

**Minutes of Meeting of Forest Advisory Committee held on
27.01.2021**

Agenda No. 1

F. No.8-06/2019-FC

Sub: Proposal for diversion of 162.45 ha of forest land in Indaram RF, Mancherial Range of Mancherial Forest Division in Mancherial District for grant of Mining Lease for Srirampur Open Cast-II Expansion Project in Jaipur Mandal, Mancherial District in favour of M/s Singareni Collieries Company Limited, Srirampur Area Mancherial District (Online proposal no. is FP/TG/MIN/29918/2017.)- reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.1.2021. Corresponding agenda note may be seen at ***parivesh.nic.in***. For the detailed examination and analysis all information and documents related to the proposal as required by FAC, including DSS analysis, were made available for all agenda items.
2. This proposal was earlier considered by FAC on 18.08.2020 and after deliberation the decision on the same was deferred with certain observations.
3. The present proposal is for expansion of Srirampur open cast mine. At present the existing mine is having 939.79 ha of lease area which includes 266.85 ha of forest land (out of the total forest land at present, 214.49 ha is under open cast mining and 52.36 ha is underground mining).
4. It is reported that 162.45 ha of forest land will be required for expansion of Srirampur open cast mining for which 11.14 ha is proposed to be taken from the existing Srirampur underground mining area (i.e from 52.36 ha) and rest will be carved out from North Godavari Mining lease (forest area- 45.22 ha) and Indaram Mining lease (forest area- 106.10 ha.).
5. These three underground mining leases have different lease validities. Srirampur Mining lease is up to 21.05.2038, North Godavari Mining lease is up to 27.06.2030 and the Indaram Mining lease was up to 23.07.2020. It was also informed that renewal of the lease of the Indaram mining area is under

process in the State Government.

6. During the deliberations, FAC observed that the portion of forest land which is proposed to be added is being taken from three different leases. In this regard the approval sought under FCA 1980 for the forest land requested to be added in the existing open cast Srirampur Mining lease, will be made co terminus to the mining lease which will expire in the year 2030. This was agreed by the representative of user agency and PCCF (Telangana).
7. FAC also observed that the user agency and the Ministry of Coal have consistently requesting to consider the user agency as a 'CPSU' solely for the purpose of getting relaxation on CA norms, i.e. to provide cost of CA in double the area under diversion to be taken up in degraded forest land, rather than providing equivalent non-forest land for CA and cost of CA thereon. FAC expressed serious concern in the overall matter and decided to discuss the matter as a separate policy issue in the meeting later. It was also noted from submissions of SCCL that, after closure and reclamation of certain ongoing mines of SCCL, some the non-forest land (NFL) in those mines will be released which can be handed over to the forest department and can be declared as RF. It is reported that such mines will start getting closed from 2023 onwards and during 2027-28 year about 3033 ha rehabilitated NFL can be handed over and so on, as per the table/schedule given below.

S.No	Year	Extent of NFL available after closure of mining by SCCL (Ha.)
1.	2027-28	3033
2.	2032-33	1699
3.	2037-38	4600
4.	2042-43	4691
5.	2062-63	2225
6.	2065-66	3623
	Total	19871

8. Considering the matter holistically in view of the National Forest Policy goal of increasing forest and tree cover, and given the additional proposition that has been made by the User Agency, FAC decided to recommend taking up CA over

double the degraded notified land in the instant proposal subject to the certain conditions.

Decision of FAC:

After thorough deliberation and discussion with PCCF (HoFF) Telangana, Regional officer in charge IRO Hyderabad and representative of user agency, FAC **recommended the proposal for according in-principle** approval under FCA 1980 with General, Standard and following Specific conditions.

- i. The validity of FC approval shall be up to 27.6.2030.
- ii. From the analysis of the area through DSS it is observed that a river exists on the southern boundary of Srirampur mining lease area that flows through/alongside large forest area on the downstream at some distance of these leases. Therefore, it is essential to protect the water source for the sustainability of flora and fauna there. The User agency shall get a detailed plan (comprising of vegetative and SMC protection barriers, and duly approved by the competent authority in the forest department) prepared by an expert agency and implement it to protect the riverbank so that debris, etc. from mines doesn't block or reduce water flow in the river and cause adverse impact on the flora and fauna in the downstream forested area. The plan shall be implemented within 3 years of handing over of proposed forest land to the User Agency.
- iii. The area has several coal mines in the vicinity which together had/have been affecting the natural forest cover in this locality in a significant manner, and, therefore, CA over lands other than notified forest would have been ideal scenario. Therefore, keeping in view the goal of harmonious pursual of conservation and development, it was agreed to accept the proposal of Compensatory Afforestation on double the degraded notified forest area under forest department on the condition that in addition to the proposed CA, non-forest area equivalent in size to the diverted forest area shall be made available and mutated in favour of State Forest Department out of the area available immediately after the closure and rehabilitation of mines of M/S SCCL from 2027-28 (or, earlier) onwards as submitted by M/S SCCL vide their letter no. CMD/PS/H/129 dated 29.09.2020. A Board resolution in this regard shall be

submitted by the User Agency to the State Forest Department, and the State Forest Department will accordingly ensure the compliance of this condition in a timely manner. The land so mutated shall be notified under the relevant sections of the Forest Act as a Reserve Forest. After handing over, the State Forest Department shall protect the so transferred land and may develop it further at own cost for bringing the area under sustainable forest management. For CA on notified forest land, Nodal Officer shall give a certificate that no afforestation/plantation has been taken up under any plan/programme/scheme on that land in the last ten years.

- iv. The future forest diversion proposals in the coal mining projects of the User Agency (those which have not been forwarded to the Central Government by the State Governments as yet) shall have CA undertaken on areas outside notified forests. CA on degraded notified forests in these cases shall be considered only in exceptional circumstances when:
 - a. State Government has issued a certificate that degraded forest land (double in extent) outside notified forest boundary is not available for CA purpose, and
 - b. The Nodal Officer has certified that no afforestation/plantation has been taken up under any plan/programme/scheme in the degraded forest area proposed for CA in the last ten years.
- v. In addition to CA, restoration of degraded notified forests in an area equivalent to the diverted forest area will be undertaken at the cost of the User Agency in between Mancherial and Jaipur, as is being done elsewhere in Telangana State. The restoration work shall start within 6 months of handing over of proposed forest land to the User Agency.
- vi. The KML files of diverted area, the CA area and the areas mentioned in sub-clause (ii), (iii) and (v) shall be uploaded on e-Green watch portal with all requisite details prior to Stage II approval.
- vii. The User Agency shall comply with the Hon'ble Supreme Court order and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner.
- viii. As reported by DFO, Mancherial Division and endorsed by State Government, the User Agency (M/S SCCL) is having two operational open cast mining

projects, namely SRP-1 and RKP OC, 4 underground mines and soon to be operational Indram OC mines. The two operational mines and the Indaram OC will produce about 829 million tons and about 382 million tons of overburden respectively within their lifetime. It is, therefore, crucial to undertake overburden restoration/ stabilisation as the mining progresses as per high scientific to minimise further damage to flora, fauna, soil and hydrology of the adjoining area due to such huge overburden accumulation. As this is a new area of technical expertise, the User Agency has proposed to create adequate capacity in the State Forest Department so that the eco-restoration of the overburden and the mined out area could be monitored effectively, and for this purpose to expose a team of at least 10 forest officers to global best practice being implemented in coal mines of Australia / New Zealand, etc. at User Agency cost.

The recommendation of State Government as reported in the proposal and conveyed by PCCF (HoFF), Telangana and agreed to by the representatives of User Agency in the meeting may be accepted on the condition that the visit is approved by the State Government and the admissible expenditure as per norms on this account is reimbursed by the User Agency to the Forest Department.

Agenda No. 2

File No. 8-18/2020-FC

Sub: Proposal for seeking prior approval of the Central Government for non-forestry use of 190.0 ha of forest land for collection of minor mineral from Chandrabhaga River in favour of UTTARAKHAND FOREST DEVELOPMENT CORPORATION (UAFDC) under Narendra Nagar Forest Division and District Dehradun, Uttarakhand (Online proposal No. FP/UK/MIN/8878/2014)-reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.1.21. Corresponding agenda note may be seen at ***parivesh.nic.in***.

2. It is reported that the proposal is for removal of River Bed Material (RBM i.e. sand, gravel and silt) from the bed of Chandrabhaga river, a tributary of river Ganga, by Uttarakhand Forest Development Corporation. During the rainy season, huge quantity of clay, silt, sand and boulders are brought down by overflowing streams in the nearby hills. The coarse and fine particles of sand, silt and clay are settle down once the river/ stream comes to the level surfaces and get deposited. Thus, every rainy season brings in a fresh layer of RBM. This material is economically valuable for construction purposes and is in great demand. In absence of regulated removal, the river bed gets elevated and leads to overflow of streams resulting into floods in the nearby villages. Therefore, consistent removal of RBM helps in training of the river bed and is an effective means of flood control in the adjoining villages. However, the removal of RBM needs to be properly regulated so that it serves the economic as well as ecological purposes.
3. It is reported that the State Government has conducted a study by Indian Institute of Soil & Water Conservation(IISWC), Dehradun at Chandrabhaga River in a length of about 7.814 km with the following objectives:
 - i. Study of the hydrological profile of River Chandrabhaga (within a defined stretch) with respect to the extraction of riverbed material
 - ii. Estimation of permissible extraction of RBM for the year 2019-20.
4. Out of 190 ha of forest land proposed for diversion under the provisions of FCA 1980, 12.3 ha on either side of the river is proposed to be kept as safety zone.

Decision of FAC

After thorough deliberation and discussion with Regional officer in charge IRO Dehradun and representative of user agency, **FAC recommended the proposal for in-principle approval** under FCA 1980 with General, Standard and following Specific conditions:

- i. The comments of National Mission on Clean Ganga on the above stated proposal shall be taken prior to Stage II approval.
- ii. State Government shall ensure that extraction of minor mineral (sand, stone and bajri) from the riverbed is carried out manually without use of heavy machinery.

- iii. The quantity of the extracted minor mineral shall be as per the recommendations in the study report on assessment of extractable riverbed material undertaken by Central Soil & Water Conservation Research & Training Institute, Dehradun, and the Sustainable Sand Mining Management Guidelines 2016, MoEF&CC as updated from time to time shall be followed.
- iv. The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.
- v. Bamboo plantation shall be raised between the mining area in the riverbed and the nearby areas as appropriate to avoid soil erosion and also protect agriculture fields. The State government may coordinate to dovetail the schemes of Ministry of Agriculture and Farmers' Welfare, Government of India in this regard.
- vi. The sale proceeds from collection of minor minerals from forest land of Chandrabhaga river shall be used for protection/ conservation of forests
- vii. No fencing for protection of safety zone shall be done so as to allow hamper free movement of wildlife. The waterholes on the riverbank shall not be disturbed.
- viii. Extraction, removal and transportation of RBM will be allowed only during day-time. No movement of vehicles/ workers should take place in the night. A GIS-based MIS should be used for monitoring of entire process of collection and transportation of RBM.
- ix. The User Agency will construct suitable river training structures wherever required to avoid soil erosion and destruction of forest vegetation due to floods.
- x. The User Agency will comply with the recommendations of Standing Committee of NBWL for wildlife mitigation measures.

Agenda No. 3

F. No. 8-63/2011-FC

Sub: Proposal seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for non-

forestry use of of 15.701 ha of revenue forest land in the villages of Dulanga, Ghumudasan and Manoharpur under HemgiriTahasil of Sundargarh district for Coal Mining in Manoharpur Coal Mine Project by M/s Odisha Coal and Power Ltd. (OCPL) under DFO, Sundargarh-reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.01.2021. Corresponding agenda note may be seen at ***parivesh.nic.in***.
2. It is reported that this coal block was allotted to OPGC (Odisha Power Generation Corporation) in 2007. The land requirement envisaged was 808.575 ha for which the mining plan was approved. This included 276.19 ha of forest land which was granted Stage II approval under the provisions of FCA 1980 on 20.8.2014. This coal block was de-allocated, based on order of Hon'ble Supreme Court of India dt. 25.08.2014.
3. Thereafter this coal block was re-allocated to Odisha Coal & Power Ltd (OCPL) on 31.08.2015 and MoEF&CC transferred the approvals granted to OPGC to OCPL as per the existing procedure and provisions under FCA 1980 rule and guidelines.
4. In addition to 276.19 ha of forest land, 57.616 ha of additional forest land from other project of OPGC was also transferred to OCPL on 17.10.2017, thus making the total forest area for the project as 333.434 ha (276.19 +57.616 ha).
5. It is reported that on allocation of coal block to new user agency and after a thorough technical scrutiny of the already approved mining plan obtained by OPGC, it was found that the land area acquired for outside waste dump is insufficient to accommodate the overburden produced from mine. The mine plan was thus revised and approved by Ministry of Coal, Govt. of India vide their letter F. No. 34011 4 2017 CPAM, dt. 17.04.2018 in which the total land requirement was changed from 808.574 ha to 1064.402 ha. The forest patches over 15.701 ha falling within proposed waste dump area which cannot be kept aside rather need to be included in the overburden dump area. This necessitates the diversion of 15.701 ha over and above the 333.733 ha (276.655 ha +

57.078 ha) forest land already diverted and transferred in favour of OCPL so as to ensure a compact outside overburden dump.

Decision of FAC:

After thorough deliberation and discussion with PCCF/Nodal Officer Odisha and IRO Bhubaneshwar, FAC observed that the State Government vide its communication no. 21809/9F (MG)- 64/2019 dated 14.12.2020 has informed that the total forest area within 1064.402 ha (total approved mining plan area) is 273.288 ha. Whereas on perusal of other data related to area as confirmed by the Regional Officer the forest area is reported to be 349.434 ha.

Accordingly, **FAC deferred the proposal** seeking clarity on discrepancies in the area, from the State Government.

Agenda No. 4

F. No. 8-10/2020-FC

Sub: Proposal for diversion of 72.00 ha. of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District of Madhya Pradesh State

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.01.2021. The corresponding agenda note may be seen at ***www.parivesh.nic.in***.
2. The above proposal was earlier considered by the FAC in its meeting held on 18th August 2020. After detailed examination and deliberations on the proposal, the Committee had deferred the proposal and sought following additional information from the State Government for further consideration of the proposal:
 - i. The revised Cost Benefit details shall be submitted as per the Ministry guideline dated 01.08.2017.

- ii. User agency shall recheck the actual culturable command area of the proposed irrigation project.
- iii. Compensatory Afforestation sites proposed shall be revisited and the State Government shall ensure CA sites are free from all encumbrances.
- iv. The State Government shall convey its views on the recommendation of the DFO that a Wildlife Management Plan (WLMP) may be made for implementation by the user agency.

3. During deliberations FAC observed that:

- i. The reply to the above observations has been forwarded by the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer (FCA), Govt. of Madhya Pradesh vide his office letter no. F-3/86/2018/10-11/16/33 dated 4th January 2021. The revised cost benefit analysis has been forwarded by the Nodal Officer vide his office letter no. F-3/86/201810-11/16/364 dated 21st January 2021.
- ii. The culturable command area of the project was rechecked by the state government and it is reported to be 1848 ha. only, and, given the low ratio of forest land used: command area, it was agreed that the User Agency shall undertake comprehensive measures/ initiatives for improving the overall efficiency of the project.
- iii. The non-forest land proposed for carrying out the CA was inspected by the DFO concerned and it is reported that the proposed land is free from encroachment. The proposed land was earlier allotted to the Energy Development Department for developing wind energy. A small building was constructed by them which shall be used by the forest department as per requirement.
- iv. The proposal mentions presence of hyena, jackal, langoor, fox, hare, blue bull, chinkara etc. in the area proposed for diversion. In view of the above the recommendation of the DFO for the preparation of a WLMP is required to be considered. The Nodal

Officer (FCA) however clarified that the pipes to be used for irrigation will be underground and their diameter will be too small to necessitate any under-pass for passage of animals.

4. The user agency explained that the dam proposed to be constructed is an earthen dam and, after options analyses has concluded that the site selected is the only suitable place for the purpose.

Decision of FAC:

After thorough deliberation and discussion with Nodal Officer (FCA) and the representatives of the user agency, **FAC recommended for according 'in-principle' approval to the proposal** under Section 2 (ii) of the Forest (Conservation) Act, 1980 with general, standard and following specific conditions

- i. The State government will carry out adequate Soil and Moisture Conservation works in the catchment area (e.g. stop dams, sunken pits, contour trenches, percolation pits, etc.) so that the reservoir gets enough recharge of water and the irrigation efficiency is improved. These works would be in addition to the plantation proposed to be done under CA.
- ii. The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.
- iii. As a measure for lowering the dependence of local people on forest extraction for livelihoods/ farmland fencing, etc. and allow the nearby degraded forests to regenerate, horticulture on farmers' lands will be promoted. Adequate number of saplings of fruit bearing species shall be raised and distributed to farmers in surrounding village by the forest department at the cost of the User Agency. Assistance under Sub-Mission on Agroforestry of the Ministry of Agriculture and Farmers' Welfare, Govt of India may also be taken.
- iv. The areas surrounding the proposed submergence zone supports a wide range of wild animals like hyena, jackal, langoor, fox, hare, blue bull, chinkara etc. Submergence of a large area and construction and maintenance activities will adversely impact the wildlife. The State government will, therefore, prepare a Wildlife Management Plan (WLMP) for wildlife conservation for area around proposed area of diversion, and implement it at the cost of the user agency.
- v. The user agency will ensure free water for the purpose of wildlife and forest

management.

Agenda No. 5

F.No. 8-07/2019-FC

Sub: Diversion of 115.874 ha. of forest land in favour of M/s Jaiprakash Associates Ltd. for proposed diversion of forest land at village Kota in Tehsil Robertsganj, District Sonbhadra for JP Super cement plant & it's township (a unit of Jaiprakash Associates Ltd. Sector 128, Noida) in District Sonbhadra, State Uttar Pradesh.

1. The above stated agenda item was considered by Forest Advisory Committee (FAC) in its meeting on 27.01.2021. The corresponding agenda note may be seen at ***parivesh.nic.in***.
2. The FAC after thorough deliberation and discussion observed that:
 - i. The proposal was earlier considered by the FAC in its meetings held on 23.04.2020 and 13.07.2020. In the FAC meeting held on 13.07.2020, after thorough deliberations the proposal was with following decision:
 - a. *A detailed site inspection report based on joint site inspection by the Regional Office, MoEF&CC, Lucknow and officials of the State Forest Department, regarding violation done as per the provisions under Forest (Conservation) Act, 1980 over the forest area proposed for diversion by user agency. The report shall include among others:*
 - i. *Status of forest land proposed for diversion and extent of violations of FCA 1980;*
 - ii. *Extent of forest area, within the proposed area of diversion, where violation under Forest (Conservation) Act, 1980 has been done;*
 - iii. *Suitability of site proposed for compensatory afforestation vis-a-vis DSS analysis report;*

iv. *Any other information relevant with instant proposal.*

b. The State Government shall provide details of construction activity carried out on proposed forest area for diversion by user agency after Hon'ble NGT order in OA No. 494 of 2015 dated 04.05.2016, if any;

c. Present possession status of remaining forest area outside the proposed area for diversion, i.e. 1083 .203 ha- 115.874 ha = 967.126 ha.

3. FAC also took note that, the Joint Inspection report has been submitted by the Integrated Regional Office, MoEF&CC, Lucknow and State Government.
4. During the meeting FAC desired clarity on providing two scenarios (scenario I & II) in the report and assessing the extent of violation. Special Secretary, (Department of Forest, Government of UP), Nodal Officer (FCA), Department of Forest, Government of UP and DIG (IRO, MoEF&CC, Lucknow) explained the reasons and clarified that the extent of constructed area is same as the extent of violation, i.e. 41.92 ha.
5. In the meeting, it was observed that the report is silent on the vital aspect of details of action initiated against persons/officials/authority responsible for violation under Forest (Conservation) Act, 1980 with respect to 41.92 ha forestland. Special Secretary, Department of Forest, Government of UP assured the FAC that State Government will carry out detailed inquiry in the matter and appropriate legal and administrative actions as per law will be initiated against the erring persons/officials/authority in the matter.
6. Regarding issue mentioned at Sr. No. III of the decision taken in last FAC meeting of 13.07.2020 i.e. *“Present possession status of remaining forest area outside the proposed area for diversion, i.e. 1083 .203 ha- 115.874 ha = 967.126 ha.”*; it was informed by the Special Secretary that the remaining forest land is at present under the possession of the State Forest Department and has been notified as ‘Reserve Forest’ as per the provisions contained in Section 20 of the Indian Forest Act, 1927. It is expected that the State Forest Department has already made adequate arrangements of protection and improvement in density and quality of this forest.
7. The FAC also observed that there is a water body in the non-forest land proposed for the CA and many of the patches proposed for CA are less than 5

ha in area. The 26 ha of water body is also required to be excluded from the CA area. FAC members expressed displeasure on the manner with which such an important condition has been dealt by the State Government. The members desired that the non-forest land to be provided for CA needs complete revisit and should propose as per the Rules and guidelines made under the Act.

Decision of FAC:

After thorough deliberation and discussion with Nodal Officer (State Government), the Special Secretary (Department of Forest, Government of UP, Lucknow) and Regional Officer (In charge) of IRO Lucknow, **FAC recommended for according 'in principle' approval of the proposal** under Section 2 (ii) of the Forest (Conservation) Act, 1980 with general, standard and following specific conditions.

- i. The State Government shall carry out thorough inquiry to find out persons/officials/authority responsible for violation of forest land as per provisions of the Forest (Conservation) Act, 1980 and initiate appropriate legal as well as administrative action as per the findings. A report on the findings of the inquiry and the action taken against officials/ persons/authorities accountable in the instant case should be furnished with the compliance report of 'in principle'/Stage I approval.
- ii. As per extant guidelines made under the FC Act, 1980 by the Ministry and existing precedence in similar cases, the User Agency shall pay five times of NPV and five times penal CA on non-forest land in respect of 41.96 ha of forest land on which violation of the FC Act has been reported by the State Government.
- iii. The non-forest land to be provided for CA needs complete revisit and should propose as per the Rules and guidelines made under the Act. The IRO, MoEF&CC, Lucknow shall examine the suitability of non-forest land to be pledged for CA and penal CA prior to submission of the same for 'Final'/Stage II approval to the Ministry.
- iv. The KML files of diverted area and CA areas (which will be finalised as at para-iii above) shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.

Agenda No. 6

F. No. 8-74/2018-FC

Sub: Proposal seeking prior approval of Central Government under Forest (Conservation) Act, 1980 for non-forestry use of 93.58 ha of Revenue Forest Land in favour of M/s South Eastern Coalfields Limited (SECL) for Amgaon Opencast Coal Mining Project District Surajpur (Chhattisgarh) - reg.

Ref: Government of Chhattisgarh letter No. F-21/2018/10-2 dated 12.11.2020, received through email dated 13.01.2021 on imposition of additional conditions

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.01.2021. Corresponding agenda note may be seen at ***parivesh.nic.in***.
2. The above-mentioned proposal has been granted Stage-II approval by the Central Government vide letter dated 07.08.2020 subject to fulfilment of certain conditions prescribed therein.
3. Vide above referenced letter, the Government of Chhattisgarh has requested MoEF&CC to add following additional conditions in the Stage-I approval dated 07.08.2020:
 - i. Wildlife Management Plan (WLMP), approved by the PCCF (Wildlife) vide his letter dated 25.10.2017, shall be implemented by the State Forest Department at the project cost and differential cost of the provisions of the WMP to be implemented shall be deposited by the User Agency, as per then existing cost.
 - ii. The User Agency shall provide a vehicle (Bolero/Scorpio/ equivalent) at the project cost to Forest Divisional Officer, Surajpur to monitor the compliances of various approvals granted under the Forest (Conservation) Act, 1980.

Decision of FAC

FAC after thorough deliberation and discussion recommended that :-

- i. The request of State Government with respect to deposit of differential cost to implement the provisions of the Wildlife Management Plan (WLMP) is accepted and may be incorporated as part of approval granted by MoEF&CC on 07.08.2020. The additional condition may be read as,

“Wildlife Management Plan (WLMP), approved by the PCCF (Wildlife) vide his letter dated 25.10.2017, shall be implemented by the State Forest Department at the project cost and differential cost of the provisions of the WLMP to be implemented shall be deposited by the User Agency, as per the existing cost”

- ii. The condition related to requirement of vehicle shall be complied by the State Government from its regular budget head.
- iii. The User Agency shall comply with the Hon’ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner.

Additional agenda 1

F. No. 8-07/2020-FC

Sub: Proposal seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of diversion of 169.1779 ha of forest land coal mining in respect of Utkal ‘E’ Coal Mines under Section-2 of Forest (Conservation) Act, 1980 by NALCO -reg.

1. The above stated agenda item was considered by the Forest Advisory Committee (FAC) as an additional agenda item in its meeting held on 27.01.2021. Corresponding agenda note may be seen at ***parivesh.nic.in***.

2. As per the proposal,

- i. Total land involved in the project is 523.7325 ha comprising of 169.1779 ha of forest land (169.0349 ha of Revenue Forest + 0.143 ha of DLC Forest) and 354.5546 ha of non-forest land (132.0581 ha of Government non-forest land + 222.4965 ha of Private non-forest land).
- ii. Utkal-E block is located in between Utkal-F block and Utkal-D block, all in the south-central part of Talcher Coalfield area.
- iii. There are 417 no. of project displaced families and 811 no. of project affected families, to be affected by Utkal-`E' Coal Mine Project.
- iii. During deliberations, FAC, observed that:
- iv. As per the proposed land use, 13 ha of forest land has been kept for use for the purpose of Office, R.S. & Other infrastructure. It was also observed that, there is sufficient non forest land within the mining lease, in which these activities shall be taken up in non forest area.
- v. The reclamation which is dealt in Chapter-5 of the mining plan submitted by CMPDI and approved by Coal India contains details of year wise OB dump generation but does not contain details of area to be backfilled and reclaimed. These details are missing in Progressive mine Closure Plan too.
- vi. There are number of identified coal blocks in the Talcher coalfield area, of which some of the blocks have already been allocated and others are to be allocated in the future to different organisations. Most of the coal blocks involve/ are to involve forest lands. The area is in the important Mahanadi basin forest catchment Examination of mitigation measures and analysis of land use plan for individual mines (coal blocks) in Talcher coal field may not enable the FAC to take a holistic view of the area.
- vii. The Nodal Officer (FCA) of the State Government or his representative was not present during deliberation.

Decision of FAC

After thorough deliberations and discussions with the Regional officer of IRO

Bhubaneswar and representative of User agency, **FAC recommended the proposal for according in-principle approval** with General, Standard and following specific conditions.

- i. 13 ha of forest land proposed to be used for Office, R.S. and other infrastructure, is not allowed as part of this proposal.
- ii. The revised Mining plan having duly incorporated progressive mine closure Plan with backfilling details year wise and financial expenditure to be incurred annually, shall be submitted as part of the compliance report of the conditions of Stage-I approval. The rehabilitated forest area after closure of mining operations shall be handed over to the State Forest Department for sustainable forest management in the future.
- iii. Noting that the proposed area is contiguous to Reserve Forests, and heavy mechanised coal mining and transport will have significant impact both on the wildlife of the area and the overall soil-moisture condition that in turn will affect the health of flora in both short and long-term, proper wildlife and soil-moisture conservation (SMC) measures in the adjoining areas along with their long-term monitoring, are necessary. The user agency shall contribute towards cost of the SMC Plan duly approved by State Forest Dept. The User Agency will also contribute towards duly approved Site-specific Wildlife Conservation Plan and Regional Wildlife Management Plan of the adjoining area at the revised rate. The Plan shall include specific conservation measures for RET flora and fauna species.
- iv. Trees should be felled in phased manner as per the requirement in the approved Mining Plan with prior permission of DFO, Angul.
- v. Approved R&R plan shall be submitted. Noting that collection of forest products from forests in the area is an important and significant component of livelihoods of the people in the area and that the same will be affected due to loss of forest on account of mining, the R&R Plan shall include components for compensating the loss of such forest-based income including augmenting it through village level forest-based enterprises.
- vi. The proposal for CA on notified degraded forest under the management control of the Forest Department was accepted. Nodal Officer shall give

a certificate that no afforestation/plantation has been taken up under any plan/programme/scheme on the proposed CA land in the last ten years. However, given the fact that Talcher coal mining area involves very large forest area and the same would need to be properly compensated, future forest diversion proposals in the area will be accepted with CA on degraded notified forest area on the following conditions:

- a. State Government issues a certificate that degraded forest land outside notified forests is not available for CA purpose, and
 - b. Nodal Officer certifies that no afforestation/ plantation has been taken up under any plan/programme /scheme in the degraded notified forest area proposed for CA in the last ten years.
- vii. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for growth of fodder, flora, fauna, etc. in a timely manner.
- viii. The KML files of diverted area, the CA areas, the proposed SMC treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.
- ix. Talcher coalfield area is one of the largest in the country. Already a large number of operational leases/coal blocks, and many other allocations/ approvals are underway in the area. Their cumulative effect on the overall forest and wildlife cover in the area could be significant. Further, overall increase in ambient air temperature and forest-fire susceptibility in coal mining areas has been generally observed around the world. Such cumulative impact could be better reduced /mitigated if synergistic action is taken by different coal block operators. Therefore, a multidisciplinary committee may be formed by the Ministry to make a visit to the Talcher coalfield area and suggest integrated action on infrastructure and mining development in forest and wildlife friendly manner. The committee may also suggest site specific mitigation measures. The visit of the committee shall be facilitated by the State Government. The committee shall submit its report in next two months. It is clarified that submission of the report by the committee shall not be

a pre-condition for compliance of the in-principle approval of the instant proposal. However, the User Agency shall give an undertaking that any specific condition/measure suggested by the committee for the instant proposal, and approved by this Ministry, shall be complied by them during the course of the lease operation.

(Confirmed through email)

(Sh S. D. Vora)

Member

(Confirmed)

(A.K. Mohanty)

Inspector General of Forests (FC)

(Confirmed through email)

(Sh Anmol Kumar)

Member

(Absent)

(Dr Sanjay Deshmukh)

Member

(Confirmed)

(Sisir Kumar Ratho)

Additional Director General of
Forests

(Confirmed through email)

*Additional Commissioner (Soil
Conservation)*

Ministry Agriculture (Member)

(Approved)

(Dr. Sanjay Kumar)

Director General of Forests & Special Secretary