

Recommendation of Forest Advisory Committee in its meeting held on

31st March, 2022

Agenda No. 1

File No. 8-33/2019-FC

Sub: Proposal for diversion of 83.12 ha (94.712 ha proposed originally) of forest land for drilling of Oil well at 27 new locations in Changlang District of Arunachal Pradesh by M/s Geo-Enpro Petroleum Limited seeking forest clearance under Section 2(ii) of FC Act 1980 – regarding.

1. The above stated agenda item was considered by FAC in its meeting on 31.03.2022. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha was also attended the meeting through video conference.
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 Member Secretary before the FAC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.
3. FAC after through deliberation and discussion observed that:
 - i. Proposal envisages drilling of 24 exploratory boreholes in Changlang District of Arunachal Pradesh.
 - ii. Legal status of forest land proposed for non-forestry use is Reserved forests. Vegetation density of 0.2 to 0.3 has been reported with 889 project affected trees.
 - iii. Proposal does not form part of any Protected Area. No unique/endangered/rare species of flora and fauna have been reported.
 - iv. No violation of Forest (Conservation) Act, 1980 has been reported.
 - v. Compensatory afforestation has been over degraded forest land of 189 ha i.e. double in extent to the forest land being diverted. CA land has been proposed from the land bank created by the State in pursuance to the relevant guidelines issued by the Ministry. Information/documents on various attributes related to CA viz. CA scheme, suitability certificate, certificate from the Chief Secretary regarding non-availability of non-forest land in the State, etc have been submitted along with the proposal.
 - vi. Nodal Officer (FCA), apprised the Committee that there has been protracted correspondences and series of deliberation between the officials of the Ministry and State on the CA proposal. Land proposed for CA was originally a community forest land which was subsequently included in the CA land bank created by the State. Considerable lands identified included in the land bank have already been notified as Anchal Reserve Forest land.

- vii. Committee was further noted that though the CA land, included in the land bank, was community forest land, yet its suitability needs to be ascertained to the satisfaction of Committee to avoid *fait accompli* situation in future.
 - viii. Committee further noted that approximately an average area of 3.5 ha has been proposed for drilling of each bore hole and bore holes are distributed in the forest area included in the Petroleum Mining Lease (PML). Detail of PML viz. total area of lease, forest area involved, status of grant of PML, etc was not readily available before the Committee. The Committee accordingly, desired that complete detail of PML, status of grant of general approval, if any, and status of deposition of 2% NPV in pursuance to Ministry's Guidelines dated 24.06.2015 needs to be intimated by the State.
 - ix. Committee further noted that environment clearance for drilling of bore wells was obtained on 15.11.2007 and in pursuance to same 29 bore well have already been drilled till date. However, for want of further detail, it cannot be ascertained whether 29 bore wells already drilled involves forest land or otherwise. Factual position in this regard needs to be clarified.
 - x. Committee was also apprised that compliance of FRA has been submitted, however, District Collector in his certificate mentioned that provisions of the MoEF&CC's guidelines are applicable as the area falls in the Reserved Forests and also there is no habitation in the area. Process of settlement of rights needs to be completed in accordance with the provisions provided under the FRA, 2006 and rules and guidelines made thereunder.
 - xi. No violation of Forest (Conservation) Act, 1980 have been reported.
 - xii. As per Decision Support System the area does not fall in High Conservation Value Zone.
 - xiii. Authorities in the State Government and State Forest Department have recommended the proposal.
4. **Decision of FAC:** The Committee had detailed discussion and deliberation with Regional officer, Guwahati and Nodal officer (FCA) of Arunachal Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, the Committee recommended the following:
- i. CA site may be visited by the Sub-Committee of FAC to ascertain its suitability to avoid *fait accompli* situation in future. Regional Officer, Guwahati will also be part of the Sub-Committee.
 - ii. Following additional information may also be obtained from the State for further consideration of the proposal:
 - a. Complete detail of Petroleum Mining Lease, status of grant of general approval, if any, and status of deposition of 2% NPV in pursuance to Ministry's Guidelines dated 24.06.2015
 - b. Detail of forest land involved in the 29 bore holes stated to be drilled already and status of approval, if any, obtained under the Forest (Conservation) Act, 1980.
 - c. Certificate of District Collector certifying the process of settlement of rights needs to be furnished strictly in accordance with the MoEF&CC advisory dated

- 5.07.2013, incorporated at Annexure- II of the Handbook at appropriate time.
- d. The State Government may also submit its comments on 3 bore holes locations, dropped temporarily by the user agency which are overlapping with the area diverted for mining in Namchik Naphuk Coal Block.

Agenda No. 2

File No. 8-108/1993-FC Vol.

Subject: Proposal for Re-Diversion of 9.90 ha Protected/Reserve Forest land for construction of Ambaji bypass (Km. 2/950 to km. 5/150) on Himmatnagar- Kheroj Ambaji - Aburaod SH-9 in Banaskantha District in favour of Executive Engineer, R&B Division (State), Palanpur, Gujarat (Online No. FP/GJ/ROAD/47665/2020) - reg.

1. This proposal was considered by FAC in its meeting held on 31st March, 2022. The details of the proposal may be seen at www.parivesh.nic.in.
2. During the meeting, all the factual details along with examination of the proposal in the DSS were presented before the FAC which after thorough deliberation and discussion observed that:
 - i. The Government of Gujarat vide their letter no. FCA-1020/7-22/20/SF-199/F dated 01.06.2021 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 on the above mentioned subject.
 - ii. The State Government informed that the proposed area is part of 171.43 ha of mining proposal which was approved earlier by the Ministry vide letter No. 8-108/1993-FC dated 24/02/2009.
 - iii. The Nodal Officer, FCA, Gujarat attended the meeting online and informed that the proposed re-diversion area of 9.90 ha is from the safety zone, open pit mining, OB Dumps, safety zone etc. of the approved area of 171.43 ha. It does not form part of underground mining area.
 - iv. In addition to above it was also informed that the MoEF&CC has published the notification for Eco-Sensitive Zone for the Balaram-Ambaji Wildlife Sanctuary on 08.11.2021, wherein the proposed area does not form part of the Eco-sensitive zone. As per the aforementioned notification, widening and strengthening of existing roads and construction of new roads is not a prohibited activity. It comes under regulated activities as per S. No. 18 of the notification.
 - v. The State Government vide their letter no. FCA-1020/7-22/20/SF-199/F dated 22.02.2022 has recommended that the user agency shall have to provide underpass for the safe movement of wild animals.
 - vi. As per DSS analysis, the revised KML file of diverted land submitted comprises an area of 170.968 ha. The Non-forestry activity within the approved area

(diverted forest land) is not visible through Satellite imagery.

3. **Decision of FAC:** After detailed discussion with the Nodal Officer (FCA), Government of Gujarat the **FAC recommended the proposal** for Re-Diversion of 9.90 ha forest land for construction of Ambaji bypass in Banaskantha District, Gujarat with General, Standard and following specific conditions:
- The State Government shall ensure that the underpass for safe movement of wild animals as recommended by the State Govt. will be constructed by the User Agency as per the design/specifications in the guidelines issued by the Wildlife Institute of India.
 - The original User Agency (Gujarat Mineral Development Corporation) shall submit an undertaking that the area of safety zone utilized for the road construction will be duly compensated and equivalent area shall be provided for safety zone adjacent to the re-diverted area.

Agenda No. 3

(File No- 8-29/2021-FC)

Sub: Proposal for diversion of 160.4 ha. of forest land in Sy. No.138 and 146 of Karlakatti Village, Sy. No.128,129 and 130 of Chakrageri Village and Sy. No.3 and 4 of Kagihal Village, Savadatti (Saundatti) Taluk, Belagavi District (Ghataprabha Division, Gokak) for construction of Standalone Pumped Storage Component of Saundatti Integrated Renewable Energy Project (IREP) in favour of the M/s. Greenko Solar Energy Private Limited, Bengaluru, Karnataka State (Online Proposal No.FP/KA/HYD/37723/2018) .

- The above stated agenda item was considered by FAC in its meeting held on 31.03.2022. The details of the proposal may be seen at www.parivesh.nic.in.
- During the meeting, all the facts and background of the proposal, along with analysis of the proposal in the DSS were presented and explained before the FAC for their examination and deliberation.
- The proposal was discussed before FAC on 27.01.2022 and following decisions were taken.
 - FAC deferred the proposal seeking following details: -
 - User Agency to submit R&R plan for displaced people from the site.
 - User Agency to take NOC from Renuka Sagar Dam Authority and other related departments.
 - State Government to identify DFL for Compensatory Afforestation.
- After receiving reply from State government the proposal was again deliberated in front of FAC and after through deliberation and discussion

observed that:

- i. A fresh proposal was submitted by the Government of Karnataka, on 17-11-2021 to obtain prior approval of the Central Government, under Section-2 of the Forest (Conservation) Act, 1980.
- ii. DFO, CCF, PCCF/Nodal officer, State Government and IRO has recommended the project with certain conditions.
- iii. On 14-01-2022, State Government informed that, out of 180.085 ha of land in Karalakatti Sy No.146, 6.21 ha of land is occupied by displaced persons and the rest with the forest department.
- iv. No Objection Certificate from the Renuka Sagar Reservoir and other related departments has not been submitted by the User agency.
- v. IRO, Bangalore has informed in their SIR that proposal involves rehabilitation of displaced persons. The user agency has informed that no family is fully displaced in the proposed project and only partial land holding is being affected for which detailed compensation package has been prepared in the EIA/EMP report, which was duly approved by MoEF&CC while recommending the project for Environmental Clearance.
- vi. The proposed area for diversion itself is the catchment area for the Renuka Sagar Reservoir. Hence, as per para 9.2 of Handbook of FC Guidelines, the Catchment Area Treatment Plan is applicable for this project proposal, as being the Hydroelectric project.
- vii. The CA land suitability certificate states that there are reports of presence of endangered bird species Lesser Florican in Aurad and Bidar Taluk of Bidar District. DFO has recommended that the identified CA land may be maintained as grassland without tree planting, to ensure availability of nesting and breeding areas for endangered Lesser Florican species. On this FAC observed and appreciated that the area identified for CA, has high conservation value since it is a habitat of the lesser Florican species. But due to the situation that the area should not be afforested, the remaining plants may be planted in DFL area to be identified by the State Government.
- viii. IRO Bangalore has opined that the area identified for raising CA plantations cannot accommodate 1000 trees per hectare. The State Government may be requested to identify larger extent of degraded forest land so as to accommodate 1000 per ha.
- ix. User Agency has submitted the R & R plan and has been provided in chapter 7.1 of the EIA report submitted to MoEF and CC (IA division). The same has been approved by Hon'ble EAC in its meeting held in October 2020.
- x. The State Govt. has submitted the copy of 51st meeting proceedings of Department of Commerce and industries dated 23-02-2018 and 01-03-2018 for allocation of 1.00 TMC of non-consumptive water from Renuka Sagar reservoir in lieu of the NOC asked by FAC.
- xi. IRO Bangalore could only inspect one patch of the degraded forest land identified by the State govt. And the SIR mentions that the land provided for CA is an Unclassed forest, which was under the revenue land and the

ownership of which was transferred to Forest Department between 1995 to 2004. The area has low soil depth and will need SMC measures and fencing for a successful plantation.

5. **Decision of FAC: FAC deferred the proposal** seeking following details.
- i. User Agency to submit NOC from Renuka Sagar Dam Authority and other related departments.
 - ii. State Government to submit regarding the reclamation measures to be taken with respect to an area of 0.44 sq kms of catchment of waterfall overlapping with the area proposed for upper reservoir of the project.
 - iii. State Government to get a study done for reservoir about the impact on Aquatic faunal species of the reservoir due to the project.
 - iv. IRO, Bangalore to visit all sites selected for CA and give clear-cut recommendations about the suitability of the area for plantation.

Agenda No. 4

File No. 8-04/2021-FC

Subject: Proposal for diversion of 382.131 hectares of forest land for Bunder Diamond Mining Project in favour of M/s Essel Mining & Industries Limited, District Chhatarpur, State of Madhya Pradesh (Online No. FP/MP/MIN/45288/2020) – reg.

1. This proposal was considered by FAC in its meeting held on 31st March, 2022. The details of the proposal may be seen at www.parivesh.nic.in.
2. During the meeting, all the factual details along with examination of the proposal in the DSS were presented before the FAC which after thorough deliberation and discussion observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F1/822/2021/10-11/577 dated 05.02.2021 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 on the above mentioned subject.
 - ii. The Integrated Regional Office, Bhopal vide their letter dated 02.07.2021 had submitted the Site Inspection Report of the instant proposal along with the recommendation of DDG, IRO, Bhopal.
 - iii. A proposal for diversion of 971.595 hectares of forest land for Diamond Mining Project under the Chhatarpur Forest Division in favour of M/s Rio Tinto Exploration India Private Limited, District Chhatarpur, State of Madhya Pradesh was earlier submitted by the State Govt.
 - iv. The above earlier proposal was placed before the FAC and as per recommendation of FAC dated 12.07.2016 the Ministry vide letter dated 10.08.2016 requested the State Government as under:
 - a. As per NTCA report, project can potentially disrupt the landscape character vis a vis tiger dispersal around Panna landscape as such this may be taken only when Ken Betwa link project is finalized as well as detailed study done to

assess other alternatives.

- b. User agency has submitted the revised proposal which is highly dependent on surface extraction which would entail greater extent of forest land use leading to permanent loss of the high quality forest areas.
- c. The project proponent may also explore the possibility of underground.
- v. The above proposal for diversion of 971.595 ha has now been withdrawn and the same was confirmed by the Nodal Officer Madhya Pradesh during the FAC meeting.
- vi. As per DSS analysis the forest area i.e. 382.131 ha sought for diversion through instant proposal is part of 971.595 ha forest land earlier proposed to be diverted in favour of M/s Rio Tinto Exploration India Pvt. Ltd.
- vii. The National Tiger Conservation Authority in its comments with respect to the instant proposal for diversion of 382.131 ha forest land has mentioned as under:
 - a. The proposed mining area is located at a distance of approximately 20 km from Panna Tiger Reserve, 67 km from Nauradehi WLS and 95 km from Veerangana Durgawati WLS.
 - b. The proposed mining site has presence of tigers and leopards. One tiger was photo-captured from Chhatarpur Forest Division during all India tiger estimation of 2018. Wildlife Institute of India's (WII) research in Panna landscape suggested that at least three radio-collared tigers have used this area since 2009.
 - c. In lieu of submergence of 90 km² area in Ken-Betwa river inter-linking project (including the critical core tiger habitat of Panna Tiger Reserve), a landscape management plan is being prepared by WII. The mining area falls within the landscape delineated in the draft plan with high biodiversity richness. Any loss in the landscape should only be considered as cumulative, adding to the area being lost to the Ken-Betwa river interlinking project. It is noteworthy that Standing Committee of National Board for Wildlife in its 39th meeting held on 23.08.2016 had recommended that no new mining lease will be granted in this landscape considering its significance in permitting tiger dispersal.
- viii. The SCNBWL recommended the proposal for Wildlife Clearance in respect of Ken-Betwa Link Project-Phase I, Madhya Pradesh in its 39th meeting held on 23rd August, 2016. The site inspection committee constituted by the SCNBWL in Condition number (xv) of its recommendation in case of Ken-Betwa proposal has recommended that:

To protect the small landscape of PTR and its surrounding areas and also to reduce sedimentation in the reservoir and maintain water flow in the Ken River, there should be no destructive activities, including mining in the Ecologically Sensitive Zone and catchment area of the river. New industrial development or mining or expansion of the existing mining in and around the landscape would seriously compromise the

scope for tiger's survival in Panna Tiger Reserve.

- ix. The landscape based plan to be finalized with NTCA in lead, assisted by WII, State forest department and project proponents is under preparation.
- x. The instant proposal involves diversion of a stream and creation of water body over an area of 49.56 ha.
- xi. The project involves 215875 trees and moreover out of the total forest land involved, an area of 138.31 ha is proposed for side burden and waste dump and another 66.34 ha is to be used as Tailing Dump.
- xii. An Original Application pertaining to the Bunder Diamond Mining project is pending in the Hon'ble NGT.

3. **Decision of FAC:** After detailed discussion with the Nodal Officer (FCA), Government of Madhya Pradesh the **FAC deferred the proposal** with following observations:

- i. The Standing Committee of National Board for Wildlife in its 39th meeting held on 23.08.2016 in case of Ken-Betwa proposal had recommended that no new mining lease will be granted in this landscape considering its significance in permitting tiger dispersal.
- ii. The site inspection committee constituted by the SCNBWL in its recommendation in case of Ken-Betwa proposal has recommended that:

To protect the small landscape of PTR and its surrounding areas and also to reduce sedimentation in the reservoir and maintain water flow in the Ken River, there should be no destructive activities, including mining in the Ecologically Sensitive Zone and catchment area of the river. New industrial development or mining or expansion of the existing mining in and around the landscape would seriously compromise the scope for tiger's survival in Panna Tiger Reserve.

- iii. The project involves 215875 trees. However, out of the total forest land involved, an area of 138.31 ha is proposed for side burden and waste dump and another 66.34 ha is to be used as Tailing Dump. The State Govt. has not provided enough justification for using large chunk of forest area for dumping.
- iv. While deciding the proposal for diversion of 971.595 hectares of forest land for Diamond Mining Project in case of Rio-Tinto the FAC had observed that as per NTCA report, project can potentially disrupt the landscape character vis a vis tiger dispersal around Panna landscape as such this may be taken only when Ken Betwa link project is finalized as well as detailed study done to assess other alternatives. The State Govt. may therefore provide the status of the Ken-Betwa link project.
- v. The project involves diversion of the course of a stream and creation of a waterbody, which may adversely affect the watershed and the flow of water downstream thereby affecting the biodiversity as well as the effectiveness of Ken-Betwa link project. The State Govt. shall examine whether the ecological impact of diversion of stream and creation of water body has been taken into account or not? A detailed report in this regard shall be submitted.

- vi. The State Govt. shall submit the latest status of the Original Application pending in the Hon'ble NGT in this regard.

Agenda No. 5

File No. 8-34/2021-FC

Subject: Diversion of 151.095 ha forest land including 142.075 ha forest land in Forest Compartment No. RF-827 & RF-828 of Burhar Range of South Shahdol Forest Division and 9.020 ha Revenue forest land under various Khasra's for Bikram Coal Block Open cast & underground Coal Mining Project in favour of M/s Birla Corporation Limited under Shahdol District of Madhya Pradesh State (Online No. FP/MP/MIN/49537/2020) - reg.

1. This proposal was considered by FAC in its meeting held on 31st March, 2022. The details of the proposal may be seen at www.parivesh.nic.in.
2. During the meeting, all the factual details along with examination of the proposal in the DSS were presented before the FAC which after thorough deliberation and discussion observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F-1/829/2021/10-11/4243 dated 20.12.2021 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 on the above mentioned subject.
 - ii. The Integrated Regional Office, Bhopal vide their letter dated 27.03.2022 and letter dated 29.03.2022 had submitted the Site Inspection Report of the instant proposal along with the recommendation of DDG, IRO, Bhopal
 - iii. During the meeting the AIGF (FC) informed the FAC that as per the proof of ownership submitted the Non Forest land proposed for Compensatory Afforestation is not free from all encumbrances as the same is mortgaged to a bank.
 - iv. In addition to above it was also informed that as per details submitted it is reported that plantation (5400 no. of plants) over an area of 3.177 ha in RF-827 was carried out as CA within the proposed diversion.
 - v. The Nodal Officer (FCA), Madhya Pradesh attended the meeting in person and informed to FAC that the proposed diversion of 151.095 ha forest land for Bikram Coal Block Open cast & underground Coal Mining Project Compensatory afforestation was proposed on only 114.617 ha of land because out of total area 151.095 ha proposed for diversion only 114.372 ha forest land will be used for open cast mining.
 - vi. As per DSS analysis, Out of total 152 ha (as per DSS) forest area of instant project, 51 ha of land is characterized with Open forest and 101 ha. of land as Non Forest or Nonwooded (land devoid of tree cover) in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.

3. **Decision of FAC:** After detailed discussion with the Nodal Officer (FCA), Madhya Pradesh the FAC recommended for according Stage-I approval of the proposal for diversion of 151.095 ha forest land for Bikram Coal Block Open cast & underground Coal Mining Project under Shahdol District of Madhya Pradesh State with General and Standard conditions.

Agenda No. 6

File No. 8-25/2021-FC

Sub: Proposal for non-forestry use of 349.709 ha forest land in favour of M/s Mahanadi Coalfields Limited for Siarmal Opencast Coal Mining Project in Sundergarh District (Odisha) – reg.

1. The above stated agenda item was considered by FAC in its meeting on 31.03.2022. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha was also attended the meeting through video conference.
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 Member Secretary before the FAC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.
3. FAC after through deliberation and discussion observed that:
 - i. Proposal was considered by the Forest Advisory Committee in its meeting held on 22.02.2022 and after going through the facts of the proposal and the inspection report of the Regional Officer on the various aspects, issues of the case, Committee deferred the proposal seeking additional information from the State viz. confirmation of number of trees, approved R&R Plan, revisiting the CB ratio of project, comments of Water Resource department on the proposed straightening of Chattajor nallah, SMC Plan, possibility to shift non-site specific project components to non forest land, etc.
 - ii. The State Government vide their letter dated 22.03.2022 submitted reply to the observations of the FAC. Nodal Officer, Government of Odisha briefed the FAC about the reply of the State as under:
 - a. Number of project affected trees have been re-visited. Total project affected trees involved in the project area are 24,414,
 - b. A copy of approved R&R Pan and Orissa Resettlement and Rehabilitation Policy, 2006 has been submitted.
 - c. With regard to CB ratio, the State Government has re-iterated the ratio of 1:73 citing the justification that coal block has high coal reserve of 1547.82 million tonnes, therefore, CB ratio estimates are on higher side.
 - d. With regards to hydrological regimes, it is mentioned that a scope of the study,

in consultation with the Water Resource Department will be finalized and a study will accordingly be taken which will be submitted to the MoEF&CC along with comments of WRD.

- e. Area for SMC is being identified for SMC by CMPDIL and the user agency has submitted an undertaking to implement the same.
 - f. With regards to shifting non-site specific activities, it is informed by the State that the area of 85 .01 ha has been proposed for various components like embankment, external dumps, approach roads, transmission lines, which is difficult to be shifted to non-forest land and hence cannot be reduced. It is also mentioned that area OB dumps will be re-handled in future for de-coaling the dip side of the mine.
 - g. With regards to 4 ha of agricultural land, it is informed that FRA patta has been granted in the area over an area of 5.256 ha. No further encroachment is there beyond this FRA land. It is also mentioned surplus area of 18 ha has been selected for CA, therefore, even if the area of 5.256 ha is granted on patta under FRA, 2006, the CA land is still justified in its extent and suitability.
4. **Decision of FAC:** The Committee had detailed discussion and deliberation with Regional officer IRO Bhubaneswar and Nodal officer (FCA) of Odisha. After going through the facts of the proposal and submissions made by the Nodal Officer, Odisha, the Committee recommended the proposal for grant of approval under the Forest (Conservation) Act, 1980 subject to fulfilment general, standard and following additional conditions:
- i. Chattajor nallah located in the area has been proposed to be straightened by the user agency. Also a number of mines are operational in the area which may cause threat to hydrological regime viz. Basundhara river and its rivulets, therefore, a study on hydrological regimes of the area will be undertaken in consultation with the Water Resource Department and the same shall be submitted along with considered opinion of Water Resource Department of the State on the proposed straightening of Chattajor nallah and proposed mitigating measures before stage-II approval.
 - ii. A Soil and Moisture Conservation (SMC) work plan to mitigate the impact of the proposed mining activity on the local rivulets (nallah) shall be prepared by the user agency in consultation with the State Forest Department and the same shall be submitted along with Stage-I compliance. Cost of implementation of the provisions of the said Plan will be deposited into the CAMPA and the same shall be intimated to the Ministry before Stage-II approval.
 - iii. Boundaries of forest land of 5.256 ha granted in patta, within the patch of 129 ha of degraded forest land proposed for CA, shall be demarcated and digitized and the same shall be submitted to the concerned IRO, along with digital Differential GPS map of 129 ha. The area shall be monitored regularly, on annual basis, to ensure no further encroachment beyond FRA patta land takes place in future.
 - iv. Site specific Wildlife Management Plan to mitigate the impact of project on wildlife of the area shall be prepared by the state Government in consultation

with the PCCF & Chief Wildlife Warden of State at project cost and an approved copy of the same along with detail of deposition of funds into the CAMPA account shall be submitted to the Ministry along with Stage-I compliance.

Agenda No. 7

File No. 8-01/2000-FC Vol.

Sub: Application for 2nd renewal of Indaram Mining Lease over 929.29 ha. of forest land involving 15.16 ha for surface use in compartment Nos. from 699 to 703, 706 to 709 and 711 to 713 in Indaram RF, Mancherial Range of Mancherial Forest division in Mancherial District in favour of M/s. Singareni Collieries Company Limited. -regarding (Online proposal No. FP/TG/MIN/34878/2018).

1. The above stated agenda item was considered by FAC in its meeting on 31.03.2022. The corresponding details of the agenda may be seen at www.parivesh.nic.in.
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 Member Secretary before the FAC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.
3. The Nodal Officer (FCA), Government of Telangana attended the meeting through video conference. He had participated in the deliberation.
4. FAC after through deliberation and discussion observed that:
 - i. Indaram Mining lease of M/s SCCL was originally granted by State Government on 28.05.1979 for a period of 20 years w.e.f. 23.07.1980 over an area of 2900 ha, comprising of 1070 ha of forest and 1830 ha of non-forest land.
 - ii. Approval under the Forest (Conservation) Act, 1980 over an area of 1070 ha, including 15.16 ha earmarked for surface rights, was granted by the Central Government on 28.11.2001 read with letter dated 20.03.2002. Renewal of second term was granted by the State for a period of 20 years w.e.f. 23.07.2000
 - iii. Recent DGPS survey of the mining lease area conducted by the agency revealed the total forest area involved in the mining lease as 929.9 ha, including surface rights area, against the earlier diverted area of 1054.84 ha.
 - iv. Mining lease of the user agency has been expired on 23.07.2020 and *ipso facto*

approval under the Forest (Conservation) Act, 1980 has also been expired. Accordingly, the State Government has submitted the proposal for renewal of approval granted under the Forest (Conservation) Act, 1980.

- v. As per Decision Support System, the proposed area does not fall in High Conservation Value Zone.
 - vi. Nodal officer apprised the Committee user agency has been operating 5 UG mines in the forest area of 929.90 ha. All mines are at the verge of exhaustion, approximately 73.7 Million tonnes of balance reserve have been proposed to be extracted till 2038. One mine RK-8 has already been closed and formalities for mine closure are underway which will be completed in next 3-4 years. However, the user agency has proposed to retain the said closed mine also and accordingly, the said mine has also been included in the renewal proposal.
 - vii. The Committee was further apprised that out of total area of 929.90 ha, only 480.83 ha of area has only been used for UG operations while the remaining area of 342.36 ha has been kept for future expansion. Committee further noted that recently Ministry has granted Stage-I approval on 12.03.2021 over an area of 162.45 ha (Srirampur OC-II Expansion) and out of these 162.45 ha area, 106.10 ha is included in the extant renewal proposal of 929.90 ha. Therefore, the area applied for renewal needs to be rationalized by the State in light of approval under the FC Act, 1980 already granted by the Ministry.
 - viii. Validity of approval granted in the past, stands expired on 23.07.2020. Status of mining operations, if any, being carried out by the agency could not be ascertained from the facts contained in the proposal. Therefore, detail of mining operations, if any carried out by the agency, in contravention to the provisions of Forest (Conservation) Act, 1980, Rules and Guidelines made thereunder needs to be intimated by the State.
 - ix. MMDR Act, 1957 has been amended by the Central Government from time to time and to align the provision of the Forest (Conservation) Act, 1980, with the amended provisions of MMDR Act, 1957, Ministry has also issued guidelines specially extending the validity of approvals granted under the FC Act, 1980 with the amended provisions of the MMDR Act, 1957. Extant renewal also needs to be examined in light of the amended provisions of the MMDR Act, 1980 and relevant guidelines issued by the MoEF&CC.
5. **Decision of FAC:** The Committee had detailed discussion and deliberation with Regional officer, Hyderabad and Nodal officer (FCA) of Telangana. After going through the facts of the proposal and submissions made by the Nodal Officer, the Committee **deferred the proposal** for obtaining the following information from the State:
- i. Complete detail of mining leases covered within the approved forest area of 929.90 ha may be provided by the State along with the nature of mining operations i.e. opencast or underground.
 - ii. Forest area overlapping in the underground and opencast mines needs to be worked out and forest area proposed for renewal in the extant proposal may accordingly be rationalized and submitted by the State along with supporting

details.

- iii. Detail of NPV and CA, if any, realized from the user agency in the past by the State.
- iv. Detail of mining operations, if any carried out by the agency, in contravention to the provisions of Forest (Conservation) Act, 1980, Rules and Guidelines made thereunder needs to be intimated by the State.
- v. Implications of the amendments affected in the MMDR Act, 1957 from time to time on the extant renewal proposal and relevant guidelines issued by the MoEF&CC needs to be examined and intimated.

Agenda No. 8

File No. 8-03/2019-FC

Subject: Diversion of 109.459 ha of forest land for Open Cast Mining Project at Gourangdih ABC coal mine in favour of WB Mineral Development and Trading Corporation under Durgapur Forest Division, West Bengal.

1. The above stated agenda item was considered by FAC in its meeting on 31.03.2022. The corresponding details of the agenda may be seen at www.parivesh.nic.in.
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 Member Secretary before the FAC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.
3. The Nodal Officer (FCA), Government of West Bengal attended the meeting through video conference. He had participated in the deliberation.
4. FAC after through deliberation and discussion observed that:
 - i. Proposal envisages mining of coal in Gaurandih ABC Coal Mine by M/s West Bengal Mineral Development and Trading Company Ltd. Coal mines has been vested by the M/o Coal vide their order dated 29.09.2016. Mines was originally allotted to joint venture of M/s Himachal EMTA Power Ltd., and M/s JSW Steel Ltd. on 10.07.2009.
 - ii. Legal status of forest land proposed for diversion is Protected Forest. Vegetation density of 0.4 has been reported with 5159 project affected trees.
 - iii. Proposal does not form part of any Protected Area. No unique/endangered/rare species of flora and fauna have been reported. However, occurrence of several schedule-I species like Porcupine, Rock Python, Spectacled Cobra, etc. have been reported in the area.
 - iv. Compensatory afforestation has been proposed over equivalent non-forest land of 110.36 ha. Attributes of CA proposal viz. CA scheme suitability certificate and digital maps have been submitted along with the proposal.

- v. No violation of Forest (Conservation) Act, 1980 has been reported.
- vi. The transportation of coal has been proposed to be done by road to the transport coal to the nearest railways sidings located at a distance of 20 km. Said road is also used for extraction of coal from Sarostoli coal mines. To mitigate pollution emanating from transportation the user agency has proposed augmentation of roadside plantation. Proposed evacuation from the mine will increase the traffic road of existing road leading to enhanced pollution. Adequacy of existing road infrastructure to accommodate the increased transportation of coal could not be ascertained from the proposal. Possibility of evacuation of coal using common closed/piped conveyor corridor should also be explored to reduce pollution loads on the existing road infrastructure.
- vii. Committee was also apprised that compliance of FRA has been submitted, however, District Collector in respect certain clauses (d), (e) and (f) of Form-II of Annexure-II of Handbook in his certificate mentioned them as not applicable. Process of settlement of rights needs to be completed in accordance with the provisions provided under the FRA, 2006 and rules and guidelines made thereunder and based on the process stipulated clauses stipulated in the Form-II should have been certified by the District Collector concerned.
- viii. Project component viz. Quarrying and External dump only have been mentioned in the proposal under the purpose wise breakup. Detailed purpose wise breakup of the forest land as well as non-forest land in commensuration with the land use proposed in the approved mining plan needs to be informed by the State.
- ix. As per detailed provided online, total area involved in the project is 356.575 ha, comprising of 247.116 ha of non-forest land and 109.459 ha of forest land. Corresponding detail of area mentioned in the approved Mining Plan are different wherein total area has been mentioned as 370 ha comprising of 92.53 ha of forest land and 277.47 ha of non-forest land.
- x. IRO in its inspection report informed that mining lease has been granted by the State for an area of 213.27 ha while the total project area is 356.575 ha. Project component like external dumps, infrastructure area, roads, safety zone, etc. have been kept outside the lease area. As per practice followed, the area of Mining Plan and Mining lease should be same. Moreover, Ministry's guidelines also stipulated that area of safety zone should be inside the mining lease while the same has been kept out side the lease area in the extant case. As the various components of the current proposal have different proposition as far as area of Mining Plan and Mining lease is concerned, considered opinion of the State Government in this regards needs to be obtained.
- xi. No violation of Forest (Conservation) Act, 1980 have been reported.
- xii. As per DSS analysis the area does not fall into the High Conservation Value Zone.
- xiii. Authorities in the State Government have recommended the proposal for diversion of forest land .

5. **Decision of FAC:** The Committee had detailed discussion and deliberation with Regional officer, Kolkata and Nodal officer (FCA) of West Bengal. After going through the facts of the proposal, the Committee observed that proposal in its present form cannot be considered for appropriate decision. Accordingly, Committee decided to **deferred the proposal** for obtaining the following information from the State:
- i. Schedule-I species like Porcupine, Rock Python, Spectacled Cobra, etc. have been reported in the area. Comments of the Chief Wildlife Warden of the State on the likely impact of the project on wildlife and mitigating measures, if any, required to be taken for the conservation and development of the wildlife be obtained and intimated to the Ministry.
 - ii. Detailed purpose wise breakup of the forest land as well as non-forest land in commensuration with the land use proposed in the approved mining plan needs to be informed by the State.
 - iii. Adequacy of existing road infrastructure to accommodate the increased transportation of coal from the proposed mine and existing mines may be informed by the State supported with scientific and factual inputs.
 - iv. Railway siding is reported to be located at distance of 20 km form the proposed mine, which is reported to be used by other mines also, therefore, possibility of evacuation of coal using common closed/piped conveyor corridor should also be explored to reduce pollution loads on the existing road infrastructure.
 - v. As per detailed provided online, total area involved in the project is 356.575 ha, comprising of 247.116 ha of non-forest land and 109.459 ha of forest land. Corresponding detail of area mentioned in the approved Mining Plan are different wherein total area has been mentioned as 370 ha comprising of 92.53 ha of forest land and 277.47 ha of non-forest land. Discrepancy in the area needs to be rectified by the State and exact detail may be provided to the Ministry.
 - vi. Areas of Mining Plan and Mining lease are not same. Ministry's guidelines stipulated that area of safety zone should be inside the mining lease while the same has been kept out side the lease area in the extant case. Similarly, area of external dumps and infrastructure have also been kept outside the lease. Rationale for not including 143.305 ha of area outside the lease containing vital project components like safety zone, external dumps, infrastructure, etc. may be intimated by the State.
 - vii. A Sub-Committee of the FAC will visit the area to look into the above observations of the FAC and a report on the same will be submitted for further consideration of the Committee. Regional Officer, Kolkata will also be part of the Sub-Committee.

Policy Agenda No. I

Sub: Request from Ministry of Petroleum and Natural Gas, GoI to introduce a separate category in the PARIVESH portal for Hydrocarbons projects-reg.

1. FAC considered the above policy agenda and noted as under:
 - i. A request has been received from the Director General of Hydrocarbons, Ministry of Petroleum and Natural Gas, vide his DO letter dated 31.01.2022, has requested to create a separate category for Hydrocarbon Project which are currently applied under the mining category.
 - ii. Issue relates to de-linking of Hydrocarbon projects was initially considered by the SC of NBWL in 2018 while dealing with the proposal pertaining to the State of Tripura wherein it was opined that Government of Tripura may obtain the opinion of its Advocate General in the matter. State Govt. of Tripura vide letter dated 03.06.2019 forwarded the legal opinion of Shri Arun Kanti Bhowmik, Advocate General, Tripura wherein Advocate General opined that extraction of natural gas/oil cannot be considered as mining in terms of Hon'ble Supreme Court order dated 04.08.2006 in IA-1000 in WPC 202/1995 (Godavarman vs UOI).
 - iii. Subsequently, a request was received from the Secretary, MoPN&G on 6th June, 2019 to delinking of oil and gas exploration from mining activities and the same was considered by the FAC in its meeting held on 23.04.2019 and 31.07.2019 wherein FAC recommended that M/o PN&G may seek legal advice of MoLJ whether Survey, exploration and extraction of oil and natural gas is to be treated as mining activity or not?
 - iv. Subsequently, MoP&NG vide DO dated 9.01.2020 conveyed that MoL&J in the matter opined that *"the specific requirement for certain specific activities, framing of separate guidelines is purely an administrative policy matter/decision and not a legal issue. Hence it is for the administrative Ministry to take up the matter with MoEF&CC. However, if in the course of framing guidelines any legal issue arises the same may be formulated and referred to this Department for advise"*.
 - v. In view of the opinion of the MoL&J, the MoP&NG further informed the MoEF&CC that mining of minerals (other than mineral oils) and mineral oils have distinct Constitutional, legislative and operational framework. Exploration and production activities in respect of mineral oils are governed under Oilfields (Regulation and Development) Act, 1948 whereas the mining of minerals (other than mineral oil) is governed by Mines & Minerals (Development and Regulation) Act, 1957. Citing the aforementioned provisions, Secretary, M/o PNG has accordingly, requested this Ministry to formulate separate guidelines in respect of environment/forest/wildlife clearance for oil and gas sector.
 - vi. MoEF&CC, after examination of the request of the MoL&J observed that there is no explicit clarification *whether Survey, exploration and extraction of Oil*

and Natural gas from the forest land is to be treated as mining activity or not. A clarification was accordingly sought from the MoPNG.

vii. Recently, IRO, Guwahati has forwarded a number of proposal, which were kept on hold in the wake of ongoing deliberations in the ministry and awaited decision i.e. whether such proposals are to be treated as mining or not? The IRO also desired clarification in the stand of Ministry to enable them to process these proposals accordingly.

viii. Standing Committee of NBWL in its 65th meeting held on 24.09.2021 considered the matter viz. clarification on whether extraction of oil/natural gas is mining? The Committee in its said meeting besides the opinion of Advocate General of the State, also considered the opinion of the Solicitor General of India wherein it was opined that extraction of natural gas and oil is not mining in terms of Hon'ble Supreme Court order dated 4.08.2006. The Committee in light of aforementioned opinions recommended the matter.

2. **Decision of the Committee:** After detailed deliberations in the matter and examination of the relevant developments in the matter, the Committee opined that although it has been clarified that extraction of natural gas and petroleum is not mining in term of Hon'ble Supreme Court order dated 4.08.2006, the matter needs more in-depth examination in broader perspective to ascertain the likely implication of the opinions on the forest and wildlife. The Committee accordingly, deferred the proposal on following aspects:

- i. Comments of the Wildlife Division may be obtained in the matter. Recommendation of the Standing Committee of NBWL made in its meeting dated 24.09.2021 in the matter seems to be slight ambiguous, therefore, specific comments of Wildlife Division whether extraction of petroleum and natural gas is mining or otherwise be obtained and submitted before the Committee for consideration.
- ii. Forest Conservation Division may assess the likely implication of such decision on the forest and wildlife in consultation with IRO Guwahati and Shillong.
- iii. Forest Conservation Division may also prepare a comparative statement on likely impacts associated with the conventional mining and petroleum mining proposals.

Policy Agenda No. II

F. No. 11/46/2021-FC

Report of the Committee on Extended Reach Drilling (ERD) vis-à-vis its impact on the above ground biodiversity of forest areas – reg.

1. During the meeting, all the facts and background of the matter were presented and explained by Member Secretary before the FAC. Committee was also

apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.

2. IRO Guwahati and DG Hydrocarbon also present in the meeting.
3. After detailed delineations and discussion, the Committee observed the following:
 - i. Report was considered by the Committee in its meeting held on 21.02.2021 wherein Committee considered the recommendation made in the report and after deliberation and discussion on the same desired that report needs more in house deliberation at the MoEF&CC level prior to any decision is taken by the FAC.
 - ii. Committee was apprised that in house deliberation on the report were held with the officials of the Forest Conservation Division to assess the efficacy of recommendations made in the report submitted by the DGH. In house appraisal of the report revealed that though the report captures findings on the likely impacts on the flora, however, there could be more inputs with regards to likely impact of the activity on wildlife.
 - iii. DG, Hydrocarbon briefed the Committee about the importance of proposed technology to enhance the self-reliance of the country in the production of crude oil. Committee was informed that extraction of oil and natural gas is silent operation causing minimal damage to the flora and fauna for a limited period of 6 months only and thereafter, the area is left to be restored to its original state. Use of proposed technology further underscores the eco-friendly operations resorted to harness the hydrocarbon in the country. ERD technology has the potential to fast track the process of tapping and harness the proven reserve of the country and to increase the contribution of domestic production in the total consumption of hydrocarbons from existing 15% to approximately 30%. DG Hydrocarbon also mentioned that given the international commitments at various forum, it becomes more imperative to harness the crude oil already identified for the purpose using the eco-friendly technologies.
4. **Decision of FAC:** FAC, after detailed deliberations and taking cognizance of submission made by the DG, Hydrocarbon has advised that recommendation made in the study may be accepted and agreed 'in-principle' by the Ministry. With a view to ensure holistic assessment of impacts as envisaged in the report, findings of report further need to be evaluated in terms of their impact on the wildlife. Accordingly, a copy of report may be provided to the Wildlife Institute of India for their consideration and validation of the recommendation, with reference to wildlife, made therein. So that final decision in the matter may be taken thereafter.

File No. 11-423/2011-FC.

Subject: Compensatory afforestation on degraded forest land in respect of captive coal blocks of State PSUs for limited purpose- reg.

1. This policy issue was considered by FAC in its meeting held on 31st March, 2022.
2. During the meeting, all the factual details were presented before the FAC which after thorough deliberation and discussion observed that:
 - i. A representation has been received from the State of Madhya Pradesh wherein it has been mentioned that the Central Government Projects are allowed to use double degraded forest lands in lieu of forest land diverted for Compensatory afforestation purpose. This dispensation is not available for State Governments projects. It has been requested that the relaxation to carry out Compensatory Afforestation on DFL may be extended to State Government projects as well.
 - ii. The issue of raising Compensatory Afforestation was also discussed in the conference of PCCFs/HoFFs held in the Ministry in the month of November 2021. The States were of the view that there should be a uniform policy for raising of Compensatory Afforestation either on DFL or NFL in case of Central and State Govt. projects. The provisions of CA land should not be discriminatory as is in the present form.
 - iii. Similarly in the meeting of the committee of Secretaries held on 20.12.2021, regarding regulatory clearance in respect of Coal Blocks, it was recommended that MoEF&CC would permit compensatory afforestation on degraded forest land in respect of State PSUs for the limited purpose of land diverted for certain captive coal blocks. The condition applicable for Central PSUs that double the area of diverted land would be taken up for afforestation of degraded forest land will be applicable to State PSUs as well. This would ensure that critical coal based power projects are not stuck due to non-availability of land for CA and, at the same time, this measure would help restore degraded forest land.
 - iv. Thereafter another meeting was held on 14.01.2022 to review the Action Taken on the recommendations regarding Regulatory Clearance in respect of Coal Blocks, wherein the Ministry informed that a general exemption to State Government PSUs to undertake compensatory afforestation on degraded forest land cannot be agreed to keeping in view the National Forest Policy, our Nationally Determined Targets (NDCs) and sustainable development goals. However, such requests from State PSUs may be considered on case by case basis. However it was pointed out that the minutes of the meeting held on 20.12.2021 inter-alia, states, 'MoEF&CC may permit compensatory afforestation on degraded forest land in respect of State PSUs for the limited purpose of land diverted for captive coal blocks'. Therefore, MoEF&CC needs to take a policy decision for the specific purpose of forest land diverted for

captive coal blocks.

- v. In this regard as per Rule-7(iv) of FC Rules, 2003, the State Govt/UT administration concerned has “to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof”. Accordingly, against every proposal seeking diversion under Section 2 (ii) of the Act, equal non-forest area is required to be provided by the concerned user agency.
- vi. In the last few years, Central Government proposals, particularly those of CPSUs, were given special relaxation to take up the mandatory CA over DFL, rather than over non-forest lands. This is being highlighted as very discriminatory against the States, by several states in different fora including the Inter-state Zonal council meetings.
- vii. As per the National Forest Policy 1988, 33% of the total area of the country needs to be brought under forest and tree cover (FTC). The pace of achieving the target is slow due to various constraints. One of these is, limited land under the direct control of the Forest Departments.
- viii. The NDC targets of the country envisage the creation of additional Carbon sink of 2.5-3 billion tonnes of CO₂ equivalent by 2030.

Decision of FAC: FAC after thorough deliberation and discussion observed that keeping in view the NDC targets, National Forest Policy and the sustainable development goals, the Compensatory Afforestation on Degraded Forest Land (DFL) may not be a dispensation in general, however the Compensatory Afforestation may be considered on DFL for the limited purpose of captive coal blocks of State PSUs on case to case basis and on receipt of the proposal from the State Government subject to following conditions:

The Chief Secretary of the concerned state shall certify that:

- i. No non-forest land is available in the State for raising Compensatory Afforestation.
- ii. No other category of forest land such as revenue lands/zudupi jungle/chhote/bade jharka jungle which is not under the management and/or administrative control of the State forest Department is available for raising Compensatory Afforestation.

Additional Agenda Item No.1

File No. 8-64/2007- FC

Sub: Diversion of 116.589 hectare of forest land in favour of M/s. Lafarge Umiam Mining Private Limited for limestone mining and other Ancillary activities in Sohra Tehsil, East Khasi Hills District of Meghalaya.

1. The above stated agenda item was considered by FAC in its meeting on 31.03.2022. The corresponding details of the agenda may be seen at www.parivesh.nic.in.
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 Member Secretary before the FAC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts & Rules relevant to the proposal and their significance.
3. The Nodal Officer (FCA), Government of Meghalaya attended the meeting through video conference. He had participated in the deliberation.
4. FAC after through deliberation and discussion observed that:
 - i. This issue was discussed in FAC on 17.09.2021 and the FAC observed that at first instance IRO Shillong and the State Government in consultation with Ministry may verify, besides others, if the change in the condition of CA from degraded forest to non-forest land has any implication on the Stage-II approval (particularly the condition) by the Ministry, which informed to Hon'ble Supreme Court by way of filing an affidavit in IA nos 1868, 2091, 2225-2227, 2380, 2568 and 2937 in the WP (C) No. 202 of 1995 Lafarge Umiam Mining Pvt. Ltd. vs Union of India & Ors.
 - ii. IRO, Shillong vide their letter dated 05.11.2021 has provided its considered opinion on the likely implication of the changing the conditions of CA stipulate in the Stage-II approval granted under the FC Act, 1980.
 - iii. Head, IRO, Shilong informed the Committee that proposed Ministry may amend the condition of Stage-II approval in light of the following:
 - a. Modification will not lead to any dilution of the Stage II approval
 - b. Hon'ble Supreme Court while hearing the matter also left the decision of granting approval under the FC Act on the MoEF&CC.
 - c. Proposed change in CA condition will add to the environmental benefits.
 - d. There has been a genuine underlying circumstances justifying modification of Stage II approval. CA could not be undertaken over the said land as there are forest dwellers in the area and their rights under the FRA, 2006 needs to be settled before undertaking CA.
 - iv. FAC further noted that main IA 1868 in W. P. No. 202/1995 wherein the matter was dealt has already been disposed off by Hon'ble Supreme Court.
5. **Decision of FAC:** After detailed deliberations and discussion with the IRO, Shillong and Nodal Officer, Meghalaya, the FAC recommended to amend the condition of Stage-II approval to raise the CA over non-forest land as proposed by the State Government. Cost of afforestation on this land will be deposited by user agency as per current rates of afforestation in State of Meghalaya. This will be adjusted against the money already deposited by user agency for compensatory afforestation if any. Moreover, if any excess amount is found to have been paid by user agency for compensatory afforestation that will not be refunded and will be used by Meghalaya Forest Department for plantation in any degraded Forest land.

The Committee also recommended that Forest Conservation Division in consultation with Central Agency Section will ascertain if the amendment in condition of raising CA over non-forest land is required to be informed to Hon'ble Supreme Court by way of filing an IA or otherwise.

(Confirmed through email)

(Sh S. D. Vora)

FAC Member

(Confirmed through email)

(Dr Sanjay Deshmukh)

FAC Member

(Not Present)

(Sh Anmol Kumar)

FAC Member

(Confirmed through email)

(Sh Om Prakash Sharma)

FAC Member

(Confirmed)

(Sh S.P. Yadav)

Additional Director General of Forests

(Confirmed)

(Sh Ramesh Kumar Pandey)

Member Secretary (FAC)

(Approved)

(Sh. C.P. Goyal)

Director General of Forests & Special Secretary