

**(PARIVESH 1.0)****Minutes of the Meeting of the Advisory Committee (AC) meeting held on  
22.01.2026****Agenda No. 1****Proposal No. 3-ASC/173/2023/GHY**

**Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Fatik Das for non-forestry use of 5.4 ha Reserved Forest for operation of Gopeswar Stone Quarry & Mining Zone Area under North Kamrup Division in Kamrup District in the State of Assam (Online proposal No. FP/AS/QRY/37021/2018)- regarding.**

1. The agenda item was considered by the AC in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (C), Regional Office, Shillong, and Nodal Officer, Government of Assam attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation on the proposal, note the following:
  - i. Proposal involves diversion of 5.4 ha. of Reserved Forest.
  - ii. Canopy density in the proposed area is reported to be 0.05 of Eco class I with 68 project affected tree.
  - iii. Proposal does not fall within 10 km radius of the boundary of any PAs. No protected archaeological / heritage site / defence establishment or any other important monuments is located in the area has been reported. Certificates to this effect have been submitted by DFO concerned.
  - iv. As per decision 2, the area does not falls under High Conservation Value Zone while it falls under High Conservation value Zone as per Decision Rule-II due to proximity of water body within 250 meters. The State Government has informed that no impact is anticipated on stream. Out of total forest area proposed for diversion, 2 ha is classified as open forest and 4 ha as non-forest (land without tree cover).
  - v. Compensatory Afforestation has been proposed over 5.914 ha equivalent forest land in Dakshin Mandakata under Sila Range of North Kamrup Division. CA scheme with 10 years of maintenance is provided. Site suitability certificate has been furnished by the concerned DFO. Examination of the area using DSS tools and Google Satellite Imagery, the CA land appears to be suitable for raising afforestation.

- vi. As per component wise details submitted in the proposal, 4.00 ha is proposed for mining, 1.38 ha for safety zone and 0.02 ha area for approach road.
- vii. No violation of the Adhiniyam have been reported. Authorities in the State Government have recommended the proposal.
- viii. As regards justification of the proposal, the State Government has mentioned that the total demand for stone materials in the district is too huge to meet from other Stone Mahals of the adjacent district. Also the required good quality stone material is not available outside the forest area. Considering the demand for good quality stone, suitable sites and sufficient availability of the materials in the forest area, it is necessary to have a mining project to sustain the uninterrupted supply of raw material for construction works in the region. Considering the fact stated above, it is recommended for acceptance of this proposal.
- ix. As per the Lol dated 29.09.2018, the approved quantity from the lease area is 2 lakh cu.m., whereas the Mining Plan allows extraction of 2.5 lakh cu.m. The State Government stated that while the Lol holder was allotted only 2 lakh cu.m. for five years, the excess quantity approved in the Mining Plan has been reserved for emergency development works of the Government. Further, the State Government clarified that the Lol issued on 29.09.2018 is still valid.
- x. The Committee was also informed that Ministry in the past while considering similar proposals pertaining to stone quarry in other districts viz. Dubhri, Gopalpara, Nagaon, Hojai, Marigaoni of Assam wherein Ministry, after examination of the matter also issued guidelines on 5<sup>th</sup> February, 2018 and 2nd May, 2018, wherein the State Government was required to prepare a comprehensive environment management plan for sustainable mining.
- xi. With regards to the comprehensive environment management plan for sustainable mining within the forest area, the Nodal Officer Assam has informed the following:
  - (a) The District Level Committee have been constituted in the State for preparation, monitoring and oversight of District Survey Report across the State. Committee headed by the District Commissioner comprises of officers from the Water Resource Department, Revenue and Land Department, Directorate of Geology and Mining, Assam Pollution Control Board. The DSR report have been recommended by the State Level Expert Appraisal Committee and subsequently by the State Environment Impact Assessment Authority.
  - (b) The approved, DSR provides a comprehensive and scientific assessment of minor minerals resources in the State, including the stone and sand with detailed estimation of geological and mineable reserves, annual production capacity, replenishment characteristics, delineation of environment sensitive areas and No-Go Zone. The long term sustainable mining framework for each district has been intrinsically embedded within the DSR.

Mining operations in the State shall be regulated strictly in accordance with the findings, reserve estimation and recommendations contained in the respective approved DSRs.

- (c) The Nodal Officer has also adverted to the order dated 23.07.2024 passed by the Hon'ble NGT in OA No. 86/2024 in the matter of Pradeep Singh Shekhawat vs. Union of India and others where the NGT has directed that "The Ministry of Environment, Forest and Climate Change has filed affidavit dated 17.05.2024 and in para 8 therefore reference has been made to the Enforcement & Monitoring Guidelines for Sand Mining" para 4.1.1 and para (a) thereof clearly stipulates that "District Survey Report of Sand Mining shall be prepared before the auction of /e-auction/grant of mining lease/LoI by the Mining Department or department dealing the mining activity in respective States. This shows that without District Survey Report, the State Respondents cannot proceed with auction/e-auction/grant of mining lease of letter of Intent.
- xii. An IA No. 218391/2024 in W. P. (C) No. 202/1995 has been filed in the Hon'ble Supreme alleging illegal mining (stone quarrying) in the certain district of Assam including Gopeshwar Stone Quarry No. 3 in the District Kamrup. The Hon'ble Supreme Court, vide its order dated 12.08.2025 in the matter constituted a Committee. The Committee was required to commence its functioning within one week and submit its report to the Hon'ble Court within four weeks. The Court further directed that, should the Committee find any miners engaged in illegal mining activities without valid permissions, the District Mining Officer must take immediate steps to stop such activities.
- xiii. The Committee conducted the inspection and submitted its report in the Supreme Court. The Committee did not provide clear observations on violations committed by lessees, particularly the continuation of mining operations during periods when no valid Forest Clearance (FC) or Environmental Clearance (EC) was available. Several leases were found to have additional areas under illegal mining, reportedly identified by locals or miscreants. Committee reported that in such cases action have been taken by the Forest Department. Discrepancies were noted in the details of forest areas approved under the Adhiniyam, which need to be properly addressed. Matter is still sub-judice and final decision of Hon'ble Supreme Court in the matter is awaited.
- xiv. Another Committee was constituted by the State Government on 5.07.2025, comprising of Officer from the Regional Office, Nodal Officer, Circle Officer and officers from the Mining Department, Government of Assam to carry out a holistic assessment of the area proposed for diversion and associated quarry impacts. The Committee studied the 6 quarry sites including the Kumnagar Stone Quarry, Gopeshwar East Stone Quarry No. 1, Gopeshwar Stone Quarry & Mining Zone Area and Gopeshwar East Stone Quarry No. 4. The said Committee recommended the proposal for its consideration by the MoEF&CC subject to fulfilment of certain conditions mentioned therein.

- xv. The Ministry, after preliminary examination of the proposal, observed shortcomings viz. concerns raised by the Ministry on 15.03.2019 to be addressed, status of preparation of comprehensive environment management plan for sustainable mining, quantity of mining material to be extracted, validity of Lol, number of trees to be felled, safety zone area, revised KML file of CA area and suitability of CA area, comments from State Government regarding area falling under High Conservation Value Zone and comments from State Government on recommendation made by DDGF, Regional Office in the site inspection report etc. Additional information was requested online from the State on 22.08.2025.
- xvi. The Nodal Officer, Assam informed the committee that the work of Stone Mining operations was started in the early 1960s in the district which is adjacent to the Guwahati.
- xvii. The Nodal Officer further informed that currently, only one Stone Quarry is in operation in the Assam. The last approval granted under the Adhiniyam, 1980 for the Stone Quarry was given in about 2018. All approvals granted in the past have since ben expired, all such quarries are closed now. The State is facing acute shortage of construction material and for want of approval for regulated extraction of material, there are likely possibilities of illegal mining activities in the region.
- xviii. The Committee observed that the area proposed for diversion is of high importance from a wildlife conservation perspective, particularly for elephant conservation. Accordingly, necessary mitigation measures are required to be undertaken in this regard.
- xix. DSS analysis of the area revealed that an area of 4.35 ha has been broken up in the past (during 2013-14) for which no justification has been provided by the State. Further, in the SIR submitted by the RO, it is mentioned that the broken up area is 4.9 ha.
- xx. The Nodal Officer apprised the Committee in this mining area, the Ministry in the past has granted approval for Gopeshwar Stone Quarry No.1, Gopesh war Stone Quarry No. 2 and Gopesh war Stone Quarry No.3 on 18.11.2008, 14.08.2008 and 23.12.2013, respectively. The Nodal Officer further apprised the Committee that Committee that the said area has been broken based on the approvals granted by the Ministry in the past. However, since the detail of geographical coordinates of the area approved in the past are not available readily, the KML file of the area approved in the past could not be made available to the Ministry.
- xxi. The Committee further observed that even if the areas have been broken under the approval granted by the Ministry in the past, after concluding the mining operations in these areas, proper reclamation measures, both technical as well as biological should have been implemented in the area by the State at the cost of user agency. However, no reclamation measures are visible in the area appearing as broken within the

xxii. The Committee was further informed that Regional Office, Shillong has recommended the proposal with certain conditions.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the Nodal Officer observed that Gopeshwar Stone Quarry No. 1 which was earlier granted approval 2008 by the Ministry for 1.0 ha forms the part of extant Gopeshwar Stone Quarry and Mining Zone and the state is facing shortage of construction material for various developmental projects. Accordingly, the Committee recommended the proposal for diversion of 5.4 ha. of Reserved Forest for operation of Gopeshwar Stone Quarry & Mining Zone Area under North Kamrup Division in Kamrup District in the State of Assam for grant of '*in-principle*' subject to the general, standard and following additional conditions:

- i. A site-specific Wildlife Management Plan shall be prepared by the State Government, for the conservation and protection of wildlife in the area. The said Plan will be approved by the Chief Wildlife Warden of the State and a copy of the same shall be submitted along with the compliance of in-principle approval. The cost of preparation and implementation of the Wildlife Management Plan shall be borne by the user agency.
- ii. All stone quarries proposed in the area were observed with broken up area for which no valid justification is provided by the State. The State Government may therefore, estimate the forest areas broken up under violation without the prior approval of the Central Government and details of the same shall be submitted along with the compliance of in-principle approval.
- iii. In the extant mine, an area of 4.35 ha has been broken up in the past as per analysis of Google Satellite Imagery for which no justification has been provided by the State. The State Government shall therefore work out the exact area broken up without the prior approval of the Central Government and detail of the same shall be submitted along with the compliance of in-principle approval.
- iv. In respect of forest area, if any, proved to be broken up without the approval under the Adhiniyam, the following action shall be taken by the State Government:
  - (a) The penal compensatory afforestation, against the area used in violation of the Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 shall be charged by the State Government in accordance with the provisions of the Guidelines issued by the Ministry on 21.01.2026 in this regard.
  - (b) The State Government shall realize from the user agency the penal NPV for the extent of forest area, if any used in violation of the Adhiniyam plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency in accordance with provision of guidelines, as the case may be.
  - (c) The penal NPV for the extent of violation done will be deposited as per the Guidelines issued by the Ministry.

- (d) The State Government shall initiate action penal proceedings against the erring officials in accordance with the provisions of the section 3 A and 3 B of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.
- v. The State Government shall submit the detail of approval granted under the Van (Sannrakshan Evam Samvardhan) Adhinyam, 1980 in the extant mining lease and details of the same shall be submitted along with the status of compliance of conditions stipulated therein.
  - vi. The State Government shall prepare plan for the rehabilitation and reclamation of the mined out areas and detail of the same shall be informed along with the compliance of in-principle approval.
  - vii. The State Government shall ensure that mining in the area, including the extant mine, is in consonance with the provisions of District Survey Report prepared by the State Government and approved by the State Level Environment Appraisal Committee for sustainable mining within the estimated ceiling of mineable reserve.
  - viii. An I.A. No. 218391/2024 in W.P. (C) No. 202/1995 has been filed before the Hon'ble Supreme Court alleging illegal mining (stone quarrying) in certain districts of Assam, including the extant forest area, which is presently pending consideration before the Hon'ble Supreme Court. The decision to be rendered by the Hon'ble Supreme Court in the said I.A. shall be binding on the user agency, and the State Government shall accordingly ensure strict compliance with the directions issued by the Hon'ble Supreme Court in the matter.

### **Agenda No.11**

**File No.:8B/HP/06/02/2020**

**Sub: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 3.9654 ha (Instead of 5.5334 ha) of forest land in favour of HPPWD for construction of link road Khal Tibba (Km 0/00 to 7/00), within the jurisdiction of Bilaspur Forest Division, District Bilaspur, Himachal Pradesh (Online proposal No. FP/HP/ROAD/20681/2016)-regarding.**

1. The proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (Central), Regional Office, MoEF&CC, Chandigarh attended the meeting. The Nodal Officer (FCA), Himachal Pradesh was not present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.

3. The Advisory Committee after through deliberation and discussion observed that:

- i. The Government of Himachal Pradesh submitted proposal to the then Regional Office, Dehradun (now with Regional office, Chandigarh) on 01.01.2020 seeking prior approval of the Central Government under the section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- ii. The instant proposal is for diversion of 3.9654 h (Instead of 5.5334 h) of forest land for construction of link road Khal Tibba (Km 0/00 to 7/00) within the jurisdiction of Bilaspur Forest Division, Distt. Bilaspur, Himachal Pradesh. Since the instant proposal involves Violation of provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 accordingly, needs to be processed at the Ministry level.
- iii. The proposal involved violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as a kachha path having length approximately 5960 mtrs and width approximately 2.5 mtrs in forest area had already been constructed without prior approval.
- iv. The Legal status of forest land proposed for diversion is Un-demarcated Protected Forest. The Vegetation density of 0.6 has been reported with Eco class V. Total 194 nos of trees are involved for felling in the proposal.
- v. The component wise break-up of the total forest land proposed for diversion is given below:

Sl. No.	Component	Forest Land (ha.)	Non-Forest Land (ha.)
1.	Road	3.6799	0.7209
2.	Dumping	0.2855	0
	<b>Total</b>	<b>3.9654</b>	<b>0.7209</b>

- vi. The proposal is expected to generate 0 (man-days) permanent employment and 78570 (man-days) temporary employment.
- vii. The Compensatory Afforestation (CA) has been proposed over an area of 7.931 ha degraded forest land bearing Survey No./compartment No H43E15 of Village: UPF Dhango Tehsil: Ghumarwin District: Bilaspur. DFO. Bilaspur has submitted land suitability certificate over 7.94 ha of forest land.
- viii. There is no presence of rare/endangered/unique species of flora and fauna found in the area. The Proposal does not form the part of any Protected Area, or Eco-sensitive Zones, and Wildlife Corridors, etc.
- ix. No protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.
- x. Further, this proposal is part of the 2183 road projects for which directions have been passed by Hon'ble High Court of Himachal Pradesh on 08.08.2013 and 05.09.2013 in CWP No. 5600 of 2012 a/w CWP No. 9797/2012 and COPC No. 56/2009 as under :

*"In the circumstances, we hope that the officials of MoEF or any other department of the Government of India shall not insist for compliance of furnishing the names, designations and complete addresses of the officers of the State Government responsible for past violations".*

- xi. The violation proposals of similar kind were considered in Advisory Committee meeting held on 23.09.2024. The Committee had detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and Nodal Officer, Government of Himachal Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Himachal Pradesh, the Committee decided to **defer** the proposal and observed the following:
  - a. The State Government shall provide details of action taken against the violation as per provisions mentioned in consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023.
  - b. The State Government shall submit a detailed status report to the Regional Office in case of 2183 road projects for which directions have been passed by Hon'ble High Court of Himachal Pradesh including the detail of proposals already approved under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the balance cases that are yet to be processed. The Regional Office shall examine the matter holistically and forward the same to the Ministry along with its comments/recommendations.
- xii. Accordingly, Regional Office, Chandigarh requested to seek information from the State Government and submitted the proposal to the Ministry for further consideration. In this reference, Regional Office has informed that the State Government submitted compliance on 12.12.2025 through the PARIVESH portal, the details of which are summarized below:
  - i. With regard to details of action taken against the violation, the State Government has informed that the user agency has reported that out of total 2183 proposals, only 59 roads of his division have already been uploaded on PARIVESH Portal for regularization. However, the complete status of the 2183 road stand submitted to Regional Office, Chandigarh through email dated 6.9.2025.
  - ii. With regard to detailed status report in case of 2183 road projects for which directions have been passed by Hon'ble High Court of Himachal Pradesh, the State Government has informed that in view of directions issued by AC in its meeting held on 23.09.2024, the concerned User Agencies have been directed to upload remaining proposals on the portal immediately so that proposals can be processed accordingly.
- xiii. The committee took note of the facts as elaborated at (xi) and (xii).



- xiv. As per DSS analysis, proposed forest land for diversion its software calculated area is found to be 4.3917 ha instead of 3.9654 ha. As per DSS analysis by DSS Cell of FC Division, the proposed road falls in Sri Naina Devi WLS and 250m buffer of Gobindsagar WLS.
  - xv. The Regional Office in Site Inspection Report has reported that a kachha path having length approximately 5960 mtrs and width approximately 2.5 mtrs in forest area had already been constructed without any approval. As per the DFO's note on violation, this road has been constructed a long time ago by the local peoples/panchayat. Based on the site visit and perusal of facts and documents, this is a case of violation of the IFA 1927 as the violation done before submission of proposal in year 2019.
  - xvi. The Regional Office has recommended the Proposal without any specific condition.
  - xvii. The Advisory Committee noted that Government of Himachal Pradesh (GoHP) vide letter No. Ft48-3440/2016(FCA) dated 24.11.2023 addreeses to Sub-Office, Shimla has informed that the GoHP has declared Govind Sagar as Wild Life Sanctuary vide Notification No. FFE-B-F(6)-18/99 dated 23.10.1999. Thereafter, above Wild Life Sanctuary has been de-notified by GoHP vide Notification No. FFE-B-F(6)-11/2005-II/Gobind Sagar dated 7.6.2013. Now the notification dated 23.10.1999 is not in existence. Both the notification have been uploaded online against additional information at Sr. No.10 & 11 in part II. A kachha road of 5960 mtr length & 2.50 mtr width already exists in the area. No case of human-wildlife conflict, apart from the one involving Rhesus macaque (common monkey) has been reported in the area. However, measures such as box & pipe culverts canopy, bridges, fences, glider poles will be implemented. Funds have been sought from user agency to prepare a detailed wildlife management plan.
4. **Decision of Advisory Committee:-** The committee took note of the direction of the Hon'ble High Court of Himachal Pradesh in CWP No. 5600 of 2012 a/w CWP No. 9797/2012 and COPC No. 56/2009 as elaborated at (ix) above. The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh recommended the proposal for grant of '**in-principle**' approval for diversion of 3.9654 ha (Instead of 5.5334 ha) of forest land in favour of HPPWD for construction of link road Khal Tibba (Km 0/00 to 7/00), within the jurisdiction of Bilaspur Forest Division, District Bilaspur, Himachal Pradesh subject to general, standard and following specific conditions:-
- i. The State Govt. shall impose penal CA as per the guidelines dated 21.1.2026 issued by the Ministry.
  - ii. The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
  - iii. The State Government shall implement site specific wildlife Management plan duly approved by the Chief Wildlife Warden.

- iv. The User Agency shall obtain the requisite wildlife clearance and comply with all conditions stipulated therein, if applicable.

## Agenda No. 12

F.No. 8-06/2014-FC

**Sub: Proposal for seeking prior approval of Central Government under Section 2 (1) ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 503.578 ha of forest land comprising of 427.661 ha of notified forest land and 75.917 Ha of Jungle Jhari land for Opencast Coal Mining project of Chakla Coal Block in favour of M/s Hindalco Industries Limited in Latehar Forest Division of Jharkhand State (Proposal No. FP/JH/MIN/4117/2013)– regarding.**

1. The agenda for the above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (Central), Regional office (RO) Ranchi attended the meeting while the Nodal Officer, Govt. of Jharkhand State were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
  - i. The State Government of Jharkhand vide their letter No. Van Bhumi-01/2014-333 dated 29.01.2025 submitted above subject proposal seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - ii. The proposal involves the felling of 145412 number of trees. Further, 503.578 Ha of forest land (427.661 ha Protected forest & 75.917 ha Jungle Jhari land) proposed for diversion have canopy density of 0.6 to 0.7 featuring dense Tropical Dry Deciduous forest of Eco class III. There is a change in forest land from 509.33 ha (original proposal) to 503.578 ha.
  - iii. The Mining Plan is approved by Ministry of Coal and as per approved Mine Plan, Chakla coal mine Block has an extractable coal reserve of 71.88 MT. The project is anticipated/planned to run for about 20 years with peak average annual production of around 4.5 MT of coal.
  - iv. The committee noted that there was a forest diversion proposal with proposal no. FP/JH/MIN/4117/2013 by M/s ESSAR POWER LTD for diversion of 509.33 ha forest land (401.78ha PF and 107.55ha Revenue/GMJJ) for open cast mining in Chakla Coal Block of Latehar District/Forest Division, Jharkhand. The proposal included non-forest land (267.73ha Raiyati, 69.07ha GM Khas and 10.86ha GM Aam) also

constituting the total lease area 856.99ha having total mineable reserve of coal around 71MT. While the proposal was still under processing (the site inspection was conducted by Regional Office, Bhopal on 31st January 2014), several coal mines were deallocated/cancelled vide Hon'ble Supreme Court's judgment dated 25/8/2014 in WPC 120/2012. This block too was one of them.

- v. **Post enactment of Coal Mines (Special Provisions) Act, 2015, this Chakla Coal Block was reallocated to Hindalco Industries Ltd (HIL), vide Vesting order no. NA-104/9/2020-NA dated 03rd March 2021.** Ministry vide its letter dated 9/6/2015 has made it clear that those proposals which were in processing stage before the cancellation need not be resubmitted de-novo by the new allottee but should be processed in continuation as if they were submitted by new allottee after making necessary changes like name, address etc. Therefore, the extant proposal is being processed without the online compulsion as envisaged in new VSSR 2023. This coal block now vested in HIL has total lease area of 863 ha with little reduced forest area 503.578ha. The present user agency HIL informed that improved technology for land survey (done by CMPDI, using DGPS etc.) has led this difference.
- vi. Subsequently, M/o Coal allocated the coal block to M/s Hindalco Industries Limited. Thereafter the Nominated Authority, Ministry of Coal vide their letter dated 12.04.2021 has requested the MoEF&CC to transfer the forest approval granted to prior allottee M/s Essar Power Limited to M/s Hindalco Industries Limited in respect of Chakla Coal Block as per the procedure stipulated in the Guidelines dated 09.6.2015 .
- vii. It is imperative to mention that no transfer of forest approval is involved in the project as approval under the Adhiniyam, 1980 is yet to be granted to the proposal.
- viii. In this regard, the request of Ministry of coal was examined and deliberated in the Ministry and after detailed deliberation, it was desired that at first State Government may be requested to address the deficiencies in the proposal and subsequently while processing the updated proposal in Ministry, the issue of closure and revocation of closure will be brought in the note, finally during seeking approval of HMEFCC.
- ix. Above decision of the Ministry was conveyed to the State vide Ministry's letter dated 17.08.2021. Moreover the RO, Ranchi was also requested to carryout the site inspection and submit the site inspection report in the Ministry.
- x. Further, O/o of the Nominated Authority, Ministry of Coal vide their letter dated 12.11.2021 adveting the Nodal Officer Jharkhand's letter dated 28.10.2021 has requested this Ministry to provide options to Nodal Officer in order to open the proposal in the online portal and also enable him to edit the legal status of land and name of the user agency in the online proposal.

- xi. The State Government vide their letter no. Van Bhumi-01/2014-333 dated 29.01.2025 advirting Conservator of Forests letter no. 522 dated 11.09.2024 submitted their reply in response to Ministry's letter dated 17.08.2021. Details are as under:
  - a. The KML file of the proposed forest land under diversion and the land proposed for CA has been submitted
  - b. Updated Form-A, PART-I of the user agency as mentioned in para 5.4 of the comprehensive guidelines has been submitted.
  - c. The State Govt. confirmed that no non-forestry activity in the forest land proposed for non-forestry use has been taken by the previous user agency in violation of Forest (Conservation) Act, 1980.
  - d. The user agency has submitted an undertaking to execute and implement the suggestions of the Water Resource Department, Government of Jharkhand on the feasibility of proposed changed course of nallah involved in the lease area.
- xii. The committee was apprised that the while obtaining the approval of the Hon'ble Minister EF&CC, the following observations were made by him as under;
  - a. **Clarification on whether the proposal has been submitted as a fresh case or continues from the stage it was closed:-** In this regard, it was informed that The instant proposal does not constitute a fresh submission, but is a continuation of the earlier proposal that was closed by the Ministry vide letter dated 13.01.2015. The closure at that time was necessitated in light of the Hon'ble Supreme Court's judgment dated 25.08.2014 and order dated 24.09.2014 cancelling the coal block allocations, including the Chakla Coal Block. Following reallocation of the coal block to M/s Hindalco Industries Limited and subsequent correspondence from the Ministry of Coal (vide letter dated 12.04.2021), the State Government has now submitted the required documents and addressed the deficiencies, as originally advised by the Ministry in its letter dated 17.08.2021. The updated documents have been submitted in accordance with Para 5.4 of the Consolidated Guidelines and Clarifications under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 including the requisite KML/Shape files, updated Form-A, CA land details, and non-violation certificate from DFO.
  - b. **Whether there is any provision/precedence to reopen such cases which are already closed:-** In this regard, it was submitted that the instant proposal was closed due to cancellation of coal block and later it was re allocated to new user agency by Nominated Authority, Ministry of Coal.
    - a) In this regard, Para 5.4 inter alia mentioned the following:-
    - b) **5.4 Cancelled allocation of Coal Blocks:** In respect of 204 coal blocks whose allocation was cancelled by the Hon'ble Supreme Court, two types of situations are possible:

(i) 'In-Principle' or Final approval for diversion of forest land has already been issued, and

(ii) Application for in-principle approval of diversion of forest land under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 was in process at either the State or the Central Government, on the day of cancellation of the allocation;

Cases falling under category mentioned under (i) above will be considered by the MoEF&CC or Regional Office, after receipt of an application for such transfer from the Ministry of Coal, Government of India. Transfer application submitted by the Ministry of Coal should accompanied with details of the new user agency, a vesting order in favour of new user agency, an undertaking from the new user agency that they shall abide by all the conditions on which the forest land was leased to the original user agency and any other condition which may be stipulated by the Central Government/State Government in future.

c) Cases falling under category (ii) above will be processed as if they have been submitted by the new user agency decided by the Central Government.

d) Thus, the current processing is being undertaken in continuation of the earlier proposal file, and not as a *de novo* submission.

xiii. Accordingly, the file was submitted for the approval of Hon'ble Minister EF&CC above wherein following approval was sought from Hon'ble MEF&CC:-

a. To open the proposed which was communicated stand closed vide Ministry's letter 2015, as per Ministries guidelines in this regard. It is relevant to mention that consolidated guidelines 2023 has the provisions continues and given in para 5.4.

b. After opening of the proposal the RO Ranchi shall be directed for submitting the SIR with respect to forest land and CA land in question, in particular.

c. Then the proposal will be processed and placed before Advisory Committee for deliberations and recommendation.

xiv. Hon'ble MEF&CC approved the above proposal.

xv. The RO, Ranchi vide its letter No. FP/JH/MIN/4117/2013/536 dated 19.09.2025 has submitted the site inspection report as requested vide Ministry's letter dated 17.08.2021 for proposal for Diversion of forest land over an area 503.578 ha in respect of Chakla Coal Block in favour of M/s Hindalco Industries Ltd in Latehar Forest Division, Jharkhand.

xvi. On the basis of SIR, the Ministry has sought certain clarification from the State Government vide letter dated 14.10.2025 viz there is a change in forest land from 509.33 ha (original proposal) to 503.578 ha (as mentioned in SIR). Therefore, comments/ recommendation shall be submitted by the State Government regarding the actual forest area

involved in the proposal, The CA area is spread over 62 patches in 28 villages out of which one patch (Buruchinda) contains water body. Further, encroachments/occupation has been observed in five (5) patches, some of the proposed CA land have areas less than 5 ha, the forest area of proposed mining site is very rich in terms of floral and faunal biodiversity with an ecologically significant gene- pool, the forest area proposed for diversion may cause hindrance to the movement of elephants in the area, there should be a study concerning Wildlife Habitat Vulnerability & Ecological Habitat Restoration by the specialised agency like Wildlife Institute of India before commencement of Open Cast Mining Operation and Livelihood Security Plan for the future of the indigenous community.

xvii. The State Government submitted its reply vide its letter dated 26.11.2025 and informed the following:

- a. Chakla Coal Block was vested to Hindalco Industries Limited (HIL) by the Ministry of Coal, Government of India, vide vesting order dated 03.03.2021. The block boundary was defined using 95 cardinal coordinate points on the WGS 84 GIS platform. Earlier, the block was allotted to Essar Power Ltd. and the forest land with an area of 509.33 Ha was derived using a local coordinate system. This system did not utilize the DGPS WGS 84 GIS platform, unavailable at that time. which was Measurements based on the local coordinate system are inherently less accurate due to limitations in geospatial precision and standardization. After allocation to Hindalco, fresh DGPS survey of the block was conducted by CMPDI (Govt. of India), and the boundary of the block has been taken from GR as well as tender document after conversion to WGS 84 system. In contrast, the current figure (503.578 Ha) reflects updated and more reliable measurements obtained through modern geospatial DGPS surveying techniques. Summary of the block land is as below-

Sl. No.	Nature of Land	Type Land	Area (in Ha)
1	Forest Land	Notified Forest	427.661
2		Jungle Jhari	75.917
3	Revenue Land	GM Aam, GM Khas.	79.903
4		Private (Raiyati)	279.519
Total Lease Area			863.000

- b. With respect to the reported encroachments across five patches, it is confirmed that no permanent infrastructure exists within these areas. The observed encroachments primarily involve agricultural use and the presence of shallow pond. Due to the timing of the site inspection during the monsoon season, this pond may have appeared larger than its actual scale; however, it is minor and do not pose significant impediments to afforestation activities. During transfer of CA land in favour of Forest Department, those CA land will be made encroachment free. An of undertaking regarding provision

encroachment free CA land during transfer of land to State Forest Department.

- c. The CA land patches that are less than 5 ha and non-contiguous, it is noted that all such patches are located adjacent to existing forest land. In accordance with prevailing guidelines, these patches are considered suitable for inclusion in the CA program.
- d. The area with relatively high canopy density is confined to the south-eastern portion of the Chakla Coal Mine lease. As per the Approved Mine Plan and Mine Closure Plan, this specific zone is scheduled for mining only after the fifteenth year of operations, allowing sufficient time for ecological planning and mitigation. Hindalco has planned for tree plantation and following characteristics have been taken into consideration while selecting plant species for green belt development and tree plantation-
  - (i) Local, indigenous and drought resistant species.
  - (ii) Fast growing and tall trees.
  - (iii) Perennial and evergreen.
  - (iv) Thick canopy cover.
  - (v) Stratified layers of Plantation to prevent lateral pollution dispersion.
  - (vi) The trees will be selected so as to maintain regional ecological balance and to conform to soil and hydrological conditions.
  - (vii) Plantation will be done in consultation with DFO as per Approved Mining Plan
  - (viii) At the conceptual stage, approximately 11,40,785 trees will be planted across 678.20 hectares, with a planting density ranging from 1,600 to 2,500 saplings per hectare.
  - (ix) In addition to extensive afforestation efforts, Hindalco is actively considering tree transplantation in areas with higher canopy density to preserve the site's ecological integrity and ecologically significant gene pool. This strategy not only helps retain biodiversity but also supports continuity of habitat for dependent fauna, thereby mitigating the ecological impact of mining activities.
  - (x) A detailed report titled "Biodiversity Assessment, Impact and Mitigation Measures for Chakla Opencast Coal Block Mine" has been prepared by the Indian Council of Forestry Research & Education (ICFRE). Dehradun, and submitted to the Ministry of Environment, Forest and Climate Change (MoEF&CC) as part of the Environmental Clearance process. All mitigation measures outlined in the report will be implemented to ensure the conservation of biodiversity and the preservation of the ecologically significant gene pool.
  - (xi) In addition to this, project proponent has done study on Soil & Moisture conservation which is approved from State Forest department and the sanction order no 91 dated 23.06.2025.

- e. An Integrated Site-Specific Wildlife Management Plan for the Chakla Coal Mine has already been prepared and subsequently get it approved from office of the Principal Chief Conservator of Forests, Wildlife. & Chief Wildlife Warden, Jharkhand. The Sanction Order no 50, dated 24.10.2025. Additionally, Hindalco Industries Limited has committed to contributing 19 crores approx. (@3.786 lakh per hectare) towards the implementation of the Integrated Wildlife Management Plan for the North Karanpura Coalfield, ensuring a coordinated and sustainable approach to wildlife conservation.
  - f. Hindalco Industries Limited is actively committed to the socio-economic upliftment of the local communities, including indigenous populations, through structured and sustainable livelihood initiatives under its Corporate Social Responsibility (CSR) and Sustainability programs.
- xviii. Further, the Committee was informed that the site inspection of the instant proposal was conducted by Regional Office, Ranchi on 19.09.2025. The SIR has also been recommended by DDGF (C) of RO, Ranchi. Summary of the same are as under:
- (i) **Background:-** There was a forest diversion proposal with proposal no. FP/JH/MIN/4117/2013 by M/s ESSAR POWER LTD for diversion of 509.33 ha forest land (401.78ha PF and 107.55ha Revenue/GMJJ) for open cast mining in Chakla Coal Block of Latehar District/Forest Division, Jharkhand. The proposal included non-forest land (267.73ha Raiyati, 69.07ha GM Khas and 10.86ha GM Aam) also constituting the total lease area 856.99ha having total mineable reserve of coal around 71MT. While the proposal was still under processing (the site inspection was conducted by Regional Office, Bhopal on 31st January 2014), several coal mines were deallocated/cancelled vide Hon'ble Supreme Court's judgment dated 25/8/2014 in WPC 120/2012. This block too was one of them. Post enactment of Coal Mines (Special Provisions) Act, 2015, this Chakla Coal Block was reallocated to Hindalco Industries Ltd (HIL), vide Vesting order no. NA-104/9/2020-NA dated 03rd March 2021. Ministry vide its letter dated 9/6/2015 has made it clear that those proposals which were in processing stage before the cancellation need not be resubmitted de-novo by the new allottee but should be processed in continuation as if they were submitted by new allottee after making necessary changes like name, address etc. Therefore, the extant proposal is being processed without the online compulsion as envisaged in new VSSR 2023. This coal block now vested in HIL has total lease area of 863ha with little reduced forest area 503.578ha (the detailed break up is provided later in this SIR). The present user agency HIL informed that improved technology for land survey (done by CMPDI, using DGPS etc.) has led this difference. The Mining Plan is approved by Ministry of Coal and as per approved Mine Plan, Chakla coal mine Block has an extractable coal reserve of 71.88 MT. The project is anticipated/planned to run for about 20 years with peak average annual production of around 4.5 MT of coal. As per the provisions of relevant Rules, ministry (MoEFCC) has requested this Regional Office (vide its letter dated: 29.05.2025) to inspect the forest land proposed for diversion, areas identified for



raising compensatory afforestation (CA) and submit the detailed site inspection report (SIR) with clear recommendations to this Ministry. Accordingly, the site inspection was done by Regional Office Ranchi. On 10.06.2025, Deputy Inspector General of Forests (DIGF) and team went to inspect the site. During that visit, the inspecting team and accompanying officials were confronted by local villagers who expressed strong concerns regarding the potential loss of forest and wildlife due to the proposed project. They also raised issues pertaining to the compensation policy, the need for a comprehensive Rehabilitation and Resettlement (R&R) plan and demanded that these matters be addressed by the state authorities in consultation with the local community before undertaking site inspection for prospective diversion. Therefore, the site inspection was cancelled and the state was requested to resolve the issues before requesting the Regional Office to re-visit the area for conducting site-inspection. Accordingly, the state government after getting the needful done informed the Regional Office vide PCCF's letter dated 1/7/2025 to carry out the site inspection. Therefore, the extant site inspection to diversion area as well as proposed non-forest area for Compensatory Afforestation (CA NFL) was carried out by Assistant Inspector General of Forests, Regional Office in the month of July & August 2025 to prepare this SIR.

- (ii) **Total cost of the project at present rate:** The project cost is Rs. 1173 crores as mentioned by the user agency
- (iii) **Wildlife:** Although, the proposed area does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Elephant Corridor or ecologically or culturally protected/restricted area, it is frequented by movement of wild animals especially elephant from the surrounding forests. Approximate distance from nearby National Park, Sanctuaries and ESZ are: Palamu WLS at 36.81 km, Betla NP at 51.14 km, Lawalong WLS at 34 km and Mahuadanr Wolf Sanctuary at 66 km, ESZ of Palamu Wildlife Sanctuary-Betla National Park-Mahuadanr Wildlife Sanctuary-Palamu Tiger Reserve at 34.42 km, ESZ of Lawalong WS at 26.5 km. DFO and forest staff present there apprised that 14-15 elephants are moving in the area. Due to open cast mining there are chances of loss of habitat which leads to fragmentation and increased Human-Elephant conflict. Therefore, it is very much required to prepare and sincerely implement a plan for minimizing such future incidents of conflict in and around the area collectively by the forest department and User Agency in cooperation with locals. Also a sincere continuous effort is needed to provide elephant and other wildlife of the area a good habitat as possible. The region is comparatively undisturbed from mining activities and start of mining activity in the region certainly would reduce the habitat of the wildlife of the region. Due to this vital concern, the Conservator of Forest, Chatra has not recommended the proposal for consideration in his site inspection report. Although the state government has done so along with adequate provisions to reduce the impact to its minimum possible. The Forest area proposed for diversion is situated within the Elephant movement route along the contiguous landscape and forest areas. The

proposed diversion shall cause hindrance to the free movement of elephants. The advent of open cast mining would not only further disturb the ecological stability and landscape continuity but also lead to dissection of contiguous patches. Thus there should be adequate measures to safeguard the traditional movement route of wild elephants. In order to minimize Human-Elephant conflict along with furthering the cause of conservation of elephant and its associated habitat, while maintaining the structural and functional integrity of the ecosystem, it is very much necessary to protect the precious habitat from fragmentation, degradation and destruction. Hence, a Comprehensive Integrated Wildlife Management Plan, to mitigate the conservation concerns due to the dissection of contiguous habitat patches is recommended. The area is rich in terms of biodiversity of both flora and fauna, and the occurrence of ecologically significant habitat. Hence, it is recommended that there should be a study concerning Wildlife Habitat Vulnerability & Ecological Habitat Restoration by the specialized agency like Wildlife Institute of India (WII) before the commencement of Open Cast Mining Operations.

- (iv) **Vegetation:** The forest area of proposed mining site is very rich in terms of floral and faunal biodiversity with an ecologically significant gene-pool. Therefore, a sincere effort is needed to preserve the germplasm of the area by conducting a thorough biodiversity and ethno botanical study. The proposed mining site has patches of dense Tropical Dry Deciduous forest with vegetative density of 0.6 to 0.7 and Eco class III. The area is dominated by *Shorea Robusta* (Sal) and its associate species. Predominant tree species recorded are *Dalbergia latifolia*, *Boswellia serrata*, *Anogeissus latifolia*, *Acacia catechu*, *Casuarina tomentosa*, *Bauhinia retusa*, *Holarrhena antidysenterica*, *Vangueria pubescens*, *Zizyphus xylopyra*, *Madhuca latifolia*, *Pterocarpus marsupium*, *Buchanania lanzan*, *Lagerstroemia parviflora*, *Terminalia tomentosa*, *Lannea grandis*. Many of these species also contribute to forest based livelihood activities from NTFP collection and its value addition.
- (v) **Effect of removal of trees on the general ecosystem in the area:** The removal of trees will have severe impact on the overall ecosystem of the area. Assessment needs to be done on the ecological value of the existing plantation since there is a significant movement of wildlife within the proposed project area and its surroundings to the extent of 100-200 square kilometre.
- (vi) **Compensatory Afforestation (CA):** Compensatory afforestation has been proposed over 528 ha non-forest land in Bokaro, Giridih, East Singhbhum, West Singhbhum, Simdega, Gumla, Khunti, Lohardaga Forest Divisions/Districts. The entire CA land is comprised in twenty eight (28) patches. Most of these Non-forest Land are being purchased from locals and hence most of them have sign of human activities over them in terms of remanent agriculture/pasture. User agency informed the visiting team that they have tried to procure only such pieces of land that are in contiguity to existing forest. It is found that the proposed CA land is more or less suitable for plantation. Most of the CA lands in

West Singhbhum (Chaibasa) bears vegetation density of 0.7 canopy density or more. As per rule 13 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 there shall not be an additional requirement of planting of trees on such land but a programme for improvement of the forest crop shall be implemented by the Forest Department in a time-bound manner. CA land area estimated using DSS is 526.967 ha. The forest cover of the CA area reveals that corresponding area falling under MDF, Open forest, Non-Forest and Open Forest are 82.00 ha., 105.00 ha., and 337.00 ha. respectively. Encroachment was noticed during site inspection at some sites. As per DSS analysis, Encroachment was noticed in five sites (Thethaitangar, Sikri, Rankuli, Khatori, Pathri and Dhuria). From the above, it is evident that the net area of the proposed CA NFL is otherwise appropriate for plantation. The user agency informed that as soon as the land is mutated in the name of forest department, the occupants would free land. Further, it is also observed that there are small discrete CA polygons (kml/area) with area less than 5 Ha. But most of them are adjacent to existing forest, therefore, acceptable.

- (vii) **Details on catchment and command area under the project:-** The proposed area is a part of the catchment area of Mahanaliya nala (a tributary of Damodar River). The total length of the Mahanaliya nala and its tributary is 8.44 km of which 6.45 km is in forest area. A serious consideration is needed in regard of water regime of the area, failing which the entire fragile ecosystem would be affected by water crisis a few years down the line. It was also observed that the water availability in these water streams get enhanced only by the small streams arising out of the forests of these areas. A serious consideration is needed in regard of Water Security, Ecological Restoration and Post-Reclamation of the area because with the advent of open cast mining operation in the area many streams arising from the adjoining hills and forests will be compromised in entirety. Hence, a Comprehensive Catchment Area Treatment Plan from the perspective of Water Security, Ecological Restoration, Post-Reclamation must be prepared and implemented to mitigate the adverse impacts of open cast mining. The area proposed for diversion is also prone to soil erosion. Open cast mining and associated activities would involve activities like breaking of land and removal of earth, specially the top soil, in the area and beyond. Thus the entire landscape will be further vulnerable to soil erosion and degradation. Therefore, a Comprehensive Soil and Moisture Conservation Plan should be prepared and implemented treating the entire landscape to ensure that the detrimental impact of open cast coal mining on the adjacent vast expanse of forest shall be minimised. The project proponent informed that Nala diversions are adequately planned under guidance of CWPRS, GOI and WAPCOS to ensure minimum impediment to the downstream Mahanaliya nala (Annexure - II). The WRD of Jharkhand have given permission for diverting the water of the Mahanaliya Nala, which passes through the Chakla coal block

- (viii) **Recommendation of DDGF (Central):-**

- a. Tree felling shall be carried out in phases, in consultation with the Forest Department.
  - b. The User Agency shall ensure that all Compensatory Afforestation (CA) sites are free from encroachments before being handed over to the State Forest Department (SFD). The SFD shall ensure that the CA sites are properly fenced, cleared of encroachments, and planted, at the cost of the User Agency.
  - c. The SFD shall reassess the suitability of CA sites that are smaller than 5 hectares and not contiguous with forest areas. If found unsuitable from a management perspective, alternative sites shall be sought from the User Agency.
  - d. The User Agency shall demarcate and maintain the safety zone in accordance with applicable norms.
  - e. As the forest area proposed for mining is rich in floral biodiversity, the Forest Department, in consultation with expert agencies, shall adopt suitable measures to preserve the germplasm before commencement of mining, at the cost of the User Agency.
  - f. The SFD shall commission a comprehensive study on the likely impact of the project on wildlife and develop a site-specific Integrated Wildlife Impact Mitigation Plan through an expert agency such as WII, to be implemented at the cost of the User Agency.
  - g. The User Agency shall prepare and implement Catchment Area Treatment, Soil and Moisture Conservation, and other necessary mitigation measures to address the adverse impacts of open-cast mining.
  - h. The User Agency shall submit a plan for concurrent and progressive reclamation, including a restoration schedule and timeline for surrendering forest land, as required under Standard Condition 2(1).
  - i. The User Agency shall implement the Rehabilitation and Resettlement (R&R) Plan in accordance with applicable rules and regulations.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Ranchi and officials from Government of Jharkhand, the Committee '**deferred**' the proposal for diversion of 503.578 ha of forest land comprising of 427.661 ha of notified forest land and 75.917 Ha of Jungle Jhari land for Opencast Coal Mining project of Chakla Coal Block in favour of M/s Hindalco Industries Limited in Latehar Forest Division of Jharkhand State for obtaining the following information:
- i. The Regional Office in consultation with the State Government shall clarify the location of patches identified for raising compensatory afforestation, in view of issues identified on DSS. A report on the same shall be submitted for the consideration of the Committee.

**Agenda No. 15****F.No. 8-18/2024-FC**

**Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 515.32 ha of forest land for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand (Online No. FP/JH/MIN/147316/2021)– regarding.**

1. The agenda for the above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (Central), Regional office (RO) Ranchi and Nodal Officer, Govt. of Jharkhand were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
  - i. The Government of Jharkhand vide their letter No. Van Bhumi-29/2024-3474/V.P. dated 30.08.2024 (received on Parivesh 1.0 portal on 02.09.2024) submitted a proposal for diversion of 515.32 ha of forest land for Banhardi Coal Mining Project seeking approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - ii. The State has informed that the proposal seeks to divert 515.32 Ha of forest land in Latehar forest division for coal mining. The Banhardih Coal mining project of PVUNL is proposed for development as its captive mine to feed Patratu Thermal Power Plant of 2400 MW being constructed at Patratu, Ramgarh (Jharkhand) situated around 120 km eastwards.
  - iii. The Patratu Vidyut Utpadan Nigam Limited (PVUN Limited) a JV Company of NTPC Ltd and Jharkhand Bijli Vitran Nigam Limited (JBVNL) having share holding of 74% & 26% equity respectively. PVUNL was incorporated on 15.10.2015 to install 4000 MW coal based thermal power plant consisting of 5 units of 800 MW each which is to be implemented in two phases (Phase 1: 3 x 800 MW and Phase II: 2 x 800 MW)
  - iv. The Ministry of coal has transferred Banhardih coal block and assigned to PVUNL located in Auranga coal field in Latehar district of Jharkhand State vide order No 103/18/2015 NA on 25.06.2018 for captive use.
  - v. The Mining plan of Banhardih was approved by Ministry of coal on 15.07.2021 for an area of 1467.42 Ha. vide letter no

-CC/MP&MC/102/2021-22/BANHARDIH DATED 15.07.2021. The mineable reserve is 270.81 Million Tones (Mineable reserve estimated for the quarriable sector up to a depth range 300 meter only).

- vi. The proposal involves the felling of 1,14,229 number of trees. Further, 515.32 Ha of forest land (497.02 ha Protected forest & 18.3 ha Jungle Jhari land) proposed for diversion have canopy density of 0.55 featuring dense Tropical Dry Deciduous forest of Eco class III.
- vii. The State Government submitted that the proposed area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. However, the land proposed for diversion is rich in faunal diversity and Elephant, Hyena, Mongoose, Wild boar, Jungle cat, Barking deer, Fox, Langur, Rhesus Macaque, Snakes, Birds etc. found in and around the area. Animals can be sighted frequently. Incidents of Human-Elephant conflicts due to elephant herd is being reported from the area. There is a genuine need of Wildlife Management Plan to mitigate the adverse impacts and disturbance expected to arise from this project considering the continuous presence of elephant herd and other mentioned animals in the area.
- viii. The State Govt. reported that the project warrant displacement of 963 number of families and therefore resettlement and rehabilitation plan is required for this project.
- ix. The Conservator of Forests (CF), Medininagar while recommending the proposal has proposed the following mitigation plans;
  - a) The initiation of open cast mining operations in the region poses a substantial threat to the streams originating from the adjacent hills and forests. These operations could severely compromise the water resources and potentially lead to a water crisis in the future, thereby affecting the fragile ecosystem. Open cast mining operations undermine the functional capacity of streams and cause irrevocable damage to the riverine ecosystem. Therefore, a comprehensive Catchment Area Treatment CAT Plan is essential to mitigate the adverse impacts of proposed mining.
  - b) Prior to initiating mining activities, a specialized agency should undertake a study to assess wildlife and its habitat vulnerability within a 10 kilometer radius of the project area, considering the potential negative impacts of the operations. Based on the study's findings, a Comprehensive Wildlife Management Plan shall be prepared and implemented at the project's expense to ensure the protection of the area's biodiversity, wildlife, and their habitats.
  - c) Fifty percent 50% of the total Corporate Social Responsibility CSR fund specific to this project should be allocated for the development of wildlife and its habitat. This allocation should be carried out under the guidance and supervision of the State Forest Department, represented by the concerned Divisional Forest Officer DFO
- x. The component-wise land use plan of the proposal is as under:

Sl. No.	Component	Forest Land (ha.)	Non-Forest Land (ha.)
1	Excavation Area	94.25	632.99
2	Top Soil Dump	0	12.24
3	External Dump/Surface Dump (Temporary)	307.2	133.5
4	Safety Zone	1.65	6.2
5	Haul Road Between Quarries	1.38	8.83
6	Road Diversion	4.65	0.93
7	Settling Pond	0.63	0.01
8	Road and Infrastructure Area	7.54	28.16
9	Garland Drain	3.2	4.38
10	Undisturbed/Mining Rights for UG	94.82	124.86
Total		515.32	952.1

- xi. The Committee was further informed that Ministry, after scrutiny of the proposal, observed shortcomings viz. discrepancies in the land use pattern given in online Part-I and those given in approved mining plan, the mining plan has been approved for 1467.42 ha land whereas the land use details has been furnished by the user agency for an area of 1026.08 ha only, out of 515.32 ha forest land requirement, 352.10 ha forest land is required for Temporary OB Dump & Garland drain & 3.1 ha forest land is for Infrastructure, Settling Pond & Stack Yard which is a Non-site specific activity, Schedule-I species have been reported in the area and DFO also mentioned the fragmentation of wildlife habitat, the mining operations could severely compromise the water resources and potentially lead to a water crisis in the future, the status of land (forest & Non-forest land) involved in the first phase of mining comprising 727.24 ha land, whether the 219.68 ha land which has been proposed to be kept as undisturbed area will be utilized for mining or otherwise, the mineable reserve of the Banhardih Coal Mine (1467.42 ha) is 270.81 Million Tons out of which the extraction of 250.50 Million Tonnes of Coal is envisaged from the quarriable area of 727.24 ha for 30 years of mining period. Hence, reason behind keeping the balance 740.18 ha area of land in the project/ lease needs clarification from the State Government.
- xii. Further, it was observed that as per the DSS analysis, out of 1095.056 ha forest land proposed for CA, 222 ha of land is characterized with Moderately Dense Forest, the area proposed for diversion lies in Rehabilitation cum Plantation Working Circle. Therefore, the details of work/ activities carried out by the State Forest Department in the proposed forest land needs submission from the State Government.
- xiii. The Ministry also observed that PUVNL has informed that the forest land of 352.1 Ha which is to be used for temporary OB dump & garland drain area will be further used for mining in future once the OB dump will be used in filling up the mined-out area. Detailed survey and exploration for 1049.00 ha out of 1467.42 ha area of mining lease area is already completed and further detailed exploration of remaining 418.42 ha area is ongoing. However, it is not clear as to how much

forest land is involved in the 418.72 ha area where survey and exploration is yet to be done, The CF, Daltonganj recommended the proposal with a condition that Fifty percent 50% of the total Corporate Social Responsibility CSR fund specific to this project should be allocated for the development of wildlife and its habitat etc. Accordingly, the State Government was requested to submit the additional information through EDS letter dated 30.09.2024.

- xiv. The State Government submitted its reply on 05.12.2025 received in the Ministry on dated 08.12.2025. The State Government has submitted the following information:
- a. The present Forest Diversion Proposal has been submitted as per the authenticated land schedule on 30.05.2022 by Divisional Forest Office Latehar for the total forest land of 515.32 Ha Accordingly, the diversion of Forest has applied for 515.32 Ha of Forest land. As desired, the comparative analysis of the proposed land use vis-a-vis that in the mining plan are enclosed here under;

Sl. No.	Land use	Total Forest in ha	Total non-forest ha	Total area in ha
1	Mining	96.51	630.73	727.24
2	Second Phase of Mining Interim Temporary OB Dump & Garland Drain	352.1	96.18	448.28
3	Haul Road	0.99	9.22	10.21
4	Infrastructure Settling Pond and Stack Yard	3.1	33.24	36.34
5	Safety Zone	7.85	5.58	13.43
6	Top Soil Stack Yard	0	12.24	12.24
7	Undisturbed/ mining Rights for UG	54.77	164.91	219.68
Total		512.32	952.1	1467.42

- b. An unexplored area of 418.42 Ha within the Project Boundary has been considered for interim temporary surface OB dumping which shall be completely re-handled for future mining activities as per the approved scheme. As per condition of Approved Mining Plan the above-mentioned land will be explored in detail before the commencement of the Mining Operation.
- c. The State Govt. stated that proposed interim temporary OB dump is temporary in nature the area earmarked for interim temporary OB dump (352.10 Ha Forest land) is a mineralized Zone and within the mining lease area and shall be mined out in the second phase of mining after rehandling of OB. The complete volume of interim OB dump shall be utilised for backfilling of the mine void area of the pit in the conceptual period as per the approved scheme of Mining Plan.
- d. It is clarified that no additional land outside the approved Mining Lease area is envisaged. Due to the high stripping ratio and steeply dipping coal seams, overburden (OB) could not be accommodated within the



excavation during the initial five years, as it would hamper mining progress. Therefore, an optimum year-wise deepening of about 60 metre per year, reaching 300 metre in five years, has been planned to maximize internal dumping. The proposed OB dump is strictly temporary and intended only as an interim arrangement, with maximum possible internal dumping in the mined-out area. During the conceptual period, the temporary dump will be fully rehandled and utilized for backfilling of the pit voids, as per the approved Mining Plan.

The temporary OB dump area itself will be mined in the second phase of operations after rehandling and reclamation. Most coal reserves are concentrated in the central and eastern parts of the lease area, and mining activities along with detailed exploration are planned concurrently, based on coal confirmation by the Geological Survey of India (GSI). Accordingly, the interim temporary OB dump has been proposed in the western part of the lease to match mining production. Infrastructure facilities, settling ponds, and stack yards—being non-site-specific—are proposed in the least mineralized metamorphic zone, ensuring minimal use of forest land, in line with the approved conceptual land-use plan.

- e. Regarding Coal Reserve Estimation/Assessment in the 1467.42 ha of mining lease area of approved Mining Plan:- Coal reserve has been estimated in the approved Mine plan by Ministry of Coal Gross Geological Reserves up to a depth of 1200 meter is 1372.21 Million Tonnes Gross Geological Reserves up to 300 meter depth is 446.18 Million tonnes. As per the inputs of Geological Report, the Net Geological Reserves up to a depth of 1200 meter is 1234.98 Million Tonnes & Net Geological Reserves upto 300meter depth is 401.56 Million tonnes Considering the proved reserve of coal as per Geological report and GSI report, the total coal reserve is estimated as 561.56 million tonne (Approximately) as Geological presently Reserve and 378 Million Tonne as Mineable reserve out of which earmarked for 350.50 Million Tonnes (Approximately) shall be extracted.

The above coal reserve estimation has been calculated based on the dump, which shall extrapolation of the coal seams as per GSI report and Geological report It is also envisaged that after detailed exploration, the coal reserve may be on the higher side. Accordingly, in the initial phase Mineable reserve is 270.81 million Tons (Mineable reserve estimated for the quarriable sector up to a depth range of 300 meter only) with 250.5 Million Tonnes extractable in the first phase and the balance of 100 Million tonnes (approximately) shall be extracted in the second phase of mining in the OB dump area of 440 Ha

- f. As per the regionally explored data of GSI report, it proves there is a significant coal reserve in the temporary OB dump area of 440 Ha within the Mining Lease area of 1467.42 Ha, which ascertains the site specificity. However, the detailed exploration is essentially required before the commencement of mining operation as per the conditions imposed by Ministry of Coal in the approved mining plan to prepare a mining scheme for the second phase of Mining in the OB dump area.

- g. It is also imperative to mention here in the total mining lease area of 1467.42 ha, the proposed forest diversion area of 515.32 Ha including Notified Forest and GMJJ (deemed forest land) contains approximately 110 Million tonnes of coal is present beneath the forest area and in the initial phase of mining, where the extraction of 250 Million tonne of coal is envisaged, it has 60 million tonnes of Coal Reserve beneath the Forest area. Further, during the second phase of mining in the OB dump area it is also envisaged that additional 100 million of coal extraction only 80 million tonnes of coal beneath the forest area considering the mining loss in barrier, batter and safety zone.

However, considering the mining methodology in the second phase total envisaged 100 million tonnes of coal shall not be possible to be extracted without diversion of proposed forest area. It is further concluded that around 160 Million tonnes of coal (60 Million Tonnes in 1 Phase & 100 Million tonnes of coal in 2 phase of mining) shall be completely lost if the proposed forest diversion over 515.32 Ha is not being granted Hence diversion of 515.32 Ha is essential. In view of the above analysis, it is evident to mention here that elimination of any forest patch of coal bearing area of 1467.42 Ha directs to a loss of 160 million tonne of Mineable reserve(approximately). Thus, excavation of coal from all part of the project area of 1467.42 Ha. is very much essential and the proposed forest area may not be eliminated.

In addition to above, If the coal reserve under the above forest area is Left out, mining is not feasible only in non-forest land also the project shall be unviable considering the coal requirement for the captive power plant where there is sustainable coal supply of 12 million Tonnes highly essential to make the PVUNL power plant functional Furthermore, it also leads to a loss of national wealth to a great extent.

- h. The land use plan has been prepared as per approved mining plan where it has been mentioned quarriable area of 727.24 ha for 30 years of mining period In addition to above the area, 448.28 Ha out of 740.18 Ha is in the rich mineralised zone, accordingly, earmarked for second phase of mining and shall be utilised for interim temporary OB dump. Further, it may be noted that the area earmarked for interim temporary OB dump (352.10 Ha Forest land) is a mineralized Zone and within the mining lease area and shall be mined out in the second phase of mining after rehandling of OB as per the approved Mining Plan It is imperative to mention that no additional area has been envisaged nor additional land being acquired outside the Mining Lease area.

Further, due to high stripping ratio and highly steeping coal seams, OB could not be accommodated within the excavation area during initial five years as it will hamper the mining progress. Accordingly, best feasible efforts envisaged with an optimum year wise deepening of 60m to reach 300 meter five years to accommodate maximum OB thru internal dumping. The balance area of 291.90 Ha shall be utilised as per the conceptual land use plan for stack yard, road, infrastructures etc. which are essential for mining activities. As far as legal status is concerned, the total 1467.42 Ha the section 11 (under CBA A&D) has

been issued and published by Ministry of Coal on 15.06.2021 for 1042.73 Ha & 01.01.2024 for 424.59 Ha respectively.

- i. The User Agency has submitted that maximum coal deposit is concentrated in the central part and eastern part of the lease mining.
- j. The User Agency has submitted exploration proposal on PARIVESH Portal. During approval process IRO has raised the query on 19.02.2025 and asked to submit proper justification for further processing of this proposal (FP/JH/SRY/450505/2023) towards the rationale of first applying for diversion and later only for prospecting of the same area. Usually prospecting precedes diversion to confirm site specificity of a forest land diversion proposal. Till date no justification has been received from the user agency.
- k. The State Govt. also informed that the user agency shall abide to all the conditions to be imposed by State Forest Department and PCCF (Wildlife) and shall take all necessary action for implementation of mitigative measures related to Site Specific Wildlife Management Plan or Comprehensive Integrated Wildlife Management plan proposed for the area as deliberated by State Forest Department.
- l. The State Govt. also submitted that a comprehensive Catchment Area Treatment CAT Plan shall be prepared after obtaining Stage-1 approval. The user agency has submitted an undertaking related to preparation and implementation of mitigative measures for the catchment area of Nawatoli nala and other rivulets (tributes of Auranga River). The User including renovation agency shall study the 10km buffer zone area and shall take necessary action to create new pond/waterbodies/ tank including renovation of the surrounding water bodies to mitigate the loss of water bodies/tank within the lease hold area in consultation with State Forest Department.
- m. The R&R Plan along with Land rate compensation has been approved by Project Level R&R Committee meeting held on 9 March 2024, which has been subsequently approved by the District Administration Latehar & subsequently by the Commissioner Medininagar. The same has been published in the Local Newspaper in compliance to the RFCTLARR Act 2013.
- n. The user agency has submitted an undertaking w.r.t. the implementation of mitigation measures for soil erosion.
- o. Based on the DSS analysis, the previously finalised CA land has been inspected by IRO and after site inspection by Regional office, Ranchi, the patches of CA land have been revised and replaced. It is further mentioned that the encroached patches in degraded forest land are seasonal for agriculture purposes and shall be evicted during the course of plantation.
- p. The State Govt. informed that the details work/activities carried out by the State Forest Department in the proposed forest land like plantation work & construction of check dam carried out by the diversion in the proposed forest land are as below:

Sl. No.	PF Name	Year of Plantation	Area involved
1	Jagalda	2002	8.24 ha
2	Surli	2005	8.60 ha
3	Banhardih	2009	5.77 ha
4	Bari	2019 & 2021	24.57 ha
5	Sabano	2020	19.06 ha

#### Check Dams

Sl. No.	PF name	Year of Const.	Remarks
1	Bari	2022	
2	Bari	2023	

- q. The Forest land pattas have been given to the forest dweller under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. Besides there are few encroachments which are temporary in nature and shall be evicted during the course of mining activities. The details of plantation done over the proposed forest land area is as below:

Sl. No.	PF Name	Year of Plantation	Area involved
1	Jagalda	2002	8.24 ha
2	Surli	2005	8.60 ha
3	Banhardih	2009	5.77 ha
4	Bari	2019 & 2021	24.57 ha
5	Sabano	2020	19.06 ha

- r. The entire coal evacuation shall be through MGR & Indian Railway system from mine and to Patranu Power station. Coal shall be transported by rail via Chetar rail station on the Barkakana-Daltonganj rail route of ECR connecting Banhardih Coal mine and Patartu Power station. The entire work is being carried out by ECR on deposit basis, Indian Rail way on deposit basis The DPR has been approved and the work is under progress. Further, there is no forest land in the land acquired for railway line construction Electricity. The total power requirement for the mine is 40MVA. The work for sourcing of power is under progress which shall be sourced from connected from JUSNL's Chetar (Chandwa-Latehar 132/33 KV GSS) to 133/33 KV substation at Mine end. Water: As per the deliberation of EAC, CGWA for issuance of NOC for ground water abstraction, the water requirement for the mine is 6564 KLD, which shall be met bore wells, mine seepage and Rain fall accumulations Presently, NOC for water abstraction is available Water and valid up to 17.08.2026.
- xv. Further, the Committee was informed that the site inspection of the instant proposal was conducted by Regional Office, Ranchi on 13.01.2025. The recommended by DDGF (C) of RO, Ranchi are as under:

- i. The instant proposal is for diversion of 515.32 ha of forest land (497.02 ha Notified forest & 18.30 ha JJ land) for the Banhardih Coal mining projects in favour of M/s. Patratu Vidyut Utpadan Nigam Limited (PVUNL) pertaining to Banhardih Coal Block in Latehar district of Jharkhand.
- ii. The DFO, Latehar has stated that the average forest cover density of the projected area are ranges from 0.5 to 0.6, featuring dense Tropical Dry Deciduous forest with Eco class III. The area is dominated by *Shorea robusta* (Sal) along with its associate species.
- iii. As per the DSS Analysis, the proposed land for diversion is classified as 8 Ha of MDF, 1348 Ha Non forest, 91 Ha OF and 20 Ha Water.
- iv. Proposed land (Lease) area estimated using DSS is 1467.42 ha (1467 ha.) The forest cover of the area reveals that corresponding area falling under MDF, Non Forest, Open Forest and Water category are 08 ha., 1348 ha, 91 ha., and 20 ha. Respectively constitutes in 'Not inviolate' category.
- v. The mining plan, including the Mine Closure Plan, has been approved by the Ministry of Coal under Section 5(2)(b) of the Mines and Minerals (Development and Regulation) Act, 1957, and submitted by PVUNL.
- vi. The Rehabilitation and Resettlement Plan (R&R Plan) has yet not submitted in accordance with the "Right to Fair Compensation and Transparency in Land Acquisition" and is under preparation. The project proponent has assured that the final plan will incorporate the aspects of compensation to forest right holders and other occupants of forest land as well as non-forest land getting affected due to the project to ensure that no forest area is subjected to encroachment due to such resettlement.
- vii. The proposed area is rich in wildlife. There is occasional movement of elephant. An integrated wildlife management plan needs to be prepared to mitigate Man-Wildlife conflict that may arise because of this project.
- viii. There is temporary OB dumping proposed in coal bearing forest area.
- ix. Two nalas, namely, Baagdaaga-I & Baagdaaga coming in the lease will be diverted. The UA has taken approval from Water resource department, Jharkhand. A safety zone of 50mtr may be created along both sides of nala diversion.
- x. The proposed forest land is being the catchment of some seasonal as well as perennial nalas, which finally merge into Auranga River. So a catchment area treatment plan may be done at the project cost to address this issues.
- xi. The project has received recommendations for approval from all relevant authorities, including the District Forest Officer (DFO), the Nodal Officer, and the state government, without any adverse comments.

- xii. As mining of coal is a site-specific activity and is required to meet the energy demand of the nation, the proposal is recommended with those above observations along with the standard conditions.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Ranchi and Nodal Officer from Government of Jharkhand, the Committee '**deferred**' the proposal for diversion of 515.32 ha of forest land for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand for want of following information:
- (i) The user agency has proposed diversion of 515.32 ha of forest land, out of which 307.20 ha is earmarked for overburden dumping. Since overburden dumping is a non site-specific activity, the State Government is required to re-cast and rationalize the area proposed for overburden dumping. The user agency in consultation with the State Govt. shall explore the Non-forest land nearby for such activity.
  - (ii) Initially, mining is proposed to commence over an area of 727.24 ha, comprising 94.25 ha of forest land and 632.99 ha of non-forest land, for a mining period of 30 years, as per the approved mining plan. In this context, clarification is required as to why the instant proposal cannot be re-cast by limiting the forest land proposed for diversion to 94.25 ha only.
  - (iii) The State Govt. shall submit details of 94.82 ha of forest land for Undisturbed/Mining Rights for under-ground (UG) mining. A component wise map, KML file, subsidence prediction report in this regard may also be submitted.
  - (iv) The State Govt. has revised the CA sites after the site inspection has been carried out by the Regional office, Ranchi of the Ministry. Therefore, the RO, Ranchi shall carry out the site inspection of the newly proposed CA sites and will submit its recommendation.

### Agenda No. 17

F. No. 11/239/2025-FC

**Sub:- Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s GAWAR SCCPL JV for non-forestry use of 0.7076 ha of Reserved Forest for Upgradation of Tuirial Playground at Village- Seling, District- Aizawl in the State of Mizoram (Proposal No. FP/MZ/OTHERS/454598/2023)- regarding.**

1. The agenda item was considered by the AC in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (C), Regional Office, Shillong attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis.

Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.

3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
  - i. The proposal is for diversion of 0.7076 ha of Riverine Reserved Forest.
  - ii. The said proposal was placed before Advisory Committee in its meeting held on 16.04.2025, wherein the Committee after detailed discussion and deliberation recommended the proposal for grant of 'in-principle' approval inter-alia recommending *stipulation of five (5) times penal NPV in respect of area used in violation of the Adhiniyam along with 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.*
  - iii. Accordingly, Stage- I approval was granted by the Ministry on 14.05.2025.
  - iv. Now, State Government of Mizoram vide their letter dated 01.09.2025 has requested to waive of the penal NPV imposed on the user agency. Submissions made by the Government of Mizoram are given as under:
    - a) The User Agency has sought exemption on grounds that the penalty has been effectively imposed twice for a single inadvertent and bona fide error, no permanent structure was erected, and all actions were taken in good faith based on permission obtained from Village Council Court of Tuirial in 2020.
    - b) These facts were brought to the notice of the Advisory Committee in its meeting held on dt. 16.04.2025. However, five (5) times penal NPV has been imposed on the User Agency in condition No.3.1 of the in-principle approval.
  - v. The Committee in its meeting dated 16.04.2025 was apprised of the fact that temporary shed constructed in the forest land will be removed from the site in few months and accordingly, the Stage-I approval was recommended by the Committee for a limited period of one year enabling the agency to remove the temporary structure from the forest land. However, no details in this regard has been furnished by the State Government.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (C), Regional Office, Shillong and after going through the facts of the proposal, the Committee decided to '**deferred**' the proposal with the following observations:
  1. The State Government shall inform whether the temporary structures constructed in the forest land have been removed by the user agency or whether user agency is still using those structures for their various activities. An updated status report in this regards may be provided by the State Government.

## Agenda No. 21

**Proposal No. FP/MP/IRRIG/40099/2019**

**Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 74.430 ha Reserved forest land in favour of Water Resource Department for the construction of Damkheda Tank Project under Khargone District of Madhya Pradesh State (Online No FP/MP/IRRIG/40099/2019) - regarding- regarding.**

1. The agenda item was considered by the AC in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
  - i. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Government of Madhya Pradesh vide their letter No. F-3/114/2019/10-11/10/1975 dated 08.04.2024 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 74.430 ha Reserved forest land under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Water Resource Department for the construction of Damkheda Tank Project under Khargone District of Madhya Pradesh State.
  - ii. The proposed forest land of 74.43 Ha of Reserved Forest is having the canopy density of 0.02 of Eco class III. The number of trees proposed to be affected in the proposal is 896.
  - iii. The State Government submitted that the land proposed for diversion is not vulnerable to soil erosion.
  - iv. The State Government submitted that the proposal does not forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. Also, no rare and endangered species is found in the area.
  - v. The State Government further submitted that no protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.
  - vi. The land use plan of the proposal is as under:

Sl. No.	Purpose wise Breakup	Forest Division	Forest Comp. nos	Area in ha.
1.	Dam	Khargone	RF-	5.42
2.	Submergence		744,742,897,	47.69



<b>3.</b>	Waste Weir		898,894,900,	13.04
<b>4.</b>	Canal		908,914,916,	7.33
<b>5.</b>	Road		761	0.95
<b>Total</b>				<b>74.43</b>

- vii. The Compensatory Afforestation is proposed over the Non forest land of 74.43 Ha in patches in Khasra No. 195 and 209 in Khamkheda village of Kahrgaon district. The State Government and the Regional Office Bhopal found the CA site suitable for plantation.
- viii. The Damkheda Tank Project is proposed on a seasonal stream in the Satpura mountain ranges of Khargone district, Madhya Pradesh, draining into the Veda River.
- ix. The project catchment area is 49.03 sq. km, and the command area is 1,200 ha.
- x. The Regional Office Bhopal recommended the proposal with the following major observations:
  - a. The area provided for construction of Canal is on higher side and with varying width. As per the discussion held with the concerned DFO and the WRD personals the proposed canal can be re-designed as an underground pipeline, in line with modern irrigation practices, to substantially reduce forest land diversion, minimise vegetation loss, prevent seepage and evaporation losses and ensuring higher delivery efficiency to the command area.
  - b. Planting of native species along reservoir periphery, waste weir and canal banks to improve slope stability and biodiversity.
  - c. Create shallow depressions and safe slopes for access to water by cattle and occasional wildlife.
  - d. The project proponent should clarify whether the components required for power supply-such as the electricity transmission line, transformer, control panels, and pumping units are going to be proposed within forest land or in non-forest areas, along with details of their exact locations, land requirement, and measures to minimize forest land use. However, during the visit this is informed by the Project Authority that all these components will be constructed in non-forest area.
- xi. The State Government has submitted the approved copy of the CAT plan by PCCF (HoFF) with a financial outlay of ₹36.09 lakhs.
- xii. The State Govt. submitted that the Damkheda Pond Project is a minor irrigation scheme with a catchment area of 49.03 sq. km. All types of properties affected in the submergence area will be given compensation for land acquisition, rehabilitation, and resettlement as per the Right to Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. However, the approved copy of the R&R plan is not provided by the State Govt.
- xiii. The State Government informed that the 31 patta holders affected by this project would be provided compensation for land acquisition,

rehabilitation, and resettlement in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

- xiv. The State Government was asked to clarify that the satellite imagery indicates the presence of agricultural land, roads, and settlements in the submergence area as well as in the area earmarked for the canal. In this regard, the State Government has stated that provisions have been made in the project estimate for the rehabilitation of affected persons. Since the number of displaced families is expected to be very small, the settlement impact will be negligible. The process of land diversion is currently under joint consideration with the Revenue Department.
  - xv. As per the earlier KML file submitted by the State Government, the total area of non-forest land involved in the proposal is 32.434 ha, of which 4.93 ha falls within forest land. In this regard, the State reported that a joint site inspection was carried out on 27.07.2025 by the Range Officer (Chiriyā Beat), the Assistant Range Officer, and the Sub-Divisional Engineer. During the inspection, it was observed that a portion of forest land appeared in the non-forest KML layer, and a portion of non-forest land appeared in the forest KML layer. The map in this regard has been submitted by the State Govt.
  - xvi. The KML file of the Dam which is proposed to be constructed has not been uploaded on PARIVESH. Moreover, the user agency has uploaded the DGPS on PARIVESH in which the location of Dam site has not been earmarked in the map. However, the drawing of the aqueducts proposed to be constructed in the project has been uploaded in Part-I under Additional information tab on PARIVESH.
  - xvii. The Committee observed that 31 patta holders affected by the project shall be provided compensation for land acquisition, rehabilitation, and resettlement in accordance with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
  - xviii. The Committee also observed that the details regarding the requirement of forest land for power supply components such as the electricity transmission line, transformer, control panels, and pumping units have not been submitted by the State Government
  - xix. The Committee further observed that the area proposed for the construction of Canal is on higher side and with varying width. Accordingly, the proposed canal can be re-designed as an underground pipeline, in line with modern irrigation practices, to substantially reduce forest land diversion, minimise vegetation loss, prevent seepage and evaporation losses and ensuring higher delivery efficiency to the command area.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO Bhopal and Nodal Officer, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Madhya

Pradesh, the Committee '**deferred**' the proposal for prior approval under section 2 (1) (ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 74.430 ha Reserved forest land under Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Water Resource Department for the construction of Damkheda Tank Project under Khargone District of Madhya Pradesh State for want of following information:

- i. The area proposed for the construction of the canal is on the higher side with varying widths. The canal can be redesigned as an underground pipeline, in line with modern irrigation practices, to substantially reduce forest land diversion, minimise vegetation loss, and prevent seepage and evaporation losses while ensuring higher delivery efficiency to the command area. Accordingly, the State Government to explore revising the proposal.
- ii. The State Government shall clarify whether the components required for power supply-such as the electricity transmission line, transformer, control panels, and pumping units are going to be proposed within forest land or in non-forest areas, along with details of their exact locations, land requirement, and measures to minimize forest land use.

#### **Agenda No. 24**

**Proposal No: FP/MH/ROAD/45459/2020**

**Sub.: Diversion of 13.20 ha of Reserved Forest land in favour of Public Works Division, Nanded for construction of Two lane road with paved shoulder from border Loha- Kandhar- Mukhed- Eklara- Khanapur- Narangal- Sagroli- Biloli-Kundalwadi- Dharmabad to state border MSH-16 and SH-268 Project-AU104 (MSH-16 from Loha Km. 297/400 to Khanapur Phata Km. 371/900 in Nanded District in the State of Maharashtra (Proposal No. FP/MH/ROAD/45459/2020)- regarding.**

1. The agenda item was considered by the AC in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
  - i. The Government of Maharashtra vide letter no. FLD-2722/CR-195/F-10 dated 01.09.2022 submitted the above mentioned proposal seeking prior approval of the Central Government under the Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 to the Regional Office Nagpur.
  - ii. The proposed forest area diversion is for widening the existing road's carriage width (3.75 m to 5.50 m) to a 30-metre ROW.

- iii. The instant proposal involves the area of 13.2 Ha of Reserved forest land having vegetation density of 0.2 of Eco Class III.
- iv. As reported by the State Government, the number of trees proposed to be felled in the instant proposal is Nil.
- v. The State Govt. reported that the project does not warrant displacement of any human habitation and therefore resettlement and rehabilitation plan is not required for this project.
- vi. The State Government submitted that the proposed area is not vulnerable to erosion.
- vii. As per the DSS, the proposed forest land for diversion is not located within 10 km distance from any Wildlife Sanctuary, National Park, Tiger Reserve and Tiger Corridor. Further, the instant proposal falls under Not Inviolable or Not In high conservation zone (NHCV) category as per the DSS Rule-1 and 2.
- viii. As per Part II of the online application form, there is a presence of Rare papulation of black buck, wild pig, peacock are found in and around proposed forest area for diversion.
- ix. The State Govt. further reported that no protected archaeological/ heritage site/ defence establishment or any other important monuments is located in the area
- x. The User Agency identified 13.20 ha of non-forest land (NFL) for CA in Survey No. 70, at Village Gundawal, Tehsil Mahur, Range Mahur in a single patch.
- xi. The State Govt. and Regional Office Nagpur in their Site Inspection Report (SIR) recommended that CA site is suitable for afforestation and management purpose and free from encroachment. However, in part II of the online application form, the CA has been proposed over 58.045 Ha. Further, the Nodal Officer in his recommendation mentioned that the CA has been proposed over 18.18 Ha land.
- xii. As per DSS Analysis of the KML files submitted by the State Government, the CA has been proposed over the Non forest land of 13.2 Ha.
- xiii. The State Government reported that the User Agency carried out works such as dismantling of old Cross Drainage (CD) structures and constructing two new CD works over an area of 0.027 ha. This constitutes a violation of the VSSA, 1980.
- xiv. This violation was verified during the inspection, confirming that the User Agency constructed the new CD works. During the inspection, it was also noted that the User Agency dismantled the existing carriage-way and levelled the area along the entire alignment passing through the forest. The period of violation is between 25-10-2019 and 06-11-2019.
- xv. As per the satellite imagery the user agency has broken the forest land after the date 19.03.2019 for the widening of Road.

- xvi. The State Government has reported that disciplinary action has been initiated against the forest officials responsible for negligence of duty i.e. one Round Officer Kandhar and the Beat Guard Ambulha have been charge-sheeted. Further, DCF, Nanded vide letter dated 03.12.2025 reported that POR Nos. 04/2019 & 05/2019 were booked and ₹1,00,000/- realized from the User Agency, and disciplinary action initiated against negligent officials.
- xvii. The village wise breakup of the forest land involved in the proposal is as under:

Village	Survey No.	Forest area	Comp. No.	Status of land
Ambulga	179 Part/ 243	6.60	848 c	R.F.
Savargaon	82/475	1.80	548 b	R.F.
Kotgyal	7	4.80	547 b	R.F.
	<b>Total</b>	<b>13.20</b>		

- xviii. As depicted through satellite imagery, the proposed forest patch, Gut No – 7, Comp No- 547 B is having the presence of settlement which is falling in the proposed Road layout.
- xix. The proposal was considered in the REC meeting dated 14.10.2022. The Committee further noted that total forest area proposed for diversion is 13.20 ha and the proposal also involves 210.3 ha of non-forest land thereby total area required for the project is 223.5 ha. After detailed discussion and examination of the proposal the Committee decided to recommend the proposal to forward to the MoEF&CC subject to fulfilment of general, standard and following additional conditions:
- Penal CA over 1 ha degraded forest area shall be raised and maintained by the State Forest Department at the cost of User Agency.
  - The State Government shall undertake the action against the violation of FCA, 1980 as per provisions made under Para 1.21 of Handbook of Forest (Conservation) Act, 1980 published on 28.03.2020.
  - For smooth movement of resident wildlife in forest patches as well as in non-forest areas where there is a traditional route of wildlife movement and also for the movement of cattle the size of box culverts should at least be of 2x3 meters, further, in consultation with DCF concern box culverts in remaining two forest patches shall be constructed, where no structures are proposed.
  - The avenue plantation of 8 feet tall plants shall be carried out by the State Forest Department at the cost of User Agency as per IRC norms.

- xx. The Regional Office Nagpur recommended the proposal, with the following conditions:
    - a. The State Government shall recover Penal Net Present Value (Penal NPV) as per the guidelines issued under the VSS Rules, 2023. Additionally, appropriate action shall be taken against the violators as per the provisions of the VSSA, 1980, and the rules framed thereunder.
    - b. The State Government, in consultation with the Chief Wildlife Warden (CWLW), shall prepare site-specific wildlife mitigation measures and ensure its implementation at the project cost.
    - c. Compensatory Afforestation shall be carried out in accordance with the VSS Rules, 2023, and the guidelines issued thereunder.
  - xxi. The Committee observed that as per the satellite imagery, the proposed forest patch, Gut No – 7, Comp No- 547 B is having the presence of settlement, which is falling in the proposed Road layout.
  - xxii. The Committee also observed that there is a traditional route of wildlife movement in the area proposed for diversion. Accordingly, a site specific wildlife mitigation plan shall be prepared at the cost of the user agency.
  - xxiii. The Committee further observed that User Agency carried out works such as dismantling of old Cross Drainage (CD) structures and constructing two new CD works over an area of 0.027 ha. This constitutes a violation of the VSSA, 1980.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO Nagpur and Nodal Officer, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Maharashtra, the Committee recommended the the '*in-principle*' approval for diversion of 13.20 ha of Reserved Forest land in favour of Public Works Division, Nanded for construction of Two lane road with paved shoulder from border Loha- Kandhar- Mukhed- Eklara- Khanapur- Narangal- Sagroli- Biloli- Kundalwadi- Dharmabad to state border MSH-16 and SH-268 Project-AU104 (MSH-16 from Loha Km. 297/400 to Khanapur Phata Km. 371/900 in Nanded District in the State of Maharashtra with general, standard and the following specific conditions:
- i. The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
  - ii. Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 be initiated by Regional Office, Nagpur, as applicable.
  - iii. The penal CA shall be paid by the User agency as per Ministry's guidelines dated 21.01.2026.
  - iv. The State Government, in consultation with the Chief Wildlife Warden (CWLW), shall prepare site-specific wildlife mitigation measures and ensure its implementation at the cost of the User Agency.

**Agenda No.28****File No.8-22/2024-FC**

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 87.520 ha of forest land for construction of Hidsing Irrigation Project including Alternate Road in Angul Forest Division under Angul District by Executive Engineer, Cuttack Investigation Division, Water Resource Department, Govt. of Odisha (Proposal No. FP/OR/MIN/20559/2016)- regarding.**

1. The above proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). Nodal Officer (FCA), Odisha and DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
  - i. The State Government of Odisha vide their letter No. FE-DIV-FLD-0025-2024-11966/FE&CC dated 05.07.2024 submitted above subject proposal on PARIVESH portal on 30.12.2024 seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - ii. The construction of Hidsing Irrigation Project (including alternate road) is proposed to be done across the river Bauli Nallah near Village Karadising in Brahmani Basin of Angul Forest Division in Angul District, by the Department of Water Resources, Govt. of Odisha. The project envisages construction of a 933 metre long and 32.50 metre height earthen dam and a central spill way at the centre of the river gap portion. 437.330 Ha of land is required for construction of Hidsing Irrigation Project including alternate road due to submergence of (Angul-Tikarapada Road) S.H 23 which includes 87.520 ha of forest land and 349.810 ha non-forest land. 87.520 ha forest land comprises Reserve Forest & Proposed Reserved Forest of 38.619 Ha, Revenue forest land of 7.449 Ha, DLC forest land of 19.55 Ha & Private forest land of 21.902 Ha. 349.810 ha Non-forest land comprises 287.579 Ha Private Non-forest land & 62.23 Ha Govt. Non-forest land.
  - iii. The Bauli Nallah is a major tributary of Lingara nallah joining near Ramkasinga. Lingara Nallah in turn joins the river Brahrnani on its right bank near village Meramundall. The Bauli Nallah originates from hill ranges of Balanga in Angul Block of Angul District and traverses in the north-east direction.
  - iv. The Project includes a water reservoir with a homogeneous earth dam and a Central Spillway & 2 main (Right & Left) canals with

Distributaries, minors, sub minors and outlets from the main Canal & an alternate road (due to Submergence of Angul - Tikarapada road S.H 23). This project has got administrative approval by the Central Water Commission, Govt. of India vide their letter No. M&A/AP-1/2012/13-15 dated 04.01.2013.

- v. The State Government has informed that at present, there is no source of irrigation in this drought prone area inhabited by mostly scheduled caste, scheduled tribe and other backward classes. The agriculture is rainfed and the rainfall is mostly inadequate, untimely and unevenly distributed. The erratic monsoon does not allow the traditional agricultural practices to flourish. Consequently, the agriculture production is much below the average level and the financial status of the people of the area is very low. Hence, this project is envisaged to bring change in the prevailing agricultural practices and consequent upliftment of the economic status of the local people.

The potentiality of this project, when utilized, shall no doubt accelerate the growth of economy in general and improve socio- economic status of the backward classes in particular, opening avenues for other alternate cash-crops round the year in the area. This project aims at annual irrigation of 3106 ha in the drought prone area (Khariff irrigation- 2366 ha and Rabi irrigation- 740 Ha) in Angul Block of Angul district.

- vi. As reported by the PCCF(WL) & Chief Wildlife Warden, Odisha, the site is coming within Mahanadi Elephant Reserve (proposed for extension). The site is also within the Eco Sensitive Zone of Satkosia TR (default 10 km). There is no archaeological monument/ heritage site/ defence establishment located in the applied area. As reported, there are Faunas like elephant, leopard, barking deer, Indian hare, cobra, python, kingfisher, blue jay often noticed inside the forest area applied for diversion.
- vii. The estimated cost of the project is ₹24549.26 lakh. As reported by the User Agency, the project will generate permanent/ regular employment to 1000 persons and temporary wage employment to 3000 persons.
- viii. Due to suitability of location and other conceptual advantages, alternative sites have not been explored during the engineering survey and investigation.
- ix. The component wise break-up of the total forest land involved in this project is given below:

<b>Component wise break-up</b>			
<b>S. No.</b>	<b>Component Name</b>	<b>Forest (in Ha)</b>	<b>Non-Forest (in Ha)</b>
1	Reservoir Area	58.487	214.290
2	Right Main Canal (RMC)	9.401	20.247
3	Left Main Canal (LMC)	6.238	112.534
4	Alternate Road	13.394	2.739
	<b>Total</b>	<b>87.520</b>	<b>349.810</b>
	<b>Total Area (Forest + Non-Forest)</b>	<b>437.330</b>	

Alternate Road Breakup (as mentioned in SI No.4 of above table)



Sl. NO.	Village Name	Forest Area in ha	Non-Forest (in Ha)	Total (Forest & Non-Forest in Ha)	Tahasil & Name	District Name
1	Dimiripala	0.262	0.000	0.262	Angul	Angul
2	Karadasing	5.963	0.590	6.553		
3	Karatpata	0.000	2.149	2.149		
4	Krishnachakra PRF	7.169	0.000	7.169		
<b>Total</b>		<b>13.394</b>	<b>2.739</b>	<b>16.133</b>		

- x. As per Part-II and Site Inspection Report of DFO, Angul Forest Division, the applied forest area comes under Eco Value Class-I with canopy density of 0.4. The forest comprises predominantly by Asan (*Terminalia tomentosa*), Arjuna (*Terminalia arjuna*), Bahada (*Terminalia belerica*), Barabakulia (*Dalbergia paniculata*), Dhaura (*Anogeisus latifolia*), Gambhari (*Gmelina arborea*), Jamu (*Syzgium cumini*), Kendu (*Diospyrus melanoxylon*), Mango (*Mangifera indica*), Dhaman (*Grewia tilaefolia*), Gohira (*Acacia leucocephloea*), Mai (*Lanea grandis*) etc. The wild animals like elephant, leopard, barking deer, Indian hare, cobra, python and birds like Indian pea fowl, kingfisher, drongo, egrets, blue jay are seen in the area.
- xi. In the Site Inspection Report, DFO Angul Forest Division reported that 4425 nos. of trees and 1598 nos. of poles (<30cm) have been enumerated in the forest area involved in the project. Further, 7042 Nos of trees have been enumerated in the non-forest area involved in the project. The abstract of tree enumeration is given below.

Sl. No.	Component	Tree enumeration in Forest Land	Tree enumeration in Non-Forest Land
1	Reservoir, Right & left Canal	2928	3455
2	Alternate Road	1497	3587
	<b>Total</b>	<b>4425</b>	<b>7042</b>

- xii. The DFO, Angul Forest Division reported that the UA has undertaken an undertaking to submit Environmental Clearance after getting the same from competent authority.
- xiii. As submitted by the User Agency the total benefit of this project comes to Rs. 43281.239 lakh and as reported by DFO, Angul Forest Division, the loss in forest including Eco-system services etc. comes to Rs. 5894.142 lakhs. Hence, the cost benefit ratio is 1:71.343.
- xiv. In lieu of diversion of 87.52 ha forest land, 94.216 ha non-forest Govt. land has been identified in village Tanügola, Kadambinipur and Baradiha village under Pallahara Tahasil of Angul district in Deogarh Forest Division for raising compensatory afforestation. Total CA patches of NFL are 5. Further, 140.743 ha Degraded Forest Land has been identified in Bega RF (80.002 ha), Lahada RF (36.741 ha) and

Kapilash RF (24.00 ha) under Sadangi Range of Dhenkanal Forest Division for Additional Compensatory Afforestation. Total CA patches of DFL are 4.

- xv. The Site specific Compensatory Afforestation scheme over 94.216 ha non-forest land has been prepared by the DFO, Deogarh division and approved by the Nodal Officer for ₹4,23,36,600/-. The scheme includes ANR plantation @ 500 plants per ha over 36.00 ha, SMC activities over 94.216 ha and provision of fencing and watering. 18,000 Nos. of plants (36 Ha x 500 Nos.) could be planted in the identified non- forest CA land. To accommodate balance 69,520 Nos. of plants (87,520 18,000), 140.743 ha Degraded Forest Land has been identified in Bega RF (80.002 ha), Lahada RF (36.741 ha) and Kapilash RF (24.00 ha) under Sadangi Range of Dhenkanal Forest Division.

The Additional Compensatory Afforestation Scheme over 140.743 ha degraded forest land has been prepared by the DFO, Dhenkanal division and approved by the Nodal Officer for ₹4,89,61,100/- (Rupees four crore eighty nine lakh sixty one thousand one hundred only). The scheme includes ANR plantation @ 500 plants per ha over 140.743 ha, SMC activities over 140.743 ha and provision of fencing and watering.

- xvi. The Hidsing Irrigation Project intercepts a catchment area of 7230 Ha (72.30 Sq. Km). The catchment area is bifurcated into two divisions namely Angul Forest Division and Satkosia Wildlife Division. A Catchment Area Treatment Plan has been prepared for taking up necessary treatments in both the divisions. The CATP of both the divisions have been approved with a financial outlay of ₹2,07,27,300/- Rupees two crore seven lakh twenty-seven thousand three hundred only) for each Division.
- xvii. The Collector, Angul had issued certificate under FRA, 2006 for 15.639 ha of forest land and 58.487 ha forest land proposed to be diverted in favour of Cuttack Investigation Division for construction of Hidsing Irrigation Project vide his letter No.1782, dt.14.10.2016 & No.603, dt. 16.03.2018 respectively.

The DFO, Angul Forest Division reported that the UA has furnished an undertaking to submit the Certificate regarding FRA over 13.394 ha forest area coming in this project for alternate Road in Angul Division after getting the same from District Collector, Angul.

- xviii. As per Site Inspection Report of DFO, Angul Forest Division, the UA has provided a Resettlement & Rehabilitation Plan. The user agency has furnished an undertaking to submit the approved RoR plan after approval of the same.
- xix. The PCCFWL) & Chief Wildlife Warden, Odisha has reported that the site is coming within Mahanadi Elephant Reserve (proposed for extension). The site is also coming within the Eco Sensitive Zone of Satkosia Tiger Reserve (default 10 km) and Site Specific Wildlife Conservation Plan is required to be prepared and implemented for this Irrigation project. As reported by the PCCF (WL) & Chief Wildlife Warden, Odisha, the project proponent has applied for NBWL

clearance in Parivesh 2.0 portal. The DFO Angul has raised EDS on the proposal and is pending for compliance by the Project Proponent.

The User Agency has furnished an undertaking to prepare the Site-Specific Wildlife Conservation Plan (SWLCP) and bear the cost of the plan.

- xx. As reported by the DFO Angul Forest and Regional Chief Conservator of Forests Angul Circle, no violation has been committed by the User Agency under Forest (Conservation) Act, 1980 for construction of Hidsing Irrigation Project including Alternate Road in Angul Forest Division under Angul District.
- xxi. After the examination of the proposal, the Ministry has requested the State Govt. vide letter dated 24.01.2025 to provide the certain information related to the proposal. Further, the State Govt. has reported that the site is coming within Mahanadi Elephant Reserve. The site is also within the Eco Sensitive Zone of Satkosia TR. Therefore FC Division forwarded the file to Project Elephant Division and NTCA with regard to the mitigation plans.
- xxii. In this regard, the comments from the Project Elephant Division, Wildlife Division and NTCA are as under:
  - a. **Comments from the Project Elephant Division:** The Project Elephant Division has provided their comments via mail on 25.09.2025 wherein it has been informed that the proposal has been examined in the Project Elephant Division. In this matter, a DSS analysis of the proposed project was carried out by Elephant Cell, Wildlife Institute of India (WII) to identify the presence of elephant corridors, distribution and Elephant Reserve using geospatial techniques in the proposed project area and also to assess the impact of the proposed project on elephant conservation in the area. The observation from the DSS are as follows:
    - The project area falls within critical elephant habitat, and the Mahanadi Elephant Reserve is located approximately 0.69 km away.
    - Considering above, it is observed that the proposed site falls within the critical elephant habitat and the Mahanadi Elephant Reserve located approximately 0.69 km away. Further, as per information received from the PCCF & CWLW, Odisha, the site is coming within the Mahanadi Elephant Reserve (proposed for extension). It is pertinent to mention that intensity of human elephant conflicts (HEC) are severe in the East Central Region comprising West Bengal, Odisha, Chhattisgarh, Bihar and Jharkhand. This region has approximately 10% of the wild populations and accounts for high human mortality due to HEC. The State of Odisha has the fifth largest population of elephants in the country, next to Karnataka, Assam, Kerala followed by Tamil Nadu, as per the latest elephant census 2017. Further the state recorded a significant number of human elephant conflict incidents over the years. As per the information received from the State of Odisha 1099 human beings and 216

elephants were killed due to human elephant conflicts in the State of Odisha from 2015-2024.

- In view of the above, since the proposed project area falls within a critical elephant habitat and the Mahanadi Elephant Reserve (proposed for extension), further it is observed that open canals are proposed under the project, which may obstruct elephant movement and pose a risk to their safety. Therefore, a detailed wildlife mitigation plan may be prepared in consultation with the Chief Wildlife Warden, State Forest Department of Odisha, incorporating suitable mitigation measures at strategic locations and other site-specific interventions to ensure unhindered and safe passage for elephant.

**b. Comment from the Wildlife Division:**

- As per section 38-O(1)(b) of the Wild Life (Protection) Act, 1972, the National Tiger Conservation Authority (NTCA) is mandated to evaluate and assess various aspects of sustainable ecology and disallow any ecologically unsustainable land use such as, mining, industry and other projects within the tiger reserves.
- Further, as per Section 38O(1)(g) of the Act, the NTCA is mandated to ensure that the tiger reserves and areas linking one protected area or tiger reserve with another protected area or tiger reserve are not diverted for ecologically unsustainable uses, except in public interest and with the approval of the National Board for Wild Life and on the advice of the Tiger Conservation Authority.
- Furthermore, Section 38O(k) of the same Act entrusts the NTCA with the responsibility to perform such other functions as may be necessary to carry out the purposes of this Act with regard to the conservation of tigers and their habitat.
- The NTCA thus plays a pivotal role as a guiding authority, offering detailed directions and technical guidance for the conservation of tiger reserves, corridors, and habitats. Its overarching aim is to support and facilitate the long-term survival and growth of the tiger population in the country.
- In this context, it is important to highlight that the NTCA is expected to provide its expert comments and recommendations concerning the protection and conservation of tiger habitats.
- Thus, if comments are sought from the NTCA regarding any projects involving land use change, the Authority is mandated to guide the concerned through its expert comments and recommendations by evoking its powers and functions either under section 38-O(1)(g), or under section 38-O(1)(b) or under section 38-O(1)(k) of the Act, as may deem fit, based on the circumstances of the matter.

**c. Comments from the NTCA:**

- The aforesaid proposal for the proposed diversion of 87.520 ha of forest land for the construction of the Hidsing Irrigation Project was analysed by the tiger cell NTCA.

- It has been observed that the Project, including the alternate road, falls within the Eco-Sensitive Zone (Default 10km) of Satkosia Tiger Reserve.
  - Current monitoring indicates no evidence of tiger presence in this forest tract. However, field reports confirm the occurrence of other Schedule I species, including elephants (*Elephas maximus*) and leopards (*Panthera pardus*), along with their prey base and associated faunal communities.
  - In view of the above, it is recommended that the project proponent be advised to obtain Wildlife Clearance as per procedure.
- xxiii. The State Govt. vide letter No. 9F (IRRIG)-349/2021 dated 18.08.2025 has submitted the reply of the observations raised by the Ministry dated 24.01.2025.
- xxiv. The State Government has informed that the delay of nearly seven years in submitting the proposal on PARIVESH 1.0, initially accepted by the Nodal Officer in 2017, was due to several factors. These include changes in the alignment of the proposed area, finalization of an alternative road from Angul to Tikarpara, identification and finalization of non-forest land for Compensatory Afforestation (CA), selection of degraded forest land for Additional CA, and disruptions caused by the COVID-19 pandemic. These factors collectively contributed to the extraordinary delay in submission.
- xxv. The State Government has informed that, in compliance with the Ministry's guidelines, issued vide letter No. FC-11/118/2021-FC dated 25.01.2024, the Forest Diversion Proposal (FDP) documents have been uploaded on the PARIVESH 1.0 portal. The proposal was discussed and recommended in the 72nd meeting of the Project Screening Committee (PSC) held on 07.07.2025. A copy of the PSC meeting minutes, wherein the project is listed at Sl. No. 9, is uploaded.
- xxvi. The State Government has informed that a Site-Specific Wildlife Conservation Plan is currently under preparation in view of the presence of Schedule-I species in the project area. The plan will be submitted to the Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden, Odisha, for review and approval. Comments on the likely impact on wildlife movement and adequacy of mitigation measures will be furnished thereafter.
- xxvii. The State Government has reported that the approved Catchment Area Treatment Plan has been uploaded on the PARIVESH portal of the MoEF & CC, Government of India. Additionally, a copy of the approved Financial Outlay for the Catchment Area Treatment Plan is enclosed for reference.
- xxviii. The State Government has complied with the requirement by uploading the approved Catchment Area Treatment Plan on the PARIVESH portal of the MoEF & CC, Government of India.

- xxix. The State Government has complied with the requirement by uploading the Suitability Certificate for 94.216 ha of non-forest land on the PARIVESH 1.0 portal of the MoEF & CC, Government of India.
- xxx. The State Government has certified that the proposed Compensatory Afforestation (CA) land of 94.216 ha is non-forest land, despite its location within the Reserve Forest boundary as per DSS analysis.
- xxxi. The State Government has clarified that a total of 4,425 trees are enumerated to be felled in the forest land, as reported by the Divisional Forest Officer (DFO), Angul Division. The figure of 4,425 trees has been correctly mentioned in Part-II of the PARIVESH portal.
- xxxii. The State Government has confirmed that administrative approval for the project was granted by the Central Water Commission (CWC), Government of India, vide letter No. M&A/AP-1/2012/13-15 dated 04.01.2013. Further, the Director of M&A, Bhubaneswar, CWC, vide letter dated 01.03.2024, communicated the project cost to the Chief Engineer, Planning & Design, Odisha, who, in turn, recommended the project to the CWC and the Ministry of Water Resources for acceptance. This confirms the validity and ongoing endorsement of the approval.
- xxxiii. The State Government has informed that the User Agency, represented by the Superintending Engineer, Angul Investigation Division, has submitted the required undertaking related to the dam's technical aspects. This undertaking has been duly countersigned by the Divisional Forest Officer, Angul Forest Division, ensuring compliance with the State Dam Safety Organization's recommendations to mitigate unforeseen conditions.
- xxxiv. The State Government has reported that the project was examined by the Central Design Organization following the latest Ministry of Water Resources guidelines (2010) for DPR preparation. A copy of the letter dated 24.08.2024 from the Engineer-in-Chief, Planning & Design, Odisha, Bhubaneswar, related to this examination, is given with the proposal. The approval from the National Dam Safety Authority (NDSA) on the State Dam Safety Organization's recommendations is awaited.
- xxxv. The State Government has informed that the KML file for the proposed diversion of 87.52 ha of forest land has been uploaded on the PARIVESH portal. As per the MoEF&CC guidelines dated 20.08.2014 (F-8-64/2013-FC), approval under the Forest (Conservation) Act, 1980, is generally independent of Wildlife clearance, except where the diversion falls within protected areas requiring prior approval from the Hon'ble Supreme Court. The site falls within the Eco-Sensitive Zone of Satkosia Tiger Reserve, and the Wildlife clearance process is underway.
- xxxvi. Proposed forest land for diversion falls under Dhenkanal district of Odisha State and its area (software-calculated) is found 85.731 ha whereas area proposed for diversion is 87.520 ha. Therefore, there is a discrepancy of 1.789 ha for which the state has given a justification.

- xxxvii. Regional Office, Bhubaneswar has carried out site inspection and DDGF (C), Regional Office, Bhubaneswar has recommended the proposal subject to the following conditions:
- a. The User Agency (UA) and the State Forest Department (SFD) shall ensure that Compensatory Afforestation (CA) sites are cleared of encroachments before the commencement of plantation activities. Any shortfall in the plantation target on non-forest CA land shall be met on degraded forest land as per the approved Working Plan prescriptions.
  - b. The State Forest Department shall implement the Site-Specific Wildlife Conservation Plan (SSWLCP) for the project, as approved by the Chief Wildlife Warden (CWLW), Odisha, at the cost of the User Agency.
  - c. As the project area falls within an Eco-Sensitive Zone (ESZ), the User Agency shall obtain the requisite wildlife clearance and comply with all conditions stipulated therein.
  - d. Since the project area lies within the Mahanadi Elephant Reserve, the State Government shall, at the cost of the User Agency and, if necessary, in consultation with appropriate agencies, implement suitable mitigative measures to facilitate the free movement of elephants, as mandated for projects in such reserves.
  - e. The User Agency shall maintain adequate water flow downstream of Bauli Nallah to sustain aquatic fauna.
  - f. The approved Catchment Area Treatment (CAT) Plan shall be implemented by the State Government at the cost of the User Agency.
  - g. The State Government shall ensure compliance with all provisions of the Dam Safety Act, 2021, including prescribed regulations for the design, construction, operation, and maintenance of the dam.
  - h. The approved Resettlement and Rehabilitation (R&R) Plan shall be implemented by the User Agency at its project cost.
- xxxviii. The Proposal was considered in the last AC meeting held on 26.09.2025. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Odisha, the Committee decided to defer the proposal for want of the additional information from the State Government. The Ministry through letter dated 07.10.2025 requested the State Government to furnish information as per recommendation of AC. In this reference, the State Govt. has replied through online vide letter no. 23453/9F (IRRIG)–349/2021 dated 21.11.2025.
- xxxix. The Committee noted that details submitted by the State Government are as under:
- a) With regard to detailed wildlife mitigation plan, the State Government has reported that DFO, Angul Division has incorporated all the mitigation measures in the Animal Passage Plan of the Site-Specific Wildlife Conservation Plan (SSWLCP).
  - b) With regard to Cultivation land, water stream (Bauli Nallah) and road are visible in the proposed forest land for diversion, the State

Government has reported that the road to be submerged due to the construction of this project is approximately 3.65 km. Forest land on which the proposed road is to be constructed, comes to 13.394 ha out of the total forest land of 87.52 ha.

- c) The User Agency has submitted the component wise KML file of the entire project area (forest & non-forest).
  - d) With regard to details report on the CA sites free from all sorts of encroachments and encumbrances, State Government again submitted the same land suitability certificate and joint verification report as it was submitted earlier.
  - e) The State Govt. has reported that the site is coming within Mahanadi Elephant Reserve. The site is also coming within Eco Sensitive Zone of Satkosia TR.
4. **Decision of Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Bhubaneswar and the Nodal officer, Govt. of Odisha recommended the proposal for **grant of 'in-principle' approval** for diversion of 87.520 ha of forest land for construction of Hidsing Irrigation Project including Alternate Road in Angul Forest Division under Angul District by Executive Engineer, Cuttack Investigation Division, Water Resource Department, Govt. of Odisha subject to the general, standard and following specific conditions:
- i. The User Agency and the State Forest Department shall ensure that Compensatory Afforestation sites are cleared of encroachments before the commencement of plantation activities.
  - ii. Since the project area lies within the Mahanadi Elephant Reserve, and the Eco-Sensitive Zone of the Satkosia Tiger reserve, the State Government shall, at the cost of the User Agency and, in consultation with Wildlife Institute of India (WII), shall prepare and implement the Site-Specific Wildlife Conservation Plan for the project, as approved by the Chief Wildlife Warden, Odisha, at the cost of the User Agency.
  - iii. As the project area falls within an Eco-Sensitive Zone (ESZ), the User Agency shall obtain the requisite wildlife clearance and comply with all conditions stipulated therein.
  - iv. The User Agency shall maintain adequate water flow downstream of Bauli Nallah to sustain aquatic fauna.
  - v. The approved Catchment Area Treatment (CAT) Plan shall be implemented by the State Government at the cost of the User Agency.
  - vi. The State Government shall ensure compliance with all provisions of the Dam Safety Act, 2021, including prescribed regulations for the design, construction, operation, and maintenance of the dam.
  - vii. The approved Resettlement and Rehabilitation (R&R) Plan shall be implemented by the User Agency at its project cost.

### Agenda No.31



**File No. 8-31/2015-FC**

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of balance forest land of 89.961 ha (Fresh area 79.367 ha and 10.594 ha earlier diverted area for renewal and land use change) (originally proposed area of 84.707 ha) in favour of Shri Avin Jain (Heir of late Shri DC Jain) for mining of Iron and manganese ore in Dalpahar Iron & Manganese Ore mines located in Baitrani RF II, District Keojhar (Odisha)-regarding.**

1. The agenda note for the above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Nodal Officer, Govt. of Odisha and DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after thorough deliberation and discussion observed that:
  - i. The Government of Odisha vide their letter No. 10F (Cons.) 179/2015/16479/F & E Bhubaneswar dated 15.09.2015 submitted above subject proposal seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980.
  - ii. The total forest area under the proposal was 101.171 ha which is located in Baitarani Reserved Forest of Keonjhar Forest Division. Leases of the user agency were comprised of five blocks namely Block-A, Block – B1, Block-B2, Block – B3 and Block-C comprising of forest area 89.9612 ha, 0.607 ha, 1.012 ha, 7.689 ha and 1.902 ha, respectively. Out of the total forest land 101.171 ha, 16.464 ha forest land including safety zone of 0.887 ha has been reported to be broken prior to 1980 and was earlier approved by Government of India, MoEF&CC vide letter No.8-103/2000-FC dated.14.11.2005.
  - iii. The density of vegetation was reported to be 0.5 in virgin forest land and 0.2 in broken up forest land. A total of 20,930 project affected trees were reported in the area proposed for diversion.
  - iv. The area proposed for diversion does not form part of any National Park/ Wildlife Sanctuary/Biosphere Reserve. It is mentioned that areas falls in the Elephant Habitat Zone-2 as per report of ORSAC as the movement of wild elephants often noticed in the area. It is mentioned that to conserve and protect the wildlife and their habitat, a comprehensive Site Specific Wildlife Conservation Plan has been approved by PCCF(WL)&CWLW, Odisha involving financial provisions of ₹2,50,25,400/.

- v. The area is not important from archaeological point of view. The total cost of this project is about ₹37.709 Crores. The project does not involve displacement of people.
- vi. The Steel and Mines Department, Government of Odisha, in the year 2013 declared the entire lease area of 101.171 ha as lapsed. The Said order of State Government was challenged by the lessee before the Revisional Authority in the Ministry of Mines, Government of India. The Revisional Authority vide interim order dated 27.09.2013 directed the State Government not to take any coercive measures against the lessee and also granted liberty to the lessee to apply for diversion of forest land under the Forest (Conservation) Act, 1980. The lessee also approached the High Court of Odisha to seek relief from the lapsing order of the State Government. Hon'ble High Court vide their order dated 21.01.2015 has directed as interim measure that no final order shall be passed by the State on the renewal of Mining Lease (RML) application of the petitioner seeking renewal and further directed that auction policy decision dated 5.1.2015 published in extra ordinary Gazette dt. 12.01.2015 shall be kept in abeyance till next date.
- vii. The Earlier Land use of forest land was as under:

Sl. No.	Land use	Area already broken (ha)	Virgin area (ha)	Total (ha)
i.	Mining including mine roads	10.889	71.795	82.684
ii.	Waste dump yard with environment protective measures	2.855	2.685	5.540
iii.	Sub grade ore stacking with environment protective measures	0.00	2.348	2.348
iv.	Roads for transport	1.539	0.00	1.539
v.	Camp, office, administrative building, security camp, etc.	0.369	0.00	0.369
vi.	Magazine and plantation area	0.00	0.00	0.00
vii.	Workshop, crushing and screening, beneficiation plant	0.000	3.391	3.391
	<b>Sub total</b>	15.652	80.219	95.871
viii.	Safety Zone	0.812	4.488	5.300
	<b>Grand Total</b>	<b>16.464</b>	<b>84.7107</b>	<b>101.171</b>

- viii. The proposal, along with various facts reported by the State, was considered by the Advisory Committee in its meeting held on 24.12.2015, and the AC, after examination of the various facts of the case desired to obtain additional information from the State. The Recommendation of the AC were conveyed to the State Government vide Ministry's letter dated 4.01.2016. The IRO, Bhubaneswar was also requested to carry out the site inspection of the area proposed for diversion.
- ix. The Site inspection of the area proposed for diversion and proposed for CA was carried out by the Dy. IGF (Central), RO, Bhubaneswar during

09.06.2020 to 12.06.2020. The Regional Office in its SIR has reported that following:

- a. Revised land use plan corresponding to 89.691 ha of forest land involved in the lease should be provided by the User Agency.
- b. Details of tree enumeration corresponding to 89.691 ha should be made available to by the State.
- c. With regards to compliance of approval granted for 16.464 ha, the IRO has observed the following:
- d. Equivalent non-forest land identified for raising compensatory afforestation has not been notified as RF/PF under the Indian Forest Act, 1927.
- e. Compensatory levies for raising afforestation over degraded forest land to the extent of 1.5 times the area of safety zone has not been realized from the user agency.
- f. Non-realization of balance amount due towards Regional Wildlife Management Plan.
- g. The area is surrounded by mines all around. Many are working mines and diversion of this forest land although will create constraint in the movement of animals especially elephants will not be that problematic as it is surrounded by mines.
- x. The State Government vide their letter no. FE-DIV-FLD-0101-2021-12349/FE&CC dated 19.07.2021 submitted reply to the observations of FAC as contained in Ministry's letter dated 04.01.2016. After examination of the same, the following was observed:
  - a. The area of lease not considered as lapsed is 89.691 ha forms the part of Block - A while the remaining area falling in other four blocks has been declared as lapsed.
  - b. The user agency has deposited NPV of the entire area.
  - c. Copy of approved Mining Plan, corresponding the area not declared as lapsed by the State was not submitted.
  - d. An area of 11.48 ha (out of 101.171 ha) has been declared as lapsed.
  - e. It was observed that certain conditions stipulated in the approval dated 14.11.2005 have not complied with by the State/User Agency.
  - f. Equivalent non-forest land identified for raising compensatory afforestation has not been notified as RF/PF under the Indian Forest Act, 1927.
  - g. Compensatory levies for raising afforestation over degraded forest land to the extent of 1.5 times the area of safety zone has not been realized from the user agency.
- xi. After examination of the reply from the State Government, Ministry vide its letter dated 14.08.2021 requested the Government to submit information on the various shortcomings. The Government of Odisha vide their letter No. 6233/9F (MG) -18/2015 dated 15.03.2024

submitted their reply in response to Ministry's letter dated 14.08.2021. After examination of the same, the following was observed:

- a. The State Government has furnished the details of land use breakup for 89.961 ha.
- b. The State Government has submitted the copy of Mining Plan with Progressive Mine Closure Plan for the mining lease area over 89.961 ha approved by IBM vide their letter No. RMP/A/18/ORI/BHU/2020-21/2053 dated 06.11.2020 which is valid up to 31.03.2026.
- c. The State Government has submitted detailed fact as regards lapse of 11.21 ha (not 11.48 ha) out of 101.171 ha in 4 nos. mining blocks and reported that the user Agency has not yet reclaimed and handed over the 4 nos., lapse blocks to the State Forest Department. Reclamation is not feasible as source is yet not exhausted.
- d. The State Government has reported non-forest land over 16.464 ha has been notified by FE&CC Department, Govt. of Odisha as Baitarani-Bhayan Protected Forest under Section-33 of Odisha Forest Act, 1972 vide letter No.FE- DIV-FLD-0022-2018-15436/FE&CC dated 31.08.2021.
- e. The State Government has reported that the scheme for afforestation in degraded forest land to the extent of 1.5 times the area of Safety Zone over 8.0625 ha (5.375 ha Safety Zone X 1.5 times) identified in Naibuga RF under Champua Range has been technically approved with a revised financial outlay of ₹24,42,000/- current wage rate of ₹352/- per manday and as per demand raised by the DFO, Keonjhar Division, the User Agency has deposited the approved amount.
- f. The user agency has deposited ₹20,23,420/- towards Regional Wildlife Management Plan over 101.171 ha ₹20,000/- per ha as per the then prevailing rate of RWLMP. Further, the UA has deposited ₹55,77,582/- towards RWLMP over 89.961 ha (@₹82,000/- per ha -₹20,000/- per ha deposited earlier), by excluding the lapsing block of 11.21 ha (101.171 ha-11.21 ha).
- g. With regard to reclamation, the User agency was intimated that since mining operation is closed and no pit has been fully exhausted yet, concurrent reclamation is not feasible at this stage. The Reclamation & Rehabilitation plan will be carried out as per the progressive mine closure plan approved by IBM.
- h. The State Government was reported that the re-enumeration has done over 89.961 ha by the DFO, Keonjhar Forest Division and total 6388 Nos. of trees enumerated over 30 cm girth and 15,779 Nos of poles under 30 cm girth. Further, separate tree enumeration done over 10.594 ha of broken up area. Total 2712 nos of trees enumerated over 30 cm girth and 7520 nos. of poles under 30 cm girth.
- i. The State Government has reported that the Site Specific Wildlife Conservation Plan for the said project was approved by the PCCF, (Wildlife) & CWLW, Odisha vide Memo No 13358 on dated 14.12.2023 with a total financial outlay of 491.46 Lakhs, out of which ₹286.26 lakhs

will be incurred in Project Impact Area of Keonjhar Division and ₹205.20 Lakh will be incurred in Project Impact Area of Bonai Division. The user agency has deposited the said amount in ODISHA CAMPA.

- xii. Further, proposal was placed before Advisory Committee (AC) in its meeting held on 30.04.2024. AC observed that more non-forest area is required for raising compensatory afforestation as per extant provisions and broken area has to be shown separately. Accordingly, the Committee desired to seek certain additional information from the State Government. The same were conveyed to the State Government vide Ministry's letter dated 17.05.2024.
- xiii. State Government vide their letter no. 21005/9F (MG) -18/2015 dated 19.10.2024 has submitted information as sought vide Ministry's letter dated 17.05.2024.
- xiv. The State Government has submitted the KML file of the project area with Broken up area (already diverted) and the new fresh land proposed for diversion. The State Government has reported that the additional Non-Forest Govt. land over 5.00 ha has been identified in village Binida & Dengana under Ghatgaon Tahasil of Keonjhar district in lieu of the diversion of safety zone area of 3.113 ha in respect of Dalpahar Iron & Manganese Ore Mines. The KML file of the CA land is also submitted.
- xv. In lieu of 79.367 Ha of virgin forest land (89.961 Ha - 10.594 Ha already diverted forest land) fresh proposed for diversion, State Govt. has identified 81.545 Ha of non-forest land in village Gundula (66.745 Ha). Champajhar (9.80 Ha) under Banspal Tahasil and in village Binida & Delenga (5.00 Ha) under Ghatgaon Tahasil of Keonjhar District for raising compensatory afforestation.
- xvi. The Mining plan of Dalpahar Iron & Manganese mines has been modified on dated 27.05.2024 vide letter No. MRPW-2273/2023-24-IBM-RO-BBS of Regional Controller of Mines, IBM, Bhubaneswar. Accordingly, the User Agency has submitted the change in land use pattern based on the approved modification of Mining plan.
- xvii. Out of 101.171 ha area, an area of 11.21 ha has been lapsed except the area of block A. Out of 11.21 ha area 5.87 ha was diverted and 5.34 ha was non-diverted. The remaining diverted area of Block A is 10.594 ha ( $16.464 - 5.87 = 10.594$  ha) which was not declared as lapsed. Now it is clear that out of  $101.171 - 11.21 = 89.961$  ha ( $79.367$  fresh +  $10.594$  ha already area) is required for this proposal. However, the State Govt. has submitted the proposal for diversion of  $84.707$  ha and also applied for renewal. In this regard the clear recommendation from the State Govt. is required that whether they want to pursue this proposal for renewal or fresh diversion proposal because the fresh area is  $79.367$  and renewal area is only  $10.594$  ha.
- xviii. Thereafter, proposal was again placed before Advisory Committee (AC) in its meeting held on 28.11.2024 and the Committee decided to seek the additional information from the State Government as well as Regional Office. The same were conveyed to the State Government as

well as Regional Office vide Ministry's letter dated 11.12.2024. The State Government vide their letter no. 3582/9F (MG) -18/2015 dated 14.02.2025 has submitted information as sought vide Ministry's letter dated 11.12.2024.

- xix. The Regional Office has carried out the Site Inspection of the proposal on 7.1.2025 and stated that this diversion proposal is for mining of Manganese and Iron ore, which is site specific. The user agency has identified 81.545 Ha of non-forest land for raising Compensatory Afforestation. The diversion of 79.367 Ha of virgin forest land and change in land use of 10.594 Ha of already diverted forest land is recommended with standard conditions and observation made during inspection
- xx. The State Government has informed that the total area of aforesaid Mining Lease was 101.171 ha. comprising of 05 Blocks. Out of 101.171 ha, the user agency had obtained the Stage-II approval over 16.464 ha. Hence, the diversion proposal for the balance forest land over 84.707 ha was submitted by the user agency on 27.02.2015. The abstract of Block wise area of forest land, diverted and applied for diversion on 27.02.2015 are furnished below:

Mining Lease Block	Lease Area (In Ha.)	Already Diverted (In Ha)	Previously applied for diversion. (In Ha)	Present Status
Block-A	89.961	10.594	79.367	Active
Block-B1	0.607	0.607	0.00	Lease Lapsed and Possession taken over by DDM, Joda
Block-B2	7.689	5.097	2.592	
Block-B3	1.012	0.000	1.012	
Block-C	1.902	0.166	1.736	
<b>Total</b>	<b>101.171</b>	<b>16.464</b>	<b>84.707</b>	

- xxi. Further, as reported by the DFO, Keonjhar, the four Lease Blocks namely Block B1, B2, B3, & C having the Mining Lease area of 11.21 ha (including 5.87 ha earlier diverted land) were lapsed vide Proceeding No.7084,7092,7100 and 7108 all dated 09.07.2013 of the Steel & Mines Department, Government of Odisha. Subsequently, the Block A having an area of 89.961 ha which included 10.594 ha of earlier diverted forest land was also lapsed vide Proceeding No.3882 dated 01.05.2015 of the Steel & Mines Department, Government of Odisha.
- xxii. However, as reported by the DFO, Keonjhar Division, based on the direction of Hon'ble High Court of Odisha, the Steel & Mines Department, Govt. of Odisha vide their proceeding No.6610 dated 06.09.2019 have passed order not to declare and record the Iron & Manganese Mining Lease of Sri Avin Jain over an area of 89.961 ha in village Dalpahar Block A of Keonjhar district as lapsed, which includes non-diverted area of 79.367 ha.

- xxiii. The DFO, Keonjhar Division has reported that, the validity of the said mining lease area over 89.961 ha has been extended up to 08.06.2036 as per Letter No.3957/SM-MC1-0012-2021 dated.28.04.2022 of Steel & Mines Department, Government of Odisha and based on above, Supplementary Lease Deed of Block-A over 89.961 ha was executed in favour of Sri Avin Jain (Power of attorney holder and son of Smt.Sobha Jain & Sri Dharm Chand Jain) on 27.04.2023. The possession of the lapsed blocks i.e. B1, B2, B3 & C over an area 11.21 have been taken over by Dy. Director of Mines, Joda on dated 31.05.2023. Whereas, the Block-A Mining Lease over 89.961 ha has been declared as not lapsed and subsequently the lease validity has been extended up to 08.06.2036 as per the aforementioned orders, therefore, the instant diversion proposal is over 79.367 ha (89.961-10.594 diverted area) of fresh forest land including 2.822 ha earmarked for safety zone along the ML boundary.
- xxiv. The DFO, Keonjhar Division has reported that the User Agency has obtained the statutory documents i.e. 1. Mining Plan, 2. Regional Wildlife Management Plan, 3. Site Specific Wildlife Conservation Plan, 4. Environmental Clearance, 5. Consent to Operate, 6. Forest Right Act(FRA) certificate etc. in respect of the Mining Lease Block-A over 89.961 ha. Further, Non-Forest land over 81.545 ha has been identified for compensatory afforestation & degraded forest land over 83.49 ha has also been identified for Additional Compensatory Afforestation with their approved CA schemes against 79.367 ha (89.961 -10.594) of fresh forest land proposed for diversion including safety zone out of the total mining lease area over 89.961 ha of block-A.
- xxv. The table below shows the breakup of already diverted area, proposed changes in land use of already diverted area and fresh forest area applied for diversion within ML block-A over 89.961:

Sl. No.	Pattern of Utilization	Already Diverted (Broken up) In Hect.	Proposed changes in Land Use of Broken Up land In Hect.	Broken Up area after changes in land use in Hect.	Fresh Land proposed for diversion in Hect.	Total land in Hect.
	A	B	C	D =B+C	E	F = D+E
1	Mining Including Mines Road	6.928	(+) 0.547	7.475	32.575	40.05
2	Waste Dump Yard with Env. Protective Measures (Retaining wall, Garland drain &Settling Pond)	2.618	(-) 1.225	1.393	11.497	12.89
3	Utility Services Mineral Processing Unity &	0.000	(+) 0.885	0.885	18.185	19.07

	Stocking with Protective Measures	Yard Env.					
	Storage of Topsoil		0.000	0.000	0.000	3.817	3.817
	Internal Road for Transporting		1.048 (including 0.025 ha of safety zone)	(-) 0.998	0.05 (including 0.025 ha of safety zone)	2.860	2.910
	Infrastructure (Office, Site service, Workshop, Creche, Elect. Substation, Cable, Parking Plaza & etc.)		0.000	0.000	0.000	2.754	2.754
4	Green Belt		0.000	(+) 0.500	0.500	4.857	5.357
5	Safety Zone Along the Lease Boundary		0.000	(+) 0.291	0.291	2.822	3.113
	Grand Total		10.594	0.000	10.594	79.367	89.961

- xxvi. Further, the DFO, Keonjhar Division has stated that, as the proposal is continuing since 2015 & in the subject it has been mentioned as 84.707 ha instead of 79.367 ha of fresh forest land and therefore, the user agency has requested for its necessary rectification.
- xxvii. The state has informed that based on a court order the issue of validity of the lease was considered afresh and the state govt. passed an order deciding not to declare and record the mining lease of Sri Avin Jain as lapsed without prejudice to any other proceedings pending against the lessee. In this regard, the state has reconfirmed the validity of the LOI/lease keeping in view the Section 10 A(2)(C) of the amended provisions of MMDR Act, 2015. The State Govt. has informed that initially the mining lease deed of Iron & Manganese Mines of 5 separate Blocks over 101.171 hain Baitarani Reserved Forest under Champua Forest Sub-Division of Keonjhar District was executed in favour of Dharm Chand Jain on 9<sup>th</sup> June 1986 for 20 years and renewal application was made in time on 01.06.2005 before the expiry of the leases. The table below shows the individual Mining Lease Blocks with their status:

Mining Lease Block	Lease Area (In Ha.)	Present Status
Block-A	89.961	Active
Block-B1	0.607	Lease Lapsed and Possession taken over by DDM, Joda
Block-B2	7.689	



Block-B3	1.012	
Block-C	1.902	
<b>Total</b>	<b>101.171 Ha.</b>	

- xxviii. Further, the current authorized signatory (Project Proponent) Shri Avin Jain is the son of Late Sri Dharam Chand Jain (D. C. Jain) & Smt. Shobha Jain and he is the Power of Attorney holder of Smt. Shobha Jain (the legal heir of lessee Late Sri. D.C. Jain). The instant Forest Diversion Proposal was submitted in the name of the lessee, Sri. D.C. Jain. Since he is no more, the documentation is being processed through his son & Power of Attorney holder, Sri Avin Jain.
- xxix. The above facts were considered in the AC meeting held on 05.03.2025. After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar and APCCF and Nodal Officer, Govt. of Odisha, the Committee decided to defer the proposal for want of the following information from the State Govt. as well as Regional Office Bhubaneswar:
- The user agency at the time of submission of the proposal was Shri DC Jain who is no more now. The State shall examine the matter and submit the request/proposal for the change in the name of the user agency with requisite documents keeping in view the legal heirs/ person/agency having the valid Letter of intent with respect to the proposed mining lease.
  - The area proposed for diversion is falling in high conservation zone. The State Govt. shall justify the requirement of the same with cogent reasons.
  - From the land use plan, it has also been learnt that 12.89 ha area is being proposed for Waste Dump Yard with Env. Protective Measures (Retaining wall, Garland drain & Settling Pond) and 28.551 for utility services most of which are non-site specific activities, and normally not considered on the forest land. The state govt. shall explore the possibility to shift the same to non-forest areas and provide the proper justification in this regard.
- xxx. Regarding change in the name of the User Agency the State Govt. has submitted that the User Agency has applied for change in the name of the user agency in "Form F" in the Parivesh 2.0 web portal vide Proposal No.FP/OR/MIN/QRY/530182/2025 and Single Window No SW/240631/2025. However, the user agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Division that, before the final forest clearance in respect of the aforesaid diversion proposal is accorded by the GoI, MOEF & CC, the name of user agency will be changed from Late Sri Dharmchand Jain to Sri Avin Jain Power of attorney holder of Smt. Sobha Jain (wife of late Dharm Chand Jam).
- xxxi. Regarding area falling in High Conservation Zone, the State has informed that in 2015, the density of vegetation was reported to be 0.2 in Broken up & 0.5 in Virgin area. After almost 10 years, the density of

the above proposed diversion area is hardly changed & it is the same as before i.e. 0.2 in Broken up area & 0.5 in virgin area and basically the area is not inviolate. There are so many mines operating within Baitarani RF-II around the Dalpahar Iron & Manganese mines (Block-A) & as the area is not broken up, the proposed area may not be treated as high conservation zone. The State Government vide their letter no. 8094/9F (MG) -18/2015 dated 09.04.2025 has submitted additional information along with DSS survey report and informed that – as per the GIS-DSS analysis report on 26.12.2024 the above area proposed for diversion is not inviolate.

- xxxii. Regarding 12.89 ha. area proposed for OB dump over forest land which is a non-site specific activity, based on the given reasons in the reply by UA, the DFO has informed that, it could be concluded that the area over 12.89 ha of land for waste dump with its Environment Protective Measures and 28.551 ha for utility services are all site specific activities and as these have been approved in the Mining Plan, they need to be carried out inside the Mining lease area and no non-forest land available in the lease.
- xxxiii. The above facts were considered in the AC meeting held on 26.05.2025. the Committee after detailed discussion has decided to defer the proposal for want of the following information from the State Government:
  - a. As the user agency i.e. Shri DC Jain is no more and the proposal for change in the name has been submitted by the UA through PARIVESH 2.0 portal, vide online id no. FP/OR/MIN/QRY/530182/2025, therefore it would be appropriate that the State Govt. shall first complete the process for approval of change in the name of the User Agency and resubmit the proposal thereafter.
- xxxiv. The proposal for change in name of the User Agency has been accorded approval vide letter dated 26.08.2025 under sub-section (1) of section of 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Dharam Chand Jain (DC Jain) and the ongoing forest land diversion and land use change proposal over 89.961 ha ( 79.367 ha of fresh forest land diversion and land use change within 10.594 ha of already diverted area) in respect of Dalpahar Iron & Manganese Mines in Keonjhar Forest Division of Keonjhar District to Sri Avin Jain.
- xxxv. The proposal was thoroughly deliberated by the Advisory Committee, in its meeting held on 26.09.2025, which noted that the earlier approval for diversion had been granted for an area of 16.464 hectares, of which 10.594 hectares falls within the current lease area. The Committee decided to defer the proposal for want of the following information from the State:
  - a. The 10.594 hectares area which is already diverted is represented by multiple small, scattered patches throughout the proposed lease, rather than as a single consolidated block. Therefore, the State shall verify the

precise location of the 10.594 hectares of diverted area and submit a detailed layout of the same supported by documentary evidence.

1. The State Govt. vide letter No. 20745/9F (MG) -18/2015 dated 10.10.2025 uploaded on the PARIVESH portal on 14.10.2025 informed that that the Dalpahar Iron & Manganese Mining lease, over 251.00 acres or 101.171 ha, was previously granted to M/s M.A. Tulloch & Co (P) Ltd, in Dec 1956, for the excavation of manganese ore, and for many years the mining was carried out by the lessees up to July 1972. Thereafter, the work was dispensed with. Surface Right was granted in a phased manner from 1956 to 1964. Number of quarries over an area of 16.464 ha were developed by M/s M.A. Tulloch & Co (P) Ltd.

As the mining was carried out manually during those days, only float manganese ores visible at the surface were extracted and hence, the workings area found in small and scattered patches instead of a single consolidated block, as is generally observed in present-day mechanized mining of Iron and Manganese Ore. This lease was subsequently granted for a period of 20 years and was executed on 09.06.1986 for Iron and Manganese Ore in favour of Shri D. C. Jain.

The lease comprised a total forest area of 101.171 hectares. A forest diversion proposal over 97.084 ha (101.171 ha - 4.087 ha safety zone along the ML. boundary) was submitted to the Government of India, MoEF, New Delhi for consideration vide F&E Department Letter No. 14739/F&E dated 14.09.2000. The areas already mined out (broken up) by M/s M.A. Tulloch & Co. (P) Ltd prior to 1980 were jointly verified by officials from the Mining, Forest and Revenue Departments in September 1999 with detailed forward/ backward bearings, and distances from pillar to pills were recorded for 10 blocks and shown in plan, while filing the diversion proposal under the Forest (Conservation) Act, 1980. Based on the said report, final approval of Government of India, MoEF was obtained for 16.469 ha vide F.No. 8-103/2000-FC dated 14.11.2005 only for the broken area.

2. As per the AC observations cited above, the total area of the present mining lease of M/s D C Jain is 89.961 ha, which comprises 79.367 ha of virgin forest land and 10.594 ha of already broken & diverted forest area in Baitarani RF under Keonjhar Forest division. The precise location of the area has been verified repeatedly in the past and present, not only by the State Government alone but by the Regional Office of Bhubaneswar. Surveys were carried out by joint teams, and the DGPS survey has been vetted by the Odisha Space Application Center.
3. The State Government has informed that the 10.594 hectares of already diverted forest land within the Dalpahar Iron and Manganese mining lease exist as multiple small, scattered patches due to manual mining practices carried out prior to 1980, and has submitted comprehensive documentary evidence—including joint verification reports from 1999, authenticated maps, DGPS and drone survey data vetted by ORSAC, and inspection reports by both State and Central

authorities—clearly indicating the precise location and layout of the diverted area.

4. The proposal along with additional information again placed before Advisory Committee (AC) in its last meeting held on 27.10.2025. The Committee observed that the Ministry had earlier approved the diversion of forest land for an area of 16.464 ha only, and at this stage there is no justification for the diversion of the additional virgin forest land when the originally diverted forest land is not yet fully worked out. Accordingly, the Advisory committee recommended that the proposal for the diversion of additional 79.367 ha virgin forest land can not be accepted in the present proposition, and the state may therefore restrict the mining operations to the 10.594 ha forest land which has been already diverted. The same were conveyed to the State Government Ministry's letter dated 14.11.2025.
5. The State Government vide their letter no. FE-DIV-FLD-0101-2021-34751/FE&CC dated 27.11.2025 has adverted Addl. PCCF (FD&NO, FC Act) O/O the PCCF &HoFF, Odisha letter no. 23696/9F (MG) – 18/2025 dated 25.11.2025 intimating that based on the decision of the Advisory Committee, the project proponent has submitted certain submissions for reconsideration of its decision dated 27.10.2025 of MoEF&CC and requested for re-consideration of the decision of the Advisory Committee dated 27.10.2025 for diversion of additional 79.367 ha virgin forest land.
6. Addl. PCCF (FD&NO, FC Act) O/O the PCCF &HoFF, Odisha letter no. 23696/9F (MG) – 18/2025 dated 25.11.2025 has mentioned that:

The Advisory Committee vide its meeting held on 27.10.2025 have communicated the following decision vide letter dated 14.11.2025-

*"Accordingly, keeping in view the recommendations of the Advisory Committee and approval of the same by the competent authority in the ministry, it has been decided that the proposal for diversion of additional 79.367 ha virgin forest land cannot be accepted in the present proposition and the state may therefore restrict the mining operations to the 10.594 ha forest land which has already been diverted"*

Based on the above decision of the Advisory Committee, the authorized *signatory* of the project proponent addressed to the Addl. Director General of Forests, MoEF & CC, Gol, New Delhi and others has humbly submitted the following points for kind reconsideration of its decision dated 27.10.2025-

That, the mining operation within the already diverted forest land over 10.594 ha is technically infeasible, operationally unsafe, and inconsistent with scientific mining norms, as supported by authoritative technical evidence, including the independent scientific study conducted by IIT (ISM) Dhanbad. The IIT(ISM) Dhanbad has carried out a study on "Geotechnical Feasibility, Slope Stability Analysis, and Environmental Impact Mechanism Study for Proposed Lateral Mining at Dalpahar Iron and Manganese Ore Mine, Odisha".

Accordingly, the authorized signatory of the project proponent has put forth the following submissions for kind consideration –

- a) **Safety and Geotechnical Considerations to ensure secure and efficient mining operations (Supported by IIT-ISM Report).** The IIT(ISM) Dhanbad report states that scientific mining is not feasible within the limited 10.594 ha area due to the following reasons-
- The existing pit has already reached geotechnical stability limits, and further deepening will create unsafe bench configurations and continuing mining within this confined zone will result in:
  - High bench and slope failure risks, as deepening without lateral expansion will reduce the minimum Factor of Safety (15) mandated under DGMS Circular 3/2020.
  - Violation of DGMS Regulation 106(2) (b) of the Metalliferous Mines Regulations, 1961.
  - Increased likelihood of accidents and unsafe working conditions.
  - The study concludes that mining in the current diverted area is neither safe nor technically viable, and expansion into the adjoining mineralized zone is essential to maintain slope stability and ensure worker safety. Therefore, our humble request is to allow diversion of additional 79.367 ha for non-forest use for safety and legally compliant mining.
- b) **Mining of the ore body extending beyond the present broken up area in virgin forest area of 79.367 ha for ecological restorations, resource recovery, economic viability and operational safety vis-a-vis technical Non-Feasibility of Restricting Operations to 10.594 ha.**

The authorized signatory of the project proponent has further submitted that comparatively controlled lateral (parallel) mining provides wide benches safer slopes, and improved air-noise dispersion reduced erosion and adequate space for essential environ infrastructure it would enable phased backfilling terracing and continuous reclamation, ensuring long-term slope stability and ecological restoration Lateral expansion will also facilitate resource recovery, economic viability, and operational safety.

This later expansion is only possible with the kind permission of Advisory Committee to allow diversion of additional 79.367 ha for non-forest use.

- At the same time, it is informed that 2005 diversion of 10.594 ha was based only on existing old manual workings prior to 1980, not on actual geological continuity based on scientific mining.
- The IIT-ISM technical evaluation and the Approved Mining Plan confirm that:
- The ore body extends substantially beyond the previously diverted patches and whatever ore remain within the diverted area can't be mined due to the restriction of the Pit boundary within the diverted area only.
- Several patches within the diverted area are exhausted or non-mineralised.

- Individual patches-seven out of eight being less than 1 ha-area inadequate to support safe or scientific mechanised mining.

Therefore, restricting mining to the existing diverted area would simultaneously result in unscientific, unsafe and economically non-viable operations.

**c) Compatibility with the Approved Mining Plan and Statutory Requirements**

- The Approved Mining Plan (IBM) mandates integrated development of the mine in the mineralised zone, requiring 34.897 ha by April 2026 for face advancement, haul road development, approach roads to ore zones, Infrastructure such as workshop and office and Overburden handling and reclamation Confined operations within 10.594 ha will directly contradict this statutory plan, approved by IBM The plan is enclosed as Annexure-II.

Adherence to the IBM-approved plan would require the unbroken forest land of 79.367 ha and compliance to Rule 11 of the MCDR, relating to scientific and systematic mining.

Further, the Deputy Director of Mines, Joda Circle reported that out of the total mining lease area of 89.961 ha (coming under Bastarani Reserve Forest) working is confined in diverted forest area of 10.594 ha (already broken up) which has been divided in to 8 small and scattered blocks, roads and safety zone Now, working is continuing in 8 pits and working pits have reached their restricted boundaries. Hence, currently there is no scope for lateral or vertical expansion of the above working pits within the existing diverted forest area for achieving the proposed production target without forest clearance for the remaining lease area He also requested the Mines Manager, Dalpahar Iron and Manganese Mines to obtained forest clearance for remaining part of the lease to avoid the violation The copy of the letter of DDM, Joda Circle is enclosed as Annexure-III.

**d) Environmental Implications of Restricted Working**

The project proponent has further reiterated that operating only in the existing broken area will increase, rather not decrease, environmental impact:

- Creation of unstable slopes due to forced deepening.
- Poor drainage, erosion, and runoff issues.
- Inefficient waste disposal due to lack of space.
- Inability to execute progressive reclamation or final pit design.
- By contrast, controlled expansion into the proposed 79 367 ha will enable.
- Systematic benching and waste management.
- Stable slope design.
- Proper drainage and erosion control.
- Timely reclamation and post-mining restoration.
- This approach is more aligned with long-term ecological stability.

**e) Socio-Economic and Regulatory Implications of Mining as per the Approved Plan**

- The mining operation, when executed as per the approved plan, supports a large workforce across all skill categories. Apart from essential technical personnel such as operators, mechanics, welders, fitters and electricians, the mine provides daily employment to nearly 400 unskilled & semi-skilled workers engaged in ore dressing, sorting of Manganese Ore. Any restriction on the operational area will significantly jeopardise these livelihood opportunities for local communities in the Keonjhar district.

Reduced production will lead to a decline in statutory revenue to the Government of Odisha, including royalty, DMF, NMET, GST and other levies that directly contribute to regional development.

It will also affect compliance with NPV, CAMPA and Compensatory Afforestation commitments already undertaken, which is calculated on the entire forest land in Block "A". including applied forest land of 79.367 ha. The User Agency has deposited ₹15,62,13,308/- as Compensatory levies, NPV and other charges.

- Operational constraints will also restrict the Company's ability to undertake CSR and community development initiatives in nearby villages thereby depriving local populations of critical support in healthcare education drinking water skill development, and livelihood enhancement programmes.
- Further restricting mine operations will adversely impact compliance with statutory environmental obligations including NPV CAMPA and Compensatory Afforestation commitments that have already been undertaken and financially provisioned.

**f) Precedents of Forest Diversion in the Same Landscape that has facilitated in scientific mining and in adding to the economic gain of all the stakeholders.**

In similar geo-ecological conditions, large forest diversions have been approved for scientifically managed mines.

- Tata Steel-Joda West Manganese Mine 436.678 ha.
- Tata Steel-Khondbond Iron Mine 453.150 ha.
- Shree Metals - Khondbond Iron Mine 35.774 ha.
- OMC-Tiringpahar Iron Mine 79.300 ha.
- OMC Khondbond Iron Mine 292.578 ha.

Dalpahar's proposed diversion of 79.367 ha is modest compared to these precedents and is also proposed to be fully consistent with ecological and regulatory norms applied in the region.

It is pertinent to mention that the Government of Odisha has extended the validity of the entire lease up to 8<sup>th</sup> June, 2036.

It will not be out of place to mention that over 63% of national manganese demand is import-dependent and allowing Dalpahar Iron &

Manganese Mine to operate on scientifically over the entire lease area of 89.96 ha will reduce the import dependency, ensuring constant supply to the numerous Steel industries of the area.

Based on the facts cited above, it is submitted to kindly move Govt. of India, MoEF & CC, New Delhi for re-consideration of the decision of the Advisory Committee dated 27.10.2025 for diversion of additional 79.367 ha virgin forest land.

4. **Decision of Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Bhubaneswar and the Nodal officer, Govt. of Odisha recommended the proposal for grant of ***'in-principle'*** approval for diversion of 79.367 ha of forest area in favour of Shri Avin Jain (Heir of late Shri DC Jain) for mining of Iron and manganese ore in Dalpahar Iron & Manganese Ore mines located in Baitrani RF II, District Keojar (Odisha) subject to the general, standard and following specific conditions:

- (i) The State Forest Department shall prepare and implement a comprehensive Wildlife Management Plan in consultation with Wildlife Institute of India (WII) to mitigate the adverse impacts of mining on the forest and its flora and fauna in the surrounding area, at the cost of the User Agency.
- (ii) The User Agency shall submit a time-bound plan for reclamation of the mined-out area and surrender of the land to the State Government, and shall strictly adhere to the approved timeline. The same shall be submitted along with compliance of Stage- I approval.
- (iii) A comprehensive Catchment Area Treatment Plan shall be prepared and implemented by the User Agency through the State Forest Department to minimise the adverse impact of the mining project on the surface hydrology of the area.
- (iv) The User Agency, in consultation with the State Government, shall explore the feasibility of translocation of affected trees wherever possible, subject to species suitability and other relevant considerations.
- (v) The User Agency shall maintain a contiguous safety zone along the entire project boundary.
- (vi) The State Government shall implement Rehabilitation and Resettlement (R&R) measures in accordance with the applicable rules & Guidelines.

#### **Agenda No. 34**

**File No. 5-ORB513/2022-BHU**

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for ex-post facto approval for diversion of 0.151 ha (0.372Ac.) Forest land allotted to Central Chinmaya Trust over Revenue Plot No. 03 (Part),**



**Khata No. 186 in Mouza-Paikanagar in Bhubaneswar Tahasil under Khordha District- regarding.**

1. The above proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Nodal Officer (FCA), Odisha and DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
  - i. The Government of Odisha vide letter dated 26.04.2022 submitted the above subject proposal seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to Regional Office, Bhubaneswar.
  - ii. The Revenue forest land of area 0.151 ha has been allotted in favour of Central Chinmaya Mission Trust, Odisha, Bhubaneswar by the GA Department, Govt. of Odisha in the year 2001. The BDA, Bhubaneswar has given permission for construction of building by Central Chinmaya Mission Trust, Odisha vide letter No.7591/BDA dated 31.10.2003. The building of Central Chinmaya Mission Trust Odisha had been inaugurated on 27.11.2008.
  - iii. The Government of Odisha, G.A. Department vide letter No.22188 dt-10.09.2015 has intimated that the said land is coming under Forest Kissam (Jungle-II) which cannot be put to non-forest use without prior approval from the Ministry of Forest, Environment & Climate Change, Government of India.
  - iv. Total forest land involved in this project is 0.151 ha. No non-forest land is involved.
  - v. The legal status of forest land involved is Revenue Forest land under GA & PG Management Department, Govt. of Odisha, Kissam Jungle-II.
  - vi. The applied area is devoid of natural vegetation. The forest type of nearby forest is tropical dry deciduous forest with Eco-value class-III and the canopy density is less than 0.4.
  - vii. In this project, total 97 nos. of trees are available in the proposed land for diversion. However, no tree is proposed to be felled as building is already constructed.
  - viii. The State Govt. has reported that since the proposal involves diversion of forest land of less than 1.00 ha i.e. 0.151 ha and no trees are likely to be felled in the project, no compensatory afforestation was insisted upon the user agency. However, in light of Para 13 (5) of Forest (Conservation) Rules, 2023, the user agency is required to pay cost of plantation of ten times the number of trees likely to be felled or

specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum no. of 100 plants), shall be levied from the user agency towards compensatory afforestation. Hence, a plantation scheme for raising 100 plants over 0.4 RKM (0.1 km x 4 ROWS) @ 250 plants per km has been submitted by the DFO, Chandaka (WL) Division at a financial outlay of Rs.3,62,068/- , which was technically approved by the RCCF, Bhubaneswar.

- ix. The applied area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, and Wildlife Migration Corridor.
- x. No rare/endangered/unique species of Flora and fauna have got recorded from the applied area. No protected archaeological heritage site/defence establishment or any other important monument is located in area applied for prospecting operation.
- xi. The user agency has constructed building for prayer hall without prior approval from Govt. of India, MoEF&CC in contravention of Forest (Conservation) Act, 1980.
- xii. It is reported that a report on action against the erring officials responsible for violation of provision under Forest (Conservation) Act, 1980 has been submitted by the Addl. Secretary to Govt., GA & PG Department, Govt. of Odisha vide letter No.34814/CA dated 24.11.2023. The GA & PG Department intimated that Govt. of Odisha has constituted Site Selection Committee/Land Allotment Committee to assess the requirement and recommend the Govt. for land. As per the recommendation of the Committee, Govt. land are allotted.  
  
GA Department was following the provisions of the Government Grant Act, 1895 and after repeal of the Government Grants Act, GA Department is now following the provisions of the Odisha Government Land Settlement (Second Amendment) Rules, 2020. It is pertinent to mention here that, allotment procedure since the inception of Committee has been changing from time to time. Any individual may not be held responsible for the allotments.
- xiii. The State Govt. has reported that since the proposal does not involve any displacement of human habitation, R&R Plan is not required for this project.
- xiv. The Proposal was examined in the Ministry and it was observed that the proposal is non-site specific in nature and appropriate recommendation/ comments of IRO regarding legitimacy of site specificity/non-site specificity were not available in the file. Further, the proposal was forwarded to the Ministry without examination/ recommendation by REC. Therefore, the proposal was returned back to IRO Bhubaneswar for further needful.
- xv. RO Bhubaneswar re-submitted the proposal to the Ministry with the following observations/comments:

- a. The proposal was discussed in REC meeting held on 15.09.2022 and REC recommended the proposal to the Ministry for approval subject to the following conditions:
  - a) Action against the erring officials responsible for allotting/assigning and giving permission for construction over forest land in violation of provision of under Forest (Conservation) Act, 1980 along with name of officials of the State Govt. responsible for violation/ responsible for allotment of the said forest land.
  - b) The user agency shall pay Penal NPV of forest land per hectare for each year for use of forest land from the date of actual allotment by the GA Department as reported by the inspecting officers with maximum upto five (5) times the NPV plus 12 percent simple interest till the deposit is made.
  - c) Penal CA shall be raised over non-forest land five (5) times to the extent of forest land used for non-forestry activities in violation of Forest (Conservation) Act, 1980.
- b. RO, Bhubaneswar vide letter dated 23.09.2022 and subsequent reminder dated 25.10.2022 has requested the State Govt. to furnish the action against the erring officials responsible for allotting/assigning and giving permission for construction over forest land in violation of provision of under Forest (Conservation) Act, 1980 along with name of officials of the State Govt. responsible for violation/ responsible for allotment of the said forest land.
- xvi. After examination of the proposal, the proposal file was returned back to RO Bhubaneswar for clarification i.e. whether the revenue records had any entries of 'forests' in 2001 or not, whether structures on the land in question have been constructed before 2015 or after 2015, so that the extent of violation if any may be dealt appropriately, when CA is less than one hectare areas is taken in terms of trees getting effected, rather than in terms of NFL, then in this case how the penal CA on NFL is being thought of, also needs to be clarified.
- xvii. RO Bhubaneswar re-submitted the proposal to the Ministry with the following observations/comments:
  - a. Regional Office has reported that Plot No.3, area 0.476 Ac, Kissam-Jungle-II under Khata No.186 of Mouza Paikanagar stands recorded in the name of General Administration.
  - b. Regional Office has submitted a photograph of the inauguration stone of the building of the Central Chinmaya Mission Trust Bhubaneswar after construction on dated 27.11.2008 (prior to 2015).
  - c. It is reported that a report on action against the erring officials responsible for violation of provision under Forest (Conservation) Act, 1980 has been submitted by the Addl. Secretary to Govt., GA & PG Department, Govt. of Odisha vide letter No.34814/CA dated 24.11.2023. The GA& PG Department intimated that Govt. of Odisha has constituted Site Selection Committee/Land Allotment Committee to assess the requirement and recommend the Govt. for land. As per the

recommendation of the Committee, Govt. land are allotted. GA Department was following the provisions of the Government Grant Act, 1895 and after repeal of the Government Grants Act, GA Department is now following the provisions of the Odisha Government Land Settlement (Second Amendment) Rules, 2020. It is pertinent to mention here that, allotment procedure since the inception of Committee has been changing from time to time. Any individual may not be held responsible for the allotments.

- d. It is to submit that the REC in its meeting dated 15.09.2022 has recommended the Penal CA over 5 times non-forest land to the extent of forest land used for non-forestry purpose in violation of FC Act, 1980.
- xviii. The Regional Office has recommended the Proposal subject to the condition that the State Government shall levy penal Net Present Value and initiate action against the concerned authorities for violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, under the relevant provisions of the Act and allied rules, as to be determined by the competent authority.
- xix. The Committee noted that the user agency has constructed the building for prayer hall without prior approval from Govt. of India, MoEF&CC in contravention of Forest (Conservation) Act, 1980. Therefore, the violation is attributable to the User Agency. The proposal is non-site specific in nature.
- xx. The Committee noted that the State Government has reported that the revenue records stands recorded in the name of General Administration.
- xxi. The Committee noted that the State Government of Odisha vide letter dated 25.10.2024 has stated that Hon'ble National Green Tribunal Eastern Zone Bench Kolkata in OA No. 29/2019/EZ and MA No. 29/2022/EZ have directed to regularise the matter on realisation of Net Present value or penal Net Present value from the user agencies while granting clearance under the Forest (Conservation) Act, 1980. Hence, it is requested to consider the above mentioned facts and the project proposal may be approved for use of forest land for non-forest purpose under Forest Conservation Act 1980 as per the Order of the Hon'ble NGT.
- xxii. The REC in its meeting dated 15.09.2022 has recommended the Penal CA over 5 times non-forest land to the extent of forest land used for non-forestry purpose in violation of FC Act, 1980.
- xxiii. As per DSS analysis, the proposed forest area falls in Chandaka Dampara wildlife Sanctuary. However, as per SIR by Regional Office, the adjacent forest area is Bharatpur Reserved forest in Chandaka-Dampara Wildlife Sanctuary which is about 50 meter away from the forest land proposed for diversion and outside Eco-Sensitive Zone of the sanctuary.
- xxiv. The Regional Office has recommended the Proposal subject to the conditions that the State Government shall levy penal Net Present

Value and initiate action against the concerned authorities for violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, under the relevant provisions of the Act and allied rules, as to be determined by the competent authority.

**4. Decision of Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Bhubaneswar and the Nodal officer, Govt. of Odisha recommended the proposal for grant of **‘in-principle’** approval for diversion of 0.151 ha (0.372Ac.) Forest land allotted to Central Chinmaya Trust over Revenue Plot No. 03 (Part), Khata No. 186 in Mouza-Paikanagar in Bhubaneswar Tahasil under Khordha District subject to the general, standard and following specific conditions:

- (i) The State Government shall initiate necessary action regarding violations of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in accordance with the provisions of Sections 3A and 3B of the Adhiniyam.
- (ii) The State Govt. shall impose penal CA as per the guidelines dated 21.1.2026 issued by the Ministry.
- (iii) The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
- (iv) The State Govt. shall ensure the submission of the proposals involved in Hon'ble National Green Tribunal Eastern Zone Bench Kolkata in OA No. 29/2019/EZ and MA No. 29/2022/EZ for regularisation under Van (Sanrakshan Evam Samvardhan) Adhiniyam. This condition is binding to the State Government only.

### **Agenda No. 35**

#### **Proposal No. FP/PB/Approach/155561/2022**

**Subject:- Proposal for seeking ex-post facto approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.3750 Ha. of Forest Land for an approach access road to Private Property “M/s AV Real Estate” at Village Khaspur, Ch. 26.693 (LHS) on NH-205-A (Kharar-Banur-Tepla Section), Tehsil Banur, District – SAS Nagar. Under Forest Division SAS Nagar (Mohali FP/PB/Approach/155561/2022)– regarding.**

1. The above proposal was considered by the Advisory Committee (AC) in its meeting held on 22.01.2026. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The DDGF (Central), Regional Office, MoEF&CC, Chandigarh and the representative of Nodal Officer (FCA), Punjab attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. The

Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.

3. The Advisory Committee after through deliberation and discussion observed that:

- i. The State Government of Punjab vide Proposal No. FP/PB/Approach/155561 /2022 has submitted above subject proposal seeking ex post facto approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- ii. The proposal envisages diversion of 0.3750 Ha. of Forest Land for an approach access road to Private Property "M/s AV Real Estate" at Village Khaspur, Ch. 26.693 (LHS) on NH-205-A (Kharar-Banur-Tepla Section), Tehsil Banur, District – SAS Nagar under Forest Division SAS Nagar.
- iii. The proposal involved violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. It has been reported that the violation has been carried out while the FC proposal is under consideration, therefore, the activities carried out are violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and not the violation of the Indian Forest Act, 1927. DFO, SAS Nagar has mentioned in Part-II (Point no.11) that violation has been done by Sh. Raghvir Singh .
- iv. DFO, SAS Nagar has mentioned in Part-II (Point no.11) that violation has been done by Sh. Raghvir Singh. DFO, SAS Nagar mentioned that the Damage Report No. 1147830 dt. 19.09.2022 to be issued by the concerned Forest Guard against the user agency. That the compensation ₹24,400/- has been realized from user agency for 0.0156 ha. of forest land broken on this area.
- v. The DFO, SAS Nagar in Part - II (PARIVESH 1.0) reported that the distance of the proposed site for diversion from boundary of forest is 5.40 Km . However, in the physical copy of site inspection report DFO, SAS Nagar that the distance of the proposed site for diversion from boundary of forest is adjoining with road strip forest land.
- vi. The Legal status of the forest land proposed for diversion is Protected Forest. The Vegetation density has been reported as 0.5 with Eco Class 3. Total 54 nos of trees enumerated are to be felled.
- vii. The State Government has identified a single patch (patch no.1) land, area 0.75 ha in the range of Derabassi and compartment no. Bir Bakarpur for raising compensatory afforestation. DFO, SAS Nagar issued the land suitability certificate on 03.04.2023.
- viii. The Proposal area does not fall within any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, or Eco-sensitive Zone, etc.DFO, SAS Nagar has reported that no rare/endangered/unique species of flora or fauna are found in the area.
- ix. As per DSS analysis, compensatory afforestation area is found to be 4.087 ha whereas area proposed for CA is 0.75 ha.

- x. The Regional Office has recommended the proposal subject to the conditions that the violation under the instant case has been carried out while the FC proposal is under consideration; therefore, the activities carried out are violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and not the violation of the Indian Forest Act, 1927. Accordingly, the violation need to be dealt as per the provisions under the Para 1.16 (ii) of the Consolidated Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
4. **Decision of Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and the representative of Nodal officer, Govt. of Punjab '**deferred**' the proposal for diversion of 0.3750 Ha. of Forest Land for an approach access road to Private Property "M/s AV Real Estate" at Village Khaspur, Ch. 26.693 (LHS) on NH-205-A (Kharar-Banur-Tepla Section), Tehsil Banur, District – SAS Nagar. Under Forest Division SAS Nagar for want of the following information:-
- i. The State Government shall submit detailed justification for construction of approximately 600 metre long approach access road to a single Private Property.

**(Confirmed through E-mail)**

Dr. K R Sree Harsha  
(non-official Member)

**(Confirmed through E-mail)**

Shri Manoj Pant  
(non-official Member)

**(Confirmed through E-mail)**

Dr. Mehraj AS  
Deputy Commissioner (NRM)  
(Member)

**(Confirmed on file)**

Shri R. Raghu Prasad  
Inspector General of Forests  
(Member Secretary)

**(Confirmed through E-mail)**

Shri Ramesh Kumar Pandey  
Additional Director General of Forests (WL)  
(Member)

**(Approved)**

Shri Sushil Kumar Awasthi  
(Director General of Forests and Special Secretary)  
(Chairperson)