luhri HEP Stage-I shall be obtained from Moin and Koel Quarries. The road for Moin quarry is proposed for transportation of these construction materials for all major components like Dam, Toe Powerhouse, Switchyard, diversion Tunnel etc. of the project. Earlier, this road was supposed to be constructed by HPPWD to connect Moin village as conveyed by HPPWD during meetings while identification of land for various components of the project was discussed. But later, alignment of the road was changed by HPPWD and the road for Moin village was constructed through alternate side. Hence, it has become necessary for SJVN Ltd. to construct/widen the existing jeep able road.
5. State has informed that the following alternatives studies were carried out to

explore the selection of the road alignment:

- a. Widening of existing Jeepable road from Dam/Toe Power House at Nirah to Moin Quarry site on Right bank, Length **1700m**.
 - b. From Dam at Nirath to Moin Quarry site through NH-22 on Left bank & Moin village Length **8000m**.
 - c. From proposed bridge at Nirth to Moin Quarry site along right bank of River Satluj, Length **3129m**.
6. Out of the above options, the alternative specified at point 'a' has been finalised by the State Government.
 7. The DSS analysis of the area proposed for diversion and CA were made before FAC.

Decision of FAC

FAC, after thorough deliberation and discussion with DDG/In-charge Integrated Regional Office, Shimla and the Nodal Officer (FCA), Himachal Pradesh agreed on the final alignment of the road and **recommended for in-principle approval** with General, Standard and following specific conditions.

1. User agency shall prepare a detailed plan to undertake bio-engineering measures up to 100 meters on either side of the proposed road. The measures should promote greenery in the area. The cost of preparation of plan and implementation shall be borne by the user agency. The approved plan, from competent authority in the State, shall be submitted prior to Stage-II approval. The State government may also co-ordinate with the Ministry of Agriculture & Farmers Welfare to explore possibility for finding appropriate support for bamboo plantation in the designated plan area.
2. User agency shall ensure that no muck/debris is thrown/dumped on the river/stream bed. The muck shall be dumped on the designated dumping sites only.
3. Before initiating the work of dumping, sites shall be protected by erecting protection wall to avoid rolling of debris.
4. Excavation shall be carried out in a scientific way to avoid rolling down of muck into river/stream.

Agenda no: 3

F. No. 8-58/2016-FC

Online Proposal No. FP/ KA /SCH/ 20566/2016

Sub: Diversion of 72.177 ha of forest land in Sy. No. 1/1 of Bhutaramanahatti Village, Belgaum Taluk and District for Establishment of Rani Chennamma University in favour of the Registrar, Rani Chennamma University, Belgaum-reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 21.10.2020. Corresponding agenda note may be seen at *parivesh.nic.in*. All information available with the division along with background material and fact-sheet, as required by the FAC, were made available to the Committee for their examination and deliberation.

2. The proposal has already been discussed in three meetings of FAC held on 26.12.2016, 15.06.2017 and 19.06.2018. This issue was taken up, last time, in FAC meeting held on 19.06.2018 and following was decided:
 - a. State Government shall initiate action for violation as per provisions of the Govt. of India Guidelines 11-42/2017-FC dated 29.01.2018.
 - b. State Govt shall explore possibility of establishing the University Campus in the alternative non-forest land. Detail analysis of at least three possible sites may be submitted.
 - c. On analysis in DSS, it was observed that, the actual change in land use is restricted to a small portion of the forest area. State Govt. shall demarcate the area and submit details of actual forest area under non-forest use at present. The shape file of the same shall be submitted.
3. The proposal was again brought forward for consideration of FAC based on a D.O. letter from Hon'ble Chief Minister of Karnataka addressed to Hon'ble Minister, EF&CC having letter no. CM/318/GoI/2020 dated 11.09.2020. This was discussed with the Hon'ble Minister Environment, Forest and Climate Change in review meeting in October, 2020.
4. The issues of 'non-site specificity' of the proposal, violation of provisions of the Forest (Conservation) Act, 1980 and 'non-responsiveness' of the State Government are main obstacles in concluding the proposal.
5. As this was an important agenda item which has been pending for long, the presence of Additional Chief Secretary (Forest) and Principal Chief Conservator of Forests & Head of Forest, Govt of Karnataka was requested so that final decision could be taken in this meeting. FAC members waited for the presence of PCCF(HoFF) and Additional Chief Secretary, Dept. of Forests, Govt. of Karnataka to take part in the meeting through video conferencing but they were unable to do so due to their pre-occupation, and the Govt. of Karnataka was represented by the Nodal Officer, FCA, Deptt. of Forests in the meeting.
6. Although a view was expressed that the University is imparting education in backward area and the social benefits, rather than the financial benefits accrued to the local population, it was highlighted that the principle of conservation and development of precious forests is also paramount.
7. The DSS analysis of the area proposed for diversion and CA were made before FAC during the meeting and the proposed forest area under violation was reviewed through Google overlay of the .kml/shape file. It was found that a large virgin forest area, in addition to the area over which building construction has taken place, is being sought for diversion for various purposes. Therefore, it is incumbent upon the User Agency and the State Govt. to undertake a thorough exercise of rationalisation of the proposed forest area on principles of 'minimum forest area for diversion'.
8. The State Govt. shall also provide a comprehensive picture of the forest and non-forest area of the vicinity for taking prudent, pragmatic and informed decision in the instant proposal. Details to be provided by the State Govt. shall also provide for measures taken/ to be taken so that such violation of the FCA-1980 do not occur in the future.

Decision of FAC:

After thorough deliberations and discussion with the Nodal Officer, FCA, Deptt. of Forests, Govt. of Karnataka; FAC **deferred** the proposal. It was decided that the Govt. of Karnataka shall provide details as contained in the FAC meeting of 19.06.2018 along with rationalized forest area proposed for diversion, details of forest areas & non-forest areas available in the vicinity, details related with violation of the FCA, 1980, measures taken/ to be taken for preventing violation of the Forest (Conservation) Act 1980, etc. In the meeting it was also decided that next time the matter will be deliberated in presence of Additional Chief Secretary (Forests) and PCCF (HoFF), Department of Forests, Govt. of Karnataka.

Confirmed through mail

(S. D. Vora)

Member

Confirmed

(Bharati)

Inspector General of Forests (FC)

Not present

(Anmol Kumar)

Member

Confirmed through mail

(Dr Sanjay Deshmukh)

Member

Confirmed

(Sisir Kumar Ratho)

Additional Director General of Forests

Confirmed through mail

Additional Commissioner (Soil Cons.)

Ministry Agriculture (Member)

Confirmed

(Dr. Sanjay Kumar)

Director General of Forests & Special Secretary