

**MINUTES OF MEETING OF FOREST ADVISORY COMMITTEE HELD ON
19TH JUNE, 2018**

Sandeep Sharma, AIGF (FC)

Agenda No. 1

F. No. 8-03/2018-FC

Sub: Diversion of 60.40 ha Zudpi Jungle land of 42 villages in Saoner taluka, dist. Nagpur under Category II [Zudpi Jungle Under encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure] in consolidated form under Forest Conservation Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-33/2001-FC Dt. 04.03.2014.

- 1. The above stated agenda was considered in FAC meeting on 19.6.2018

Recommendation of FAC:

FAC after thorough deliberation and discussion with the Nodal officer Maharashtra, APCCF Regional office Nagpur and analysis of proposals on DSS, observed that a lot of ambiguity exist on the status of zudpi jungle land, particularly with respect to applicability of FC Act, 1980. State government had been regularly contesting to simplify the procedural requirement for diversion of all such land. On the request of State government of Maharashtra, the guidelines (dt. 04/03/2014) on "simplified procedures for submission of cases pertaining to Zudpi Land" was issued by MoEF&CC. The compensatory levies for all such proposals of category I and II has already been exempted on the request of state government by different administrative orders of ministry. State government is also requesting to keep the right of diverted Zudpi jungle land for future diversion with them and wish to change the status of land as revenue land. To simplify the existing procedural requirement beyond a particular limit as requested by the State Government will tantamount to the dilution of the spirit of Forest (Conservation) Act 1980. These are the general conditions imposed in any forest land diversion proposals which upheld the spirit of Forest conservation Act 1980.

In this backdrop, FAC recommended that the state government of Maharashtra may move an application to Hon'ble supreme court and seek permission to get area of Zudpi Jungle land under Category I and category II (As specified in simplified procedure dated 04/03/2014) out of the purview of definition of 'Forest'. The file shall be returned to State government to do the needful.

Agenda No. 2

F. No. 8-04/2018-FC

Sub: Proposal for diversion of 216.33 ha Zudpi Jungle land of 70 villages in Saone taluka, Dist. Nagpur under Category I-Zudpi Jungle for Public purpose / public infrastructure prior to 12.12.1996 using simplified procedure] in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure



prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-22/2001-FC, dt. 04/03/2014.

1. The above stated agenda was considered in FAC meeting on 19.6.2018

Recommendation of FAC:

FAC after thorough deliberation and discussion with the Nodal officer Maharashtra, APCCF Regional office Nagpur and analysis of proposals on DSS, observed that a lot of ambiguity exist on the status of zudpi jungle land, particularly with respect to applicability of FC Act, 1980. State government had been regularly contesting to simplify the procedural requirement for diversion of all such land. On the request of State government of Maharashtra, the guidelines (dt. 04/03/2014) on "simplified procedures for submission of cases pertaining to Zudpi Land" was issued by MoEF&CC. The compensatory levies for all such proposals of category I and II has already been exempted on the request of state government by different administrative orders of ministry. State government is also requesting to keep the right of diverted Zudpi jungle land for future diversion with them and wish to change the status of land as revenue land. To simplify the existing procedural requirement beyond a particular limit as requested by the State Government will tantamount to the dilution of the spirit of Forest (Conservation) Act 1980. These are the general conditions imposed in any forest land diversion proposals which upheld the spirit of Forest conservation Act 1980.

In this backdrop, FAC recommended that the state government of Maharashtra may move an application to Hon'ble supreme court and seek permission to get area of Zudpi Jungle land under Category I and category II (As specified in simplified procedure dated 04/03/2014) out of the purview of definition of 'Forest'. The file shall be returned to State government to do the needful.

Agenda No. 3

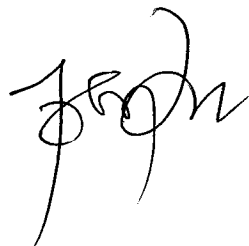
F. No. 8-15/2017-FC

Sub: Diversion of 104.90 ha Zudpi Jungle land of 32 villages in Nagpur City Taluka, Dist. Nagpur under Category II {Encroachments (excluding commercial purpose) prior to 12/12/1996 using simplified procedure} in consolidated form under Forest (Conservation) Act, 1980 in accordance with the procedure prescribed as per Government of India, Ministry of Environment & Forest's letter No. 8-33/2001-FC, dt. 04/03/2014

1. The above stated agenda was considered in FAC meeting on 19.6.2018

Recommendation of FAC:

FAC after thorough deliberation and discussion with the Nodal officer Maharashtra, APCCF Regional office Nagpur and analysis of proposals on DSS, observed that a lot of ambiguity exist on the status of zudpi jungle land, particularly



with respect to applicability of FC Act, 1980. State government had been regularly contesting to simplify the procedural requirement for diversion of all such land. On the request of State government of Maharashtra, the guidelines (dt. 04/03/2014) on "simplified procedures for submission of cases pertaining to Zudpi Land" was issued by MoEF&CC. The compensatory levies for all such proposals of category I and II has already been exempted on the request of state government by different administrative orders of ministry. State government is also requesting to keep the right of diverted Zudpi jungle land for future diversion with them and wish to change the status of land as revenue land. To simplify the existing procedural requirement beyond a particular limit as requested by the State Government will tantamount to the dilution of the spirit of Forest (Conservation) Act 1980. These are the general conditions imposed in any forest land diversion proposals which upheld the spirit of Forest conservation Act 1980.

In this backdrop, FAC recommended that the state government of Maharashtra may move an application to Hon'ble supreme court and seek permission to get area of Zudpi Jungle land under Category I and category II (As specified in simplified procedure dated 04/03/2014) out of the purview of definition of 'Forest'. The file shall be returned to State government to do the needful.

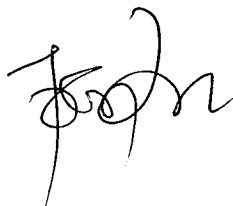
Agenda No. 4

F. No. 8-58/2016-FC

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

The above stated proposal was considered by the **FAC on 19.6.18. FAC observed that:**

1. The proposal was earlier considered in **FAC meeting held on 26.12.2016 and 15.06.2017.**
2. **On 15.06.2017,** FAC after thorough deliberation and interaction with user agency observed that there appears to be a number of violations, perhaps deliberately, in the past. Therefore the proposal is deferred to next FAC meeting. It is desired that the ACS (Forests) to Government of Karnataka, PCCF (HOFF) Karnataka and Nodal Officer (FCA) Karnataka will be requested to attend the next FAC meeting in New Delhi and clarify these issues.
3. Based on the observations of FAC a meeting was conducted with PCCF Karnataka on 28.08.2017 in MoEF&CC with DGF& SS. The State Government was asked to submit the following information:
 - (i) PCCF, Karnataka, will provide the status of the proposal which was submitted to the state Government under the provisions of FCA 1980 on the direction of State Government on 23.03.1993
 - (ii) State Government will explain why the forest land was transferred to the KU and other patta on lease without following provisions of Section 2 (iii) of FC Act 1980.

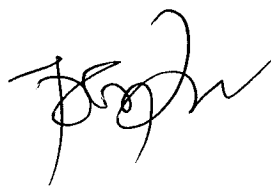


- (iii) State Government will furnish reasons why the proposal under FC Act was not forwarded to MOEF&CC, though the same was submitted by the user agency to Forest Department.
 - (iv) Status of CA area which was raised over the land given by University in lieu of forest land may be provided. It may also be informed whether money deposited for CA had been fully utilized or not.
 - (v) Since the area was declared Reserved Forest under Section 20 of the Indian Forest Act and was under the management and control of Forest Department, the State Government shall provide the detail of working plan prescription being followed between 1990 till date over 72.21 ha (178.14 acres) of forest land in Sy. No. 1/1 of Bhutaramanahatti village, which was declared, reserved forest in 1960.
 - (vi) From the perusal of Google image it learnt that the though area has been transferred on paper the actual land use is still forest. State Government is requested to provide details of area which is under forest use within 72.21 ha and managed as per latest working plan prescribes.
 - (vii) State Government will provide status of the total 196-14 Acre-guntha of the forest land notified as reserved forest in 1960 and forest land measuring about 18 acre which was given by way of patta by the state government without following provisions of FC Act.
4. The Additional Chief Secretary, Govt. of Karnataka, Forest, Ecology and Environment Department vide their letter no. D. O No. FEE 101 FLL 2016 dated 29.11.2017 has replied the above stated observations.

Recommendation of FAC on 19.06.2018:

FAC observed that the case for diversion of forest land in favour of Rani Chennamma University under the provisions of FCA-1980 is pending since long. The State Government was asked to submit details pertaining to the circumstances under which the forest land was leased out to the user agency. The clarification submitted by the State Government is not convincing. It is the fact that the State Government was aware of the status of the land as "Forest land", when the actual land use of the forest land was changed by the user agency. In this regard different offences have been booked by the Forest department and the DC Belgaam was requested by the then DFO to cancel the lease. Instead of acting on the advice and request, the state government proceeded with the construction over the forest land without following the statutory requirements under the act. The present case is a violation of the provisions of FCA-1980. On analysis through DSS it is noted that non-Forest land is available adjoining to the proposed Forest land sought for diversion. FAC after thorough deliberation and discussion with Nodal officer Karnataka, APCCF in charge Regional Office, Bangalore observed that:

- i. State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018.



- ii. State Government shall explore possibility of establishing the university campus in the alternate non-Forest land. Detail analysis of atleast 3 possible sites may be submitted.
- iii. On Analysis in DSS it is observed that the actual change in land use is restricted to a small portion of the forest area. State Government shall demarcate the area and submit detail of actual forest area under non-forest use at present. The shape file of the same shall be submitted.

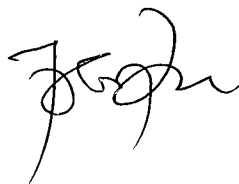
Agenda No. 5

F. No. 8-41/2018-FC

Sub: Proposal for according permission for use of 6.699 ha. of forest land within total Mining lease area of 104.86 ha. in Parulipada Manganese ore Mining lease located in BarbilTahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 97 no. of boreholes of 4" dia (97 boreholes @ 0.02 ha each totalling 1.94 ha and 4.759 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals.

A. The Fact sheet as per the proposal of State Government of Odisha:

1. The above proposal was considered by the FAC in its meeting held on 19.06.2018 and the FAC, after examination of the proposal and discussion with user agency, observed as below:
2. The State Government of Odisha vide their letter no. 10F(Cons)-166/2015-3791/F&E dated 16.02.2018 submitted the above mentioned proposal seeking prior approval of the Central Government under Sectin-2 of the Forest (Conservation) Act, 1980.
3. The area is located inKeonjhar Forest Division of Keonjhar district of Odisha
4. Legal status of the forest land proposed for prospecting is Reserved Forest, Revenue Forest & Non-forest land recorded as Forest as on 25.10.1980.
5. Vegetation density of the area is 0.6 to 0.7 and 0.4 to 0.5 and the vegetation is 3C/C2e(iii) Moist Peninsular Valley Sal and 5B/C2 Northern Dry Mixed Deciduous Forest under Champion and Seth classification
6. There are 316 nos. of sound, 76 Nos. of unsound trees and 2874 Nos. of poles below 30 cm girth enumerated over 6.699 ha forest land, located within the mining lease, proposed for prospecting operation.
7. This region is very largely an extension southwards of Singhbhum rocks. This group of rocks comprising trap, tuffites, shale, quartzite, phullite, banded hematite jasper and banded haematite quartzite from high hill ranges with narrow deep valley in between. In this area massive deposit of iron and manganese are associated with B.H.J and shales respectively. The undulating hilly slopes is prone to soil erosion.



8. The proposed prospecting site within the mining lease is situated in Karo Reserved Forest flanked with Revenue Forest.
9. The proposed site donot form part of National Park, Wild life Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor. **However, the site falls in elephant habitat zone – 2 as per report of ORSAC, Bhubaneswar.**
10. No protected archaeological/ heritage site/defense establishment or any other important monuments is located in the area.
11. That no work of violation of the Forest (Conservation) Act, 1980 has been carried out.
12. The proposal has been recommended for approval under section 2(ii) of Forest (Conservation) Act, 1980 by DFO, RCCF, PCCF and the State Government.
13. The State Govt. recommended that the MoEF&CC consider the said proposal and convey approval under section -2 of Forest (Conservation) Act, 1980 with certain conditions.

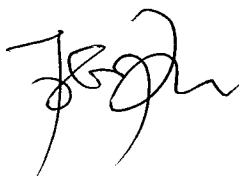
B. DSS Analysis in MoEF&CC

As per DSS analysis, the proposed area for prospecting classified as **inviolable area** based on Decision Rule No. 1 due to presence of Very Dense forest inside Mining lease area & also based on Decision Rule No. 2, out of total 5 grids (1 x 1 sq km) 3 grids have the average score above 70, thus, the Mining lease area is Inviolable. Out of total Mining lease area, 32 ha of land having the canopy density of Very Dense Forest, 32 ha. of land as Moderately dense forest, 1 ha. of land classified as open forest Category and 4 ha. of land as Non Forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

C. Recommendation of FAC:

FAC after thorough deliberation and discussion with the APCCF Regional office Bhubaneshwar and user agency **recommended the proposal** with general, standard and following specific conditions.


1. The user agency shall complete the exploration work within 2 years.
2. On analysis through DSS it is observed that the area contains dense vegetation on the Southern and western side of the proposed forest area and less dense vegetation on the Northern and Eastern part of the area . User agency shall start exploration work from eastern side and if no minerals deposits are found the exploration work shall not be extended to the dense forest area.
3. State government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no 5-3/2007-FC dated 09/05/2018. The amount shall be deposited in Adhoc CAMPA account prior to Stage II approval.
4. Permission granted for prospecting under the provisions of FCA 1980, shall not confer any right of user agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.
5. FAC observed that the OMC has submitted many proposals for exploration of minerals in different forest areas. It is prudent to have a holistic review of permissible production capacity and actual production for future permissions.



User agency shall submit following information in respect of all mining leases held by them at present:

S.No	Name of Mining lease	Area of the lease	Lease period	Status of FC	Status of EC	Production capacity for which EC has been granted	Current Actual production

6. Existing path and roads only will be used by the user agency for the purpose of prospecting activities. In addition to existing paths and forest road, user agency is allowed to use 4.759 ha. of forest land for construction of temporary path. The temporary path construction shall not involve any tree cutting and same shall be restored to original land use after the work of exploration is accomplished
7. User agency shall provide 4.759 ha of Non- Forest land for CA. The same shall be mutated and transferred in favour of forest department prior to stage II approval. State forest department shall certify that the land is suitable for plantation and free from encroachment.CA scheme shall be prepared and submitted accordingly along with the shape files.
8. The amount of CA scheme shall be deposited online in the Adhoc CAMPA account.
9. User agency shall seek permission of DFO, Keonjhar Forest Division before entering into the forest area.
10. No work shall be allowed after sunset.
11. Mining/Prospecting activities within the ML area shall be subject to having valid lease and other statutory clearances.
12. User agency shall not sublease the exploration work
13. Each bore-hole shall be dug with prior permission of the DFO, Keonjhar Forest Division.
14. Drilling of boreholes will be limited to 97 no. with diameter of 4" within forest land.
15. Proper plugging of boreholes shall be made after exploration activities are complete.
16. User agency shall report the progress of drilling work to the DFO, Keonjhar and also furnish detailed report thereof on completion of the project.
17. No tree felling shall be undertaken for exploration activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
18. No labour camp shall be established and no other construction activities (temporary or permanent) shall be done by the user agency on forest land.
19. Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the DFO, Keonjhar.
20. The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the DFO, Keonjhar.
21. DFO, Keonjhar Forest Division may impose any other condition for protection and conservation of the flora and fauna in the forest area.



22. In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.
23. No fire will be kindled inside and in the vicinity of the forest area.
24. User Agency shall provide a list of authorised officials/ workers engaged in exploration to the forest department before commencing the work and also provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the forest department.

Agenda No. 6

F. No. 8-42/2018-FC

Sub: Proposal for according permission for use of 5.597 ha. of forest land within total Mining lease area of 78.711 ha. in Roida-78 Manganese Mining lease entirely inside Sidhamath RF of Keonjhar Forest Division in Keonjhar district, Odisha for undertaking exploratory drilling of 80 no. of boreholes of 4" dia (80 boreholes @ 0.02 ha each totalling 1.60 ha and 3.997 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals.

A. The Fact sheet as per the proposal of State Government of Odisha:

1. The State Government of Odisha vide their letter no. 10F(Cons)-280/2016-5479/F&E dated 09.03.2018 submitted the above mentioned proposal seeking prior approval of the Central Government under Sec-2 of the FCA-, 1980.
2. The area is located in Keonjhar Forest Division of Keonjhar district of Odisha.
3. Legal status of the land proposed for prospecting is Sidhamath Reserved Forest.
4. Forest density of the area is 0.6 and vegetation available in the area is 3C/C2e Moist Peninsular Valley Sal
5. There are 689 nos. of trees more than 30 cm girth and 4709 Nos. of trees/poles are below 30 cm girth enumerated over 5.597 ha forest land, located within the mining lease, proposed for prospecting operation.
6. The site falls under the Joda-Barbil plateau extending from Chamakpur to the border of Singhbhum of Jharkhand in north and border of Bonai in the west. This region is very largely an extension southwards of Singhbhum rocks. This group of rocks comprising trap, tuffites, shale, quartzite, phyllite, BHJ and BHQ from high hill ranges with narrow deep valley in between. In this area massive deposit of iron and manganese are associated with BHJ and shales respectively. The undulating hilly slope is prone to soil erosion.
7. The proposed site does not form part of National Park, Wild life Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration



Corridor. **However, the site falls in elephant habitat zone – 2 as per report of ORSAC, Bhubaneswar.**

8. The wildlife present in and around the forest land proposed to be utilized for prospecting are Sambar, Spotted deer, Barking deer, Jackal, Hyena, Elephant, Sloth Bear, Leopard, Mongoose, Peacock, Cuckoo, Grey Jungle Fowl, Blue jay, Owl, Bluelegged bustard, Golden-backed Woodpecker, Python, Krait, Cobra, Russell's Viper, Blind snake, Monitor, Chamelion, Catlacatla, *Labiatorohita*, *Cirrhinusmrigala*, *Wallago attu*, *Notopturuschitala* and *Chana striatus*.
9. No protected archaeological/ heritage site/defence establishment or any other important monument is located in the area.
10. No work of violation of the FCA-1980 has been carried out.
11. The proposal has been recommended by DFO, RCCF, PCCF and the State Governmentwithcertain conditions.

B. DSS Analysis: As per DSS analysis done in the FC Division of MoEF&CC, the proposed area for prospecting classified as Not-inviolate area based on Decision Rule No. 1 & 2. Out of total Mining lease area, 17 ha. of land as Moderately dense forest and 61 ha. of land classified as open forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

C. Recommendation of FAC on 19.06.2018:

FAC recommended the proposal after thorough deliberation and discussion with the APCCF Regional office Bhubaneswar and user agency, with general, standard and following specific conditions.

1. The user agency shall complete the exploration work within 2 years.
2. State government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no 5-3/2007-FC dated 09/05/2018. The amount shall be deposited in Adhoc CAMPA account prior to Stage II approval.
3. Permission granted for prospecting under the provisions of FCA 1980, shall not confer any right of user agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.
4. FAC observed that the OMC has submitted many proposals for exploration of minerals in different forest areas. It is prudent to have a holistic review of permissible production capacity and actual production for future permissions. User agency shall submit following information in respect of all mining leases held by them at present:

S.No	Name of Mining lease	Area of the lease	Lease period	Status of FC	Status of EC	Production capacity for which EC has been granted	Current Actual production

5. Existing path and roads only will be used by the user agency for the purpose of prospecting activities. In addition to existing paths and forest road, user agency is allowed to use 3.997 ha. of forest land for construction of temporary path. The temporary path construction shall not involve any tree cutting and same shall be restored to original land use after the work of exploration is accomplished
6. User agency shall provide 3.997 ha of Non- Forest land for CA. The same shall be mutated and transferred in favour of forest department prior to stage II approval. State forest department shall certify that the land is suitable for plantation and free from encroachment. CA scheme shall be prepared and submitted accordingly along with the shape files.
7. The amount of CA scheme shall be deposited online in the Adhoc CAMPA account.
8. User agency shall seek permission of DFO, Keonjhar Forest Division before entering into the forest area.
9. No work shall be allowed after sunset.
10. Mining/Prospecting activities within the ML area shall be subject to having valid lease and other statutory clearances.
11. User agency shall not sublease the exploration work
12. Each bore-hole shall be dug with prior permission of the DFO, Keonjhar Forest Division.
13. Drilling of boreholes will be limited to 80 no. with diameter of 4" within forest land.
14. Proper plugging of boreholes shall be made after exploration activities are complete.
15. User agency shall report the progress of drilling work to the DFO, Keonjhar and also furnish detailed report thereof on completion of the project.
16. No tree felling shall be undertaken for exploration activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
17. No labour camp shall be established and no other construction activities (temporary or permanent) shall be done by the user agency on forest land.
18. Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the DFO, Keonjhar.
19. The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the DFO, Keonjhar.
20. DFO, Keonjhar Forest Division may impose any other condition for protection and conservation of the flora and fauna in the forest area.
21. In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.
22. No fire will be kindled inside and in the vicinity of the forest area.
23. User Agency shall provide a list of authorised officials/ workers engaged in exploration to the forest department before commencing the work and also



provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the forest department.

Agenda No. 7

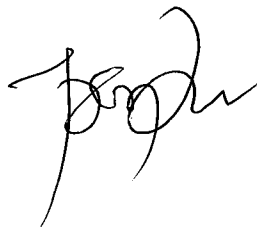
F. No. 8-43/2018-FC

Sub: Proposal for according permission for use of 7.94 ha. of forest land within total Mining lease area of 265.29 ha. in Dalki Iron and Manganese ore Mining lease located in Barbil Tahasil and Barbil Forest Range of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 59 no. of boreholes of 4" dia (59 boreholes @ 0.02 ha each totalling 1.18 ha and 6.76 ha for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals.

A. The Fact sheet as per the proposal of the State Government of Odisha:

The State Government of Odisha vide their letter No. 10F(Cons)-24/2018-5663/F&E dated 12.03.2018 submitted the above mentioned proposal seeking prior approval of the Central Government under Sec-2 of the FCA-1980.

1. The area is located in Keonjhar Forest Division of Keonjhar district of Odisha.
2. Legal status of the forest land proposed for prospecting is Reserved Forest, Revenue Forest & Non-forest land recorded as Forest as on 25.10.1980.
3. Forest density of the area is 0.6 and vegetation available in the area is 3C/C2e Moist Peninsular Valley Sal
4. There are 545 nos. of sound, 300 Nos. of unsound trees and 6022 Nos. of poles below 30 cm girth enumerated over 7.94 ha forest land, located within the mining lease, proposed for prospecting operation.
5. This site falls under the Joda-Barbil plateau extending from Chamakpur to the border of Singhbhum of Jharkhand in north and border of Bonai in the West. This region is very largely an extension southwards of Singhbhum rocks. This group of rocks comprising trap, tuffites, shale, quartzite, phyllite, BHJ and BHQ form high hill ranges with narrow deep valley in between. In this area massive deposit of iron and manganese are associated with BHJ and shales respectively. The undulating hilly slopes is prone to soil erosion
6. The proposed operation site within the mining lease is situated in Thakurani Reserved Forest.
7. The proposed site does not form part of National Park, Wild life Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor. **However, the site falls in elephant habitat zone- 2 as per report of ORSAC, Bhubaneswar.**
8. The wildlife present in and around the forest land proposed to be utilized for prospecting are Sambar, Spotted deer, Barking deer, Jackal, Hyena, Elephant, Sloth Bear, Wild Dogs, Leopard, Mongoose, Peacock, Cuckoo, Grey Jungle Fowl, Blue jay, Owl, Bluelegged bustard, Golden-backed Woodpecker, Python, Krait, Cobra,



Russell's Viper, Blind snake, Monitor, Chamelion, *Catlacatla*, *Labiorohita*, *Cirrhinusmrigala*, *Wallago attu*, *Notopturuschitala* and *Chana striatus*.

- 9. No protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.
- 10. No work of violation of the Forest (Conservation) Act, 1980 has been carried out.
- 11. The proposal has been recommended for approval by DFO, RCCF, PCCF and the State Government with certain conditions.

DSS Analysis: The instant proposal for Prospecting of Manganese has also been analyzed by the DSS Cell of this division. The major observations are that there is No WLS/NP/Tiger Reserve/Tiger Corridor situated within the 10KM radius of proposed area for diversion. Proposed area for prospecting classified as Not-inviolate area based on Decision Rule No. 1 & 2. Out of total Mining lease area, **17 ha. of land as Moderately dense forest** and 61 ha. of land classified as open forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.

Recommendation of FAC:

FAC after thorough deliberation and discussion with the APCCF Regional office Bhubaneswar and user agency recommended the proposal with general, standard and following specific conditions.

- 1. The user agency shall complete the exploration work within 2 years.
- 2. State government shall calculate compensatory levies and NPV for the prospecting proposal as per MoEF&CC guidelines no 5-3/2007-FC dated 09/05/2018. The amount shall be deposited in Adhoc CAMPA account prior to Stage II approval.
- 3. Permission granted for prospecting under the provisions of FCA 1980, shall not confer any right of user agency to get permission for extraction of mineral and diversion of Forest land under section 2(ii) of FCA 1980.
- 4. FAC observed that the OMC has submitted many proposals for exploration of minerals in different forest areas. It is prudent to have a holistic review of permissible production capacity and actual production for future permissions. User agency shall submit following information in respect of all mining leases held by them at present:

S.No	Name of Mining lease	Area of the lease	Lease period	Status of FC	Status of EC	Production capacity for which EC has been granted	Current Actual production

- 5. Existing path and roads only will be used by the user agency for the purpose of prospecting activities. In addition to existing paths and forest road, user agency is allowed to use 6.76 ha. of forest land for construction of temporary path. The temporary path construction shall not involve any tree cutting and same shall be restored to original land use after the work of exploration is accomplished
- 6. User agency shall provide 6.76 ha of Non- Forest land for CA. The same shall be mutated and transferred in favour of forest department prior to stage II approval. State forest department shall certify that the land is suitable for plantation and free from encroachment. CA scheme shall be prepared and submitted accordingly along with the shape files.
- 7. The amount of CA scheme shall be deposited online in the Adhoc CAMPA account.
- 8. User agency shall seek permission of DFO, Keonjhar Forest Division before entering into the forest area.

9. No work shall be allowed after sunset.
10. Mining/Prospecting activities within the ML area shall be subject to having valid lease and other statutory clearances.
11. User agency shall not sublease the exploration work
12. Each bore-hole shall be dug with prior permission of the DFO, Keonjhar Forest Division.
13. Drilling of boreholes will be limited to 59 no. with diameter of 4" within forest land.
14. Proper plugging of boreholes shall be made after exploration activities are complete.
15. User agency shall report the progress of drilling work to the DFO, Keonjhar and also furnish detailed report thereof on completion of the project.
16. No tree felling shall be undertaken for exploration activities. Project activities shall be restricted to clearing of bushes and lopping of tree branches if any for the purpose of site preparation.
17. No labour camp shall be established and no other construction activities (temporary or permanent) shall be done by the user agency on forest land.
18. Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment by the DFO, Keonjhar.
19. The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the DFO, Keonjhar.
20. DFO, Keonjhar Forest Division may impose any other condition for protection and conservation of the flora and fauna in the forest area.
21. In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of boreholes be suitably re-located.
22. No fire will be kindled inside and in the vicinity of the forest area.
23. User Agency shall provide a list of authorised officials/ workers engaged in exploration to the forest department before commencing the work and also provide the Identity Cards/ Documents to each such official/ worker, to be produced when demanded by the forest department.

Agenda No. 8

F. No. 8-30/2014-FC

Sub: Diversion of 43.091 hectares of forest land (including Safety Zone area of 2.080 ha.) in village Kundaposi of Barbil Tahasil in Keonjhar District for mining of Iron Ore in mining lease area over 45.131 hectares by M/s. OCL Iron and Steel Ltd

The recommendation of FAC has been kept in sealed cover till further orders of Hon'ble High Court of Odisha



Agenda No. 9

F. No. 8-56/2016-FC

Sub: Application of Sri Satyajit Pradhan (Legal heir of Late Dr. S. Pradhan and authorized applicant on behalf of all other legal heirs of Late Dr. S. Pradhan) of K-1, Kalpana Area, BJB Nagar, Bhubaneswar-751014 seeking approval of MoEF&CC under Section 2 (iii) of Forest Conservation Act, 1980 over entire forest land of 146.545 ha within total applied Mining lease area of 152.927 ha in Kalparbat Iron and manganese ore mines in Keonjhar district, Odisha.

The recommendation of FAC has been kept in sealed cover till further orders of Hon'ble High Court of Odisha

Agenda No. 10

F. No. 8-01/2018-FC

Sub: Diversion of 160.838 ha of SabikKisam forest land as on 25th October 1980 (treated as non-forest land in hal record) including 2.7082 ha of land in safety zone in addition to 199.1720 ha of forest land earlier applied for diversion within total forest land of 360.01 ha (including SabikKisam forest land), located within total Mining Lease hold area over 403.3238 ha of Katamati iron Ore Mines of M/s Tata Steel Ltd. in Keonjhar district Odisha during extended ML period as per MMDR Act, 2015.

And

Agenda No. 11

File No. 8-5/2015-FC

Sub: Diversion of 199.1720 ha of forest land including 2.2001 ha for safety zone for mining and allied activities in Katamati Iron Ore Mines of M/s. Tata Steel Ltd. located in village- Deojhar&Thakurani Reserved Forest under Keonjhar Forest Division of Keonjhar district, Odisha during extended Mining lease period as per MMDR(Amendment) Act, 2015- regarding.

The above stated agenda items were considered in Forest Advisory Committee meeting on 19.06.2018. FAC after thorough deliberation and discussion with APCCF regional office Bhubaneswar and user agency observed that:

1. Agenda 10 and agenda No 11 of FAC meeting dated 19.6.2018 (proposal file no 8-01/2018-FC and 8-5/2015-FC) are for the same mining lease area. Katamati Iron Ore mining lease is 403.3238 ha.
2. The proposals placed in agenda no. 11 was discussed in different FAC meetings on 29.07.2015, 16.02.2016 and 16.03.2016 (for permission under section 2(iii) of FCA, 1980).
3. Permission for 199.1720 ha of forest land under section 2 (iii) of FCA, 1980 has already been conveyed to the State Government on 29.09.2016.



4. Originally Katamati lease was granted for a period of 30 years w.e.f. 17.01.1933 to 16.01.1963 over an area of 12.17 sq. miles by Ruling Chief of Keonjhar estate. The lease deed was executed on 20.11.1933. The lease was consisting of three blocks i.e. Bloock-A (Katamati), Block-B (Joda West) & Block-D (Khandbond).
5. First renewal as granted for a period of 20 years w.e.f 17.01.1963 to 16.01.1983 over the same area i.e. 12.17 sq. miles consisting of above three blocks by Mining and Geology Department, Govt. of Odisha vide letter No. III(A)MG-87/73-11510 dated 21.11.1973. The lease deed was executed between Tata Steel & the State Government on 10.01.1978.
6. The second renewal was granted for a period of 20 years w.e.f 17.01.1983 to 16.01.2003 by Mining & Geology Department, Govt. of Odisha vide letter No. III(A)MG-58/83-14879 MG dated 24.12.1983 over same 12.17 sq. miles. During second renewal the lease blocks were separated forming three separate leases. The details are as follows:

Katamati	-	403.3238 ha.
Joda West	-	1437.719 ha.
Khondbond-		1293.433 ha.
7. The Katamati lease over an area of 403.3238 ha was executed between Tata Steel Ltd and State Govt. on 17.10.1984 and registered vide lease deed No. 67 dated 27.11.1984.
8. Tata Steel Ltd. applied for third renewal of lease for 20 years on 05.09.2001. at that time Katamati lease area consisted of 204.1518 ha of non-forest land and 199.1720 ha. of forest land as per revenue record. Tata steel has applied for diversion of 199.1720 ha.of forest land under FC Act during 2007.
9. Seeing the delay in approval under section 2 (ii) for 199.1720 ha.the user agency applied for approval under section 2 (iii) of FC Act on 28.10.2015. the user agency has got clearance under section 2 (iii) of FC Act on 29-09-2016 for 199.1720 ha of forest land for execution of mining lease.
10. However, in the meantime as per the MoEF&CC guidelines bearing No. 8-78/1996-FC (Pt.) dated 10.03.2015 out of the 204.1518 ha of non forest land as per Hal record 160.838 ha of non forest land found to be Sabik forest land (land treated as non-forest in Hal record but found to be forest as per the record as on 25.10.1980) and 43.3138 ha.ofnon forest land.
11. The user agency has now applied for diversion of this Sabik forest land for mining and other allied activities. Out of the 160.838 ha.ofSabikKissam forest land, 83.0120 ha.ofSabik forest land has been broken up by the user agency and continuing mining as on date, as per the order of CEC and working permission issued by Dy. Director of Mines, Joda vide No. 37842 dated 18.08.2011 over 204.1518 ha.
12. User agency had also applied for diversion of 199.1720 ha of forest land including 2.2001 ha for safety zone for mining and allied activities in Katamati Iron Ore



Mines of M/s. Tata Steel Ltd. For which clearance under the provisions of Section 2(iii) of FCA had already been granted.

13. As per the guideline issued by MoEF&CC vide their No.8-78/1996-FC (pt) dated 10.03.2015, even No. 09.03.2016 and even No. 30.09.2016, the user agency was to stop the mining operation by 31st December, 2016 as they did not obtain forest clearance for the SabikKissam land. The user agency has filed a Writ Petition in Hon'ble High Court with No. 12830/2016 and Miscellaneous case No. 11964/2016 and WP (C) No. 15734/2016 before the Hon'ble High Court of Odisha to quash/set-aside the guideline dated 10.03.2015, read with guideline dated 09.03.2016 of MoEF&CC for issue of direction to Union and State Government to permit the company to operate in the broken up mining area till the forest clearance is obtained.
14. The Hon'ble High Court in their order No. 2 dated 28.07.2016 in for the WP (C) 12830/2016 and Misc. case No 11964/2016 have directed to maintain the status quo of mining on broken up area till the next date of hearing. Similarly, in the case of WP No. 15734 of 2016 Hon'ble High Court vide their order No. 4 dated 16.01.2017 have also directed to maintain the status quo with regard to broken up SabikKissam forest land for mining. The final orders of court is awaited on these writ petitions.
15. In the meantime Addl. Secretary to Govt., Steel & Mines Department, Govt. of Odisha conveyed an order No.III(A)/S&M III(A)-02/2004/3303/SM Bhubaneswar dated 18.04.2015 to extend the validity of period of mining lease u/s 8A(5) of the MMDR Act, 1957 as amended by MMDR amendment Act, 2015 from 17.01.2003 to 31.03.2030 subject to necessary forest clearance.
16. Accordingly, supplementary lease deed was executed on 27.11.2016 and registered vide e-registration No.11031600471 dated 28.11.2016. It is to mention here that the supplementary lease over the entire mining lease of 403.3238 ha has been signed without obtaining forest clearance over 160.838 ha under section 2 (iii) of FC Act, 1980. However, in the supplementary lease deed it has been made an additional condition to obtain the forest clearance.
17. State Govt. has recommended the proposal for diversion of 160.838 ha of Sabikkisam forest land (forest land treated as non forest in the Hal record) and 199.1720ha of forest land.
18. The detail fact about the lease area about Sabik forest land i.e. 168.838 ha and forest land 199.1720 ha is placed in agenda item 10 and 11

Recommendation of FAC on 19.06.2018:

After thorough deliberation and discussion with APCCF regional office Bhubaneswar and User agency, **FAC recommended the diversion of 160.838 ha(Sabikkisam forest land) and 199.1720 ha forest land** (Total Forest land 360.01 ha located within Total mining lease hold area over 403.3238 ha) under the provisions of section 2(ii) of Forest (Conservation) Act 1980 with Standard, General and following specific conditions

1. From the documents it is learnt that the lease has been executed for entire forest area on 27.11.2016 having full knowledge that the mining lease has Sabik forest land for which Clearance under the provisions of Forest (Conservation) act 1980 was not



- obtained. State government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018.
2. State government shall submit cost benefit analysis as per MoEF&CC guideline prior to stage II approval
 3. Complete compliance of FRA certificate for entire forest land within mining lease as per MoEF&CC guideline shall be submitted.
 4. Felling of large number of trees shall not be done at a single point of time. As far as possible the trees should be felled in phased manner only when it is unavoidable.
 5. User agency shall not clear the natural vegetation of about 50 meter width in the periphery in the southern boundary of mining lease area. The area shall be demarcated with the help of forest department prior to stage II approval. It shall be maintained and supplemented as green cover. The cost of maintaining it as green area shall be borne by user agency.
 6. User agency shall maintain Safety zone as per MoEF&CC guideline. The complete detail of safety zone around the mining lease shall be submitted prior to stage II approval.

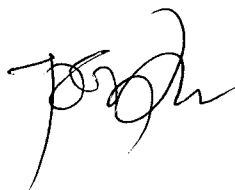
FAC further recommended that both the proposal files (i.e. F. No. 8-05/2015-FC and F. No. 8-01/2018-FC) are of same mining lease shall be clubbed for all future correspondences. MoEF&CC shall take appropriate step to merge the proposal folders

Agenda No. 12

F. No. 8-39/2018-FC

Sub: Proposal for diversion of 55.3 ha. of forest land for construction of Parna Minor Irrigation Project, in favour of Water Resources Department, Damoh District Madhya Pradesh State.-regarding.

1. The above proposal was considered by the FAC in its meeting held on 19.06.2018. FAC, after examination of the proposal and discussion with user agency, observed as below:
2. The State Government of Madhya Pradesh vide their letter No. F-3/86/2017/10-11/12/1188 Bhopal dated 01.05.2018 submitted a proposal to obtain prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980.
3. The proposed area for diversion is located in Damoh (T) Forest Division in Damoh District, Madhya Pradesh.
4. Legal status of the proposed area of diversion is Reserved and Protected Forest.
5. Forest density in the proposed area is 0.4 fall under Eco class 5.
6. Number of trees to be felled in the proposed area in FRL = 4166, FRL-2=3524 and FRL-4=2864.
7. It is reported that area is not vulnerable to erosion.
8. It is reported that in applied area there is some wild animal habitat. *Like animal Blue bull, spotted Deer.*

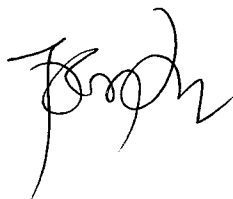


9. It is reported that the Durgavati Sanctuary is located 6.5 Km from Singorgarh proposed area.
10. It is reported that the proposed site do not form part of National Park, Wild life Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor.
11. It is reported that no protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.
12. It is reported that no work of violation of the FCA-1980 has been carried out.
13. The Compensatory Afforestation proposed on 55.590 ha. of non-forest land in Damoh district village Dinari with a total financial outlay of Rs. 191.34 lakhs. Land suitability certificate was submitted by the competent authority.
14. Complete compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 was not submitted by the State Government.
15. It is reported by the State Government that Environment Clearance is not applicable.
16. It is reported by the State Government that the animal Nilgai & Spotted Deer are seen in adjoining forest areas.
17. It is reported by the State Government of Madhya Pradesh the Command area of 950 Ha.
18. The proposal has been recommended for approval under section 2(ii) of Forest (Conservation) Act, 1980 by DFO, RCCF, PCCF and the State Government.

Recommendation of FAC on 19.06.2018:

After thorough deliberation and discussion with APCCF, Regional Office Bhopal and the user agency **FAC recommended the proposal for diversion of 55.3 ha forest land** under the provisions of FCA 1980 with General, Standard and following specific conditions:

1. State Government shall submit complete compliance of FRA prior to stage II approval.
2. No tree felling shall be allowed. The tree shall be allowed to be retained in the submergence area, however the cost of trees enumerated in the area proposed for diversion shall be deposited as per existing procedure.
3. It is noticed that portion of CA area is under agricultural fields/encroachment. State government shall ensure that the non-forest area is free from encroachments and same is transferred and mutated in favour of forest department prior to stage II approval.

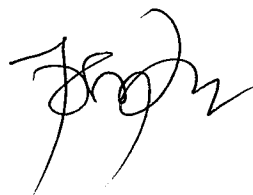


Agenda No. 13

F. No. 8-55/2014-FC

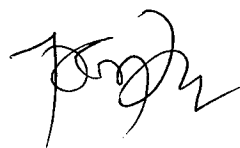
Sub: Diversion of 285.44 hectares of forest land in Lankapalli R.F. of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their Kistaram OCP.

1. The above proposal was considered by the FAC in its meeting held on 19.06.2018 and the FAC, after examination of the proposal and discussion with user agency, observed as below:
2. The proposal was considered in earlier meeting on 20-21.10.2014 and 25.01.2018.
3. The State Government of Andhra Pradesh vide their letter No. 2373/FOR.I (1)/ 2014 dated 20th May 2014 has submitted the above mentioned proposal to obtain prior approval of the Central Government, in terms of the Section 2 of the Forest (Conservation) Act, 1980.
4. The forest land proposed to be diverted was **inspected by the Regional Office (South Eastern Zone), Chennai**. Additional information pertaining to the proposal available in the site inspection report submitted by the Regional Office (South Eastern Zone), Chennai vide their letter dated 11th September 2014.
5. **The proposal was considered in FAC held on 20th -21st October, 2014.** FAC after detailed deliberations recommended that decision on grant of approval under the FC Act for diversion of forest land may be deferred till EIA, EMP and proceedings of the public hearings are considered by the Expert Appraisal Committee (EAC) for grant of Environmental Clearance to the project. The EAC may be advised to specifically examine the impact of the project on Sathupally town while formulating their recommendation. Meanwhile, the State Government may be requested to furnish their comments on the following issues:
 - a) Impact of the project on Sathupally town along with measures proposed to be undertaken to mitigate these impacts; and
 - b) Justification for diversion of forest land for non-site specific activities such as, overburden dumps, service buildings and external dumps along with full details of alternatives examined.
6. The above recommendation of FAC was communicated to the State Government of Telangana vide Ministry's letter dated 21st November, 2014.
7. The State Government of Telangana vide their letter No. 2373/FOR.I (1)/2014 dated 27.01.2017 has forwarded a point-wise reply submitted by the Principal Chief Conservator of Forests, Telangana (HoFF), in respect of MoEF& CC, GoI, New Delhi letter dated 21.11.2014, and the same is given under below:-



S. No.	Observations raised by FAC	Reply submitted by State Government
1.	Impact of the project on Sathupally town along with measures proposed to be undertaken to mitigate these impacts; and	State Government informed that the user agency stated that the Kistaram OCP is located at a distance of 2 Km. from Sathupalli Town. Hence, there may not be much impact on the Sathupalli Town. Green belt will be developed all around the mine to prevent spread of dust to the adjoining areas. SCCL will continuously sprinkle water on the Haul roads, CHP to control spread of dust. Coal will be transported in tarpaulin covered lorries. Further, the project proponent has also stated vide letter dated 13.01.2016 and requested to the Director General, ICFRE, Dehradun to study the impact of the area Kistaram OC coal mining on Sathupalli town. Hence, whatever measures are recommended by ICFRE in addition to the measures proposed by SCCL, the same also will be implemented to mitigate the impacts, if any.
2.	Justification for diversion of forest land for non-site specific activities such as, overburden dumps, service buildings and external dumps along with full details of alternatives examined.	State Government informed that the user agency stated that the total requirement of the land for Kistaram OCP is 435.68 ha of which 285.44 is Forest land. Of the total forest land required, 200.72 ha. is for quarry including drain and boundary around the quarry which are site specific. Of the balance 84.72 ha., 71.71 ha. is identified for dumping which is also site specific as dumping also mining activity and needs Mining Lease. In addition to this Forest land, available Non-forest land of 95.03 ha is identified for dump after leaving 27.91 ha of non-forest land for protecting Jagannadhapuram Tank (water body) as prescribed in condition No. (xvii). Total OB to be excavated in this Mine is 129.58 million cu.m. and the dump is proposed up to a maximum height of 120 m. in a total area of 166.74 Ha. which includes 71.71 Ha. of forest land. The land for OB dumping is required initially for a period of three years and thereafter OB will be accommodated in external and backfilling in de-coaled area simultaneously.

8. The Principal Chief Conservator of Forests, (HoFF), Telangana vide their letter No. 54546/2009/FCA-1, Dated 06.01.2017 has reported the **few additional points as well.**
9. **The file was referred to IA division** for obtaining their **comments in the matter.** The IA division vide their note dated 22.08.17 informed that the proposal for grant of EC to Kistaram Open Cast Coal Mine project of 2 MTPA in mine lease area 435.68 ha of M/s SECL in district Khammam was considered the EAC in its 58th meeting



held on 23-24 June, 2016 for forth meeting held on 30-31 January, 2017. **While deliberations on the proposal, the EAC took note on the following:**

- a) The observations of the FAC in its meeting held on 20-21 October, 2014 and subsequent clarifications sought from the state Government need to be clarified by the project proponent for its compatibility with the EIA/EMP reports and the public hearing. The Committee desired that the proposal may be considered by the FAC in parallel, and without any prejudice to the observations of the EAC.
- b) Source of Fluoride in the ground/assessed to suitably address the observations of the EAC.
- c) Year wise expenditure incurred on CSR activities indicate no definite trend with no firm planning and the budget estimate accordingly.

The EAC after detailed deliberation deferred the proposal for want of information on the above lines. The same was communicated to the project proponent and reply is awaited.

10. The project proponent was informed that the CA sites proposed earlier having encroachments and some of the proposed area for CA has been earmarked for departmental plantation and therefore the CA scheme is to be revised. Accordingly, the State Government of Telangana was requested vide this Ministry's letter dated 19.09.2017 to submit the approved revised CA scheme with suitability certificate and the shape / KML files for the revised CA along with shape file for proposed area of diversion for further consideration of the proposal in the Ministry.
11. The State Government vide their letter no. 2373/For.1 (1)/2014 dated 15.11.2017 has forwarded a copy of revised CA scheme with financial outlay of Rs. 1970.193 Lakh for treating an area 571.00 ha of degraded forest area in Khammam (227 ha) and Sathupally divisions (344 ha).
12. The Shape file/ KML file of revised CA sites was examined by the DSS Cell and following observations have been made:
 - i. Calculated area of the shape files received for revised CA Area is found correct as per the requirement i.e. 571.78 ha.
 - ii. Legal status of revised CA land is found as Forest land i.e. Compartment no. 51,52,53,148,149,175 as per the recorded Forest Area boundary uploaded on DSS.
 - iii. As per the current boundaries, revised CA is provided in four patches falling in the same district namely Khammam.
 - iv. Out of total proposed CA area, 93 ha. of land having the canopy density of Moderately dense forest that with 75 ha. of land classified under Open forest Category in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014.
 - v. Patchwise details of proposed CA patches w.r.t density classes (based on interpretation of satellite data period 2013-14) as per ISFR 2015, are as follows:

(Area in ha.)

S.No.	Patch	Very Dense Forest	Moderately dense Forest	Open Forest	Scrub	Non-Forest land
1	Patch-I	0	92	12	0	123
2	Patch-II	0	0	0	0	40

3	Patch-III	0	0	0	0	23
4	Patch-IV	0	1	63	0	219
Total		0	93	75		405

13. The matter was considered in FAC on 25.01.2018 After careful consideration of the facts committee observed that:-

- (i) Regional office has not recommended the project as yet even after carrying out the inspection of the site; hence it is observed that APCCF, Regional Office along with AIGFs concerned shall make a visit to the proposed land for diversion as well as land proposed for compensatory afforestation.
- (ii) The above mentioned group would also inspect the previous compliances of the diverted cases by the same user agency.

14. As per the recommendations of FAC constituted a committee under the chairmanship of APCCF (C) was communicated to the State Government of Telangana vide its Ministry's letter dated 09.03.2018.

15. The MoEF&CC (FC Division) vide letter F.No.8-55/2014-FC dated 09.03.2018 has requested the APCCF (Central), MoEFCC, Regional Office (SEZ), Chennai along with AIGF in the Forest Conservation Division of MoEFCC to visit the proposed land for diversion, land proposed for compensatory afforestation and inspect the previous compliances of the diverted cases by the same user agency and to submit the detailed report in this regard for further consideration of the proposal in the MoEFCC.

16. The Regional Office (South Eastern Zone) Chennai vide their letter No. 8-55/2014-FC / 0795 dated 23.05.2018, submitted a Site Inspection Report & previous project compliance report as carried out by the APCCF (C) Chennai, Nodal Officer (FCA) Telangana Government and AIGF (FC), MoEF&CC, and the same is given under below:

1. Introduction

The Singareni Collieries Company Limited (SCCL) has submitted proposal for diversion of 285.44 Ha. of Forest land in Lankapalli R.F. of Sathupalli Division (Erstwhile Khammam Division).

At the time of submission of application, SCCL identified Non-forest land for C.A. in Buttaigudem (M) of Eluru Forest Division, West Godavari District in undivided Andhra Pradesh. As there was problem with the land identified for C.A., Forest Department identified degraded forest land double in extent as detailed below:

Sl. No.	Division	Range	RF Block	Compt. No.	Net area available(in Ha.)
1.	Khammam	Khammam	Gubbagurthy	51, 52 & 53	227.00
2.	Sathupalli	Sathupalli	Annapureddipalli	148 & 140	282.00
		Sathupalli	Lankapalli	175	62.00
Total					571.00

The Project site was earlier inspected on 03.07.2014 by the then Additional Principal Chief Conservator of Forests (Central), MoEFCC, Regional Office, Chennai and a report was submitted to MoEFCC on 11.09.2014 vide reference 1st cited. The proposal was discussed by the FAC in its meeting held on 21.10.2014 and as requested by MoEFCC in the letter 2nd cited, SCCL has furnished point-wise detailed justification vide reference 3rd cited, which was forwarded to MoEFCC by the State Government vide reference 4th cited.

The Forest Advisory Committee (FAC), in its meeting held on 25.01.2018, had, *inter alia*, recommended that –

- (i) the Regional Office has not recommended the project, as yet, even after carrying out the inspection of the site; hence, it is observed that APCCF, Regional Office along with AIGFs concerned shall make a visit to the proposed land for diversion as well as land proposed for compensatory afforestation; and
- (ii) the above mentioned group would also inspect the previous compliances of the diverted cases by the same user agency.

In pursuance of the above instructions, the undersigned, along with Shri Sandeep Sharma, Assistant Inspector General of Forests, MoEFCC, have inspected the area proposed for diversion for Kistaram OCP and also the degraded forest lands identified for C.A. from 2nd to 3rd May 2018 (The APCCF from 01 – 04 May 2018 and the AIGF from 02 – 04 May 2018). During the inspection, the status of compliance of conditions in respect of forest lands earlier diverted were also inspected.

On the basis of site inspection and based on written submission of the status of compliance of conditions in respect of the forest lands so far diverted for various projects/purposes to the MoEF& CC, New Delhi, Regional Office and also to the Nodal Officer by the user agency, discussions with the field forest officials and based on submissions of Pollution Control Board officials in the field, the following report is submitted.

2. Location of the project

The area 285.44 ha. of forest land proposed for diversion is located in the Lankapalli R.F. of Sathupalli Division in the State of Telangana for the purpose of Kistaram OCP in favour of Singareni Collieries Company Limited (SCCL).

3. Inspection of project area

3.1 On 03.05.2018, the team consisting of APCCF (Central) and AIGF from the Ministry along with APCCF & Nodal Officer, Telangana Government and Singareni officials inspected the project area of 285.44 ha. The land use details are furnished below: -

Sl. No	Particulars	Land requirement (Ha.)		
		Forest	Non-forest	Total
1.	Quarry including Drain, Bund etc., around quarry	200.72	27.30	228.02

2.	External dumps including Drain, Toe wall etc.	13.98	0.78	14.76
	a) Top Soil Dump.	57.73	122.16	179.89
	b) Hard OB Dump.			
3.	Service buildings	4.36	0.00	4.36
4.	CHP & Coal Stock Yard	8.65	0.00	8.65
	TOTAL	285.44	150.24	435.68

The forest types mostly found are southern mixed dry deciduous forest 5A/C3 and mixed teak forest 5A/E4. Main tree species are *Anogeissus latifolia*, *Terminalia tomentosa*, *Chloroxylon swietenia*, *Tectona grandis* and *Dendrocalamus strictus*, etc.

The following fauna are commonly found: -

Nilgai, Blackbuck, Indian Bison, Leopard, Sambar and Jackal, etc.

The density of the forest is around 0.4. Eucalyptus clones plantations along with NTFP plantations and Bamboo are seen. Around one lakh trees are proposed to be felled once the area is diverted.

It is projected that the estimated coal reserves in this Project are 21.61 Million Tonnes of which about 20.71 Million Tonnes are in forest land. Annual production is said to be 2 million tones. SCCL has been granted status of CPSU for the purpose of C.A. vide MoEF Lr.No.11-423/2011-FC, dt.31.1.2013. Therefore, Forest Dept. identified double extent of degraded forest land and prepared C.A. Scheme.

Of the 285.44 Ha. of forest area required, 200.72 Ha. is required for quarry and 71.71 Ha. is required for top soil dump and hard OB dump. The Committee interacted with the Project Officials. Project Authorities have informed that they have already identified the available Non-forest land adjacent to the Forest land for dumping. Initially, land is required for dumping of OB for a period of 7 years and after which dumping will be in de-coaled area of the quarry. A total of 129.58 MM3 of OB is proposed to be dumped up to a maximum height of 120 mtrs. Other side of the quarry, there is a big village having about 1500 families. Hence, site for OB cannot be identified towards the village. In all other sides, only RF is existing. Between the quarry and available Non-forest land, minimum forest area of 71.71 Ha. which is unavoidable for operating the mine is identified for OB Dump.

As regards location of service buildings, CHP & coal yard, Committee discussed with Project Authorities about the possibility of re-locating the same either in the adjacent JVR OC mine or in Non-forest land.

Project Authorities have informed that as per the Mines Act, CHP and essential infrastructure come under definition of Mine which have Mining Lease and statutory mine boundary. Further, for transporting coal from the Mine, it will be transported through dumpers which are prohibited from crossing the high-way due to safety reasons. Further, even for transportation of coal from the mine, it is to be first crushed to load in to lorries for which CHP is invariably be located at Pit Mouth to reduce the travel distance of dumpers which will cause lot of dust generation along the route. Hence, for locating the CHP arrangements, a minimum of 8.68 Ha. is

identified and another 4.36 Ha. for essential mine office and Work-shop for maintenance of Mining equipment. As such, shifting of CHP & essential infrastructure is not possible and the requirement is the bare minimum for operating OCP. As such, the 13.01 Ha. of forest land required for CHP, coal yard and essential office buildings are un-avoidable.

3.2 Inspection of CA areas proposed for present project

In the morning session, the team inspected the CA areas identified as degraded forest area of Patch-I covering 227 Ha. identified at Konijerla, Khammam Division. As per the minutes of the FAC meeting held on 25.1.2018, in Patch-I, 92.0 Ha. is shown as Moderately Dense Forest as per DSS. But, in the field, it is observed that this area is mostly covered with creeper type bushes (mainly *Calicopteris floribunda*). Most of the area is devoid of any growth. Hence, the entire 227.0 Ha. can be taken up for C.A. plantations.

The C.A. land identified at Patch-II & III covering 62 Ha. was also inspected. The entire area is degraded and suitable for C.A. plantations. The area of 282 Ha. (Patch-IV) identified at Annapureddipalli RF, Sathupalli Range could not be inspected due to heavy rain. But, as per DSS, except 1.0 Ha., the entire area is degraded and suitable for C.A. It is understood that this 1.0 Ha. is also covered with bushes and no trees are existing. Hence, the total area of 571.0 being double the extent of area proposed for diversion is found to be suitable for afforestation.

4. Need for present project, i.e., Kistaram OCP

During the interaction with the Forest Officials, it is informed that though presently 2 Opencast Mines (JVR OC-I & JVR OC-II) are in operation adjacent to the proposed Kistaram OCP, the JVR OCP-I which is producing about 3 Million Tonnes of Coal per annum is going to be closed in 2 years due to exhaustion of reserves. Hence, to continue the coal supply, as per the linkages fixed by Govt. of India, starting of Kistaram OCP is a must.

Regarding grant of Mining Lease under M&M(D&R)Act, 1957, User Agency has informed that Ministry of Coal, GoI, vide Lr.No.13016/3/2016-CA-II, dt.19.1.2017 has allocated the block for Mining Lease subject to Forestry Clearance. As regards, Environment Clearance, Project Authorities have also informed that Public Hearing was conducted on 19.11.2015 and EIA/EMP was submitted to MoEF & CC. The Project was appraised in EAC meeting held on 24.6.2016 and EAC has advised to expedite Stage-I Forest Clearance for grant of EC.

5. Impact of Mining on Sathupalli Town

(1) Regarding effect of Mine on the Sathupalli Town, the User Agency got a detailed study conducted by Kakatiya University on the impact of mining and the Agency submitted report during Nov. 2016. Copies of the Study Report submitted to the Ministry, Regional Office and Sri Sandeep Kumar, AIGF (FC). The Report is perused and following are the important conclusions of the Report:

- The AAQ of PM (PM_{10} , $PM_{2.5}$) showed the mean concentrations of PM_{10} to be from 61.0 ug/m^3 (minimum) to 70.0 ug/m^3 (maximum) whereas the $PM_{2.5}$ ranged from 27.8 ug/m^3 to 33.5 ug/m^3 which are said to be below the standard permissible value.

- Hardly there is any minor forest produce gathered by the residents of core zone in the proposed OCP. Hence, there is no direct impact on the livelihood of the local people if the forest land is diverted for mining.
 - Ground water level in & around Sathupalli town were also found within the range of normal fluctuations.
 - Ecological restoration of the overburdens and greening of habitats for normal and pre-existing environment were underlined as major mitigation strategies by the SCCL.
 - Finally, the study report, in general, has recommended the project activity of extracting coal from Kistaram OCP in the interest of energy needs of the Nation.
- (2) EPTRI Institute at Hyderabad regularly monitors the Air and Water parameters.
 - (3) The TSPCB also, through their regional station at Kothagudem, monitors at regular intervals the Ambient Air Quality. There are wide fluctuations in the RSPM values around Sathupalli town because of mining.
 - (4) The same may be appraised by the E.C. Appraisal Committee.

6. Verification of compliances in the field about earlier forest lands diverted

The Additional PCCF (Central), Regional Office, Chennai along with APCCF and Nodal Officer, Government of Telangana, the local forest officials such as Conservator of Forests, District Forest Officer along with SCCL officials verified the status of compliances in respect of the following diversions on 02.05.2018: -

6.1 261.31 Ha. diverted for GK OCP (Phase-I)

This land was initially diverted vide MoEF Lr.No.8-34,91-FC, dt.8/11.2.1993 for a period of 10 years and subsequently renewed vide MoEF Lr.No.8-117/2002-FC, dt.1.2.2010 for a further period of 20 years. Non-forest land for C.A. was handed over to Forest Dept. at Rasannagudem (V) of Paloncha Forest Division and SCCL deposited funds of Rs.30.90 lakhs required for C.A. at the time of original diversion. Out of 261.31 Ha., the User Agency has surrendered 100.0 Ha on 7.7.2010 to the Forest Department after re-stocking the same with suitable species.

The species planted in the area are like *Dendrocalamusstrictus*, *Emblicaofficinalis*, *Azadirachtaindica*, *Aegle marmelos*, *Hardwickiabinata*, *Pongamiapinnata*, *Inga dulcii*, *Dalbergialatifolia*, *Holpteliaintegrifolia* etc. It is said that soil was inoculated with Trichoderma & Rhizobium culture before planting. Ficus species viz., *Ficusrelegiosa*, *Ficusbenghalensis*, etc. were also seen at regular intervals. The plantations have come up well and reached crop height of 4 – 6 meters and it resembles natural forest. To strengthen more, it is advised to create more water facilities and maintain them to attract wild life.

6.2 Diversion of 124 Ha. for GK OCP (Phase-II)

This area was diverted vide MoEFCC letter No.8-17/98-FC dt.8.2.1999 for a period of 20 years. For this Project also, C.A. land was handed over in Rasannagudem (V), Paloncha Forest Division and the SCCL had paid Rs.49.60 lakhs towards C.A. and Rs.3.66 lakhs for raising plantations in safety zone area. In this area, back filling is being done. Project Authorities have informed that after completion of back filling to the required height, this area will also be rehabilitated.



6.3 Diversion of 154.96 Ha. for GK OCP (Phase-III)

This area was diverted vide MoEF Lr.No.8-62/2005-FC, dt.9/15.7.2008 for a period of 20 years. Active mining is going on in this area. User Agency has complied with the conditions that are required to be complied by it like construction of boundary pillars, plantation on the dumping areas as well as back filled areas, toe wall, garland drains etc. and taken up reclamation of the area as per the approved EMP. Non-forest land for C.A. for this Project was handed over in Mulapet (V) of Srikakulam Division of erstwhile Andhra Pradesh State and handed over the land to Forest Dept. on 30.1.2001 and the User Agency has deposited Rs.82.08 lakhs on 18.4.2008 with the DFO, Srikakulam towards C.A. As per the QPR, an amount of Rs.18.965 lakh is spent on afforestation so far. Out of 154.96 ha. identified for CA, only 40 ha. was planted, leaving a balance area of 114.96 ha.

7. Inspection of CA raised with respect to forest land diverted earlier.

The team as above inspected the areas, as below on 02.05.2018.

7.1 In the evening, the team inspected the Non-forest lands (for compensatory afforestation) handed over at Rasannagudem(V) of Paloncha Division. In respect of 261.31 Ha., tree growth has come up well supported by natural growth. It is seen that out of Rs.30.90 lakh provided by the user agency, the forest department could utilize only Rs.2.760 lakh. It is informed that final notification is issued, but, boundary pillars are conspicuously absent. The forest department is advised to immediately take up boundary demarcation with pillars. If felt necessary, fencing also to prevent encroachment out of savings remained in the scheme. In 124.0 Ha. diverted under Phase-II, since the area is already having natural growth, Forest Department has informed that it has identified equivalent extent of degraded forest land at Manuguru and planted the same. Out of Rs.49.60 lakh provided by the user agency, the forest department could utilize Rs.2.845 lakh only.

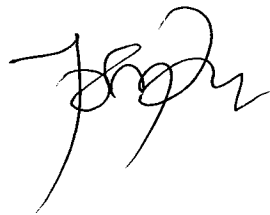
As regards 154.96 Ha. diverted under Phase-III, since the Non-forest land for C.A. was identified in Srikakulam District of Erstwhile Andhra Pradesh, this could not be inspected. The same is verified from QPR and details are furnished above in para 6.3.

8 Inspection of reclamation work in earlier projects

The APCCF (Central), AIGF from the Ministry along with other officials inspected the areas, as below on 03.05.2018:

8.1 Diversion of 244.02 Ha. of JVR OCP-I

This land was diverted vide MoEF Lr.No.8-120/2003-FC, dt.2.2.2005. User Agency has complied with the conditions like handing over of Non-forest land for C.A., construction of boundary pillars around the diverted forest land and payment of C.A. charges etc. User Agency has informed that about 101 Ha. has been de-coaled of which 18 Ha. of Forest land was planted. In addition to this, about 76 Ha. non-forest land has been planted. The species planted in the area are *Dendrocalamusstrictus*, *Hardwickiabinata*, *Inga dulci*, *Pterocarpussantalinus*, *Ficus Species*, *Albeziaodoratissima* etc. The plantations have come up well and there is no damage to the adjacent forest.



8.2. Diversion of 136.5 Ha. for JVR OCP-I Expansion

This area has been diverted vide MoEF Lr.No.8-56/2008-FC, dt.3.7.2012. In this area, active mining is going on. The Non-forest land for C.A. has been given in Bhadrachalam (South) and Mahaboobnagar Districts and User Agency has paid the C.A. charges. Boundary pillars have also been constructed around the diverted forest land.

As the Sathupalli town is nearby to this Project, as decided by the Forest Department, User Agency has raised plantations in 60 Ha. of degraded forest land in between the Mine and Sathupalli town and another 15 Ha. has been proposed for plantations during the 2018 Season.

A good green belt is seen between the quarry and Sathupalli Town. User Agency has constructed 3 settling ponds, 22 cribs and 1.7 km. toe walls/retention walls and the same are being maintained.

9. Inspection of mine dump plantations in JVR OCP

To fulfill the conditions imposed by MOEFCC, while granting diversion permission, Afforestation on the dump slopes of external OB dump of JVROCP-I has been carried out in a phased manner.

List of OB plantations in JVROCP, Sathupalli since 2006-2010.

Year	Location	Species	Area in Ha	No. of seedlings planted	Survival in Nos.	Amount in Rs.	Legal status	Lat & Long
2006	JVROCP, OB	M	5.0	12500	11450	34870	SCCL	N 17.2087 E 80.8127
2007	JVROCP, OB	M	2.0	5700	4800	15888	SCCL	N 17.2078 E 80.8131
2008	JVROCP, OB	M	1.0	2600	1950	8525	SCCL	N 17.2089 E 80.8128
2009	JVROCP, OB	M	25.0	59000	46020	287043	SCCL	N 17.2043 E 80.7829
2010	JVROCP, OB	M	43.0	48907	39126	289555	SCCL	N 17.2083 E 80.7904
TOTAL			76.0	128707.0	103346.0	635881		

Planting on the External OB dumps was commenced from 2006 onwards. During 2006, since the dumps were of temporary nature only seed sowing with *Styloxanthuhamata* was taken up on the dump slopes, berms of the approach roads. In addition to the above *Acacia nilotica* (Babul) seed was dibbled all along the boundary of the project. Subsequently planting has been carried out on the external dumps, mounds and road berms during 2007, 2008, 2009 and 2010 in a phased manner. The total area planted up to 2010 is 76 Ha. and the total number of seedlings planted are 128707.

It is seen that a lot of local species viz., *Dendorocalamusstrictus*, *Emblicaoofficinalis*, *Ficusbenghalensis*, *Albeziaodoratissima*, *Pongamiapinnata*, *Cassia seamea*, *Azadirachtaindica*, *Hardwikiabinata*, *Ficusrelegiosa*, *Ficuscarica*, *Pterocarpussantalinus* etc., have been planted at an espacement of 2M x 2M.

Apart from planting of local species, soil binder like Agave suckers have been planted on the slopes in a staggered manner in order to check soil erosion. Further seeds of leguminous species viz., *Sesbania*, *Glyricidia*, *Subabul* and *Acacia nilotica* have been broad casted on the OB dumps to improve the nutrient status of the skeletal OB soil.

The SCCL has also taken up formation of garland drains and toe walls around the dump to reduce soil flow to outer areas. It is also reported that the eroded slopes of 30M decks have been revisited during November 2010 by planting Eucalyptus clones all along the gullies at a close espacement. The clones have established well and most of the gullies have been covered with greenery. The eroded slopes of 60M decks have been revisited during 2011 and 2012 with Bamboo and Eucalyptus clones, the seedlings have established well. It is said that the expenditure incurred towards raising and maintenance of the OB plantations on the external dump of JVROC-I Project Sathupalli from 2006 to 2011 was **Rs.6.36 lakhs** with an unit cost of **Rs.8600 per Ha**. The overall survival of the OB plantation raised at Sathupalli is more than 80%. It has been reported that more than 30 species of birds are visiting the area and became residents by nesting.

10. Compliances, as submitted by the user agency

The user agency has submitted detailed condition wise compliance against forest land diverted so far (copy enclosed for ready reference)

11. General compliances and non-compliances observed during monitoring by officials of Regional Office, Chennai.

11.1 Forest clearances

Certain non-compliances noted during monitoring are –

- (1) Safety zone maintenance not carried out in OCP-II (Phase III) in Kandepuram Ext.-I.
- (2) Safety zone maintenance not carried out in OCP-I in Ramagundem – II.
- (3) Subsidence study is not carried out regularly in Goleti-I underground mine block.
- (4) Subsidence study is not carried out regularly in Shantikeri – extension underground mine block.
- (5) Non-compliances from the side of forest department –
 - (a) The CA amount is not utilized fully. In fact, it is common observation in almost all the cases, which are followed up closely with forest department for effective utilization of CA amount.
 - (b) The deposition of Rs.35 crore in another account other than Ad-hoc CAMPA in FC related projects in irregular.

Environmental clearances

Certain non-compliances noticed during monitoring are –



- (1) The units have consistently exceeded the production than the consented quantity and, thus, change in the scope of the project.
- (2) Sewage treatment plants not being constructed in the townships.
- (3) Public Liability Insurance not obtained in some units.

12. Recommendations of the Team

Taking the overall requirement of the forest land, the proposal for diversion of 285.44 Ha. is recommended subject to the following conditions:

- a) The Forest area 71.71 Ha. required for dumping should be rehabilitated and returned to the Forest Dept. within a maximum period of 10 years from its date of handing over to the User Agency.
- b) As per Certificate under FRA, rights are recognized to 12 families involving 10.03 Ha. In addition to this, in the Non-forest land identified for dumping, there is one village called Jagannadhapuram where about 120 houses exist, who are also to be rehabilitated. The Officials of SCCL have informed that they have already identified land for shifting the villagers and the District Administration is taking action to rehabilitate them as per the Rehabilitation Policy of the State Govt. Hence, along with the rehabilitation of the villagers, the 12 families for whom rights under FRA are recognized are also to be rehabilitated before starting of mining operations in the area.
- (c) The non-forest land identified for dump measures around 122 ha. may be handed over to forest department, once treated for future maintenance, so as to prevent land fragmentation there.
- (d) The environmental conditions in and around Sathupalli town may be appraised by the E.C. Appraisal Committee separately.

Recommendation of FAC on 19.06.2018:

After thorough deliberation and discussion with APCCF regional office Chennai and the user agency **FAC recommended the proposal for diversion of 285.44 ha forest land** under the provisions of FCA 1980 with General, standard and following specific conditions:

- 1. The Forest area 71.71 Ha. required for dumping should be rehabilitated and returned to the Forest Dept. within a maximum period of 10 years from its date of handing over to the User Agency.
- 2. As per Certificate under FRA, rights are recognized to 12 families involving 10.03 Ha. In addition to this, in the Non-forest land identified for dumping, there is one village called Jagannadhapuram where about 120 houses exist, who are also to be rehabilitated. The Officials of SCCL have informed that they have already identified land for shifting the villagers and the District Administration is taking action to rehabilitate them as per the Rehabilitation Policy of the State Govt. Hence, along with the rehabilitation of the villagers, the 12 families for whom rights under FRA are recognized are also to be rehabilitated before starting of mining operations in the area.



3. The non-forest land identified for dump measures around 122 ha. shall be handed over to forest department, once treated for future maintenance, so as to prevent land fragmentation there.
4. The environmental conditions in and around Sathupalli town may be appraised by the E.C. Appraisal Committee separately.
5. No rehabilitation shall be done on forest land.

Agenda No. 14

F. No. 5-3/2007-FC (Pt.)

Sub.: Request for partial withdrawal of M/o EF&CC guidelines dated 09.05.2018 for stipulating the norms for Survey and Investigation (Prospecting of Ores) on forest land.

The above stated agenda item was considered by the FAC in meeting held on 19.06.2018. FAC deliberated on representation submitted by Federation of Indian Mineral Industries (FIMI) forwarded by NITI Aayog, NRE Vertical-E&F Division, Government of India, New Delhi vide his OM letter No. 12074/2(2)/2015-E&F dated 31st May, 2018 vide which partial withdrawal of M/o EF & CC guidelines for stipulating the norms for Survey and Investigation (Prospecting of Ores) on forest land has been sought.

Recommendation of FAC:

After thorough deliberation and discussion with APCCF regional office Bhopal, Nagpur, Bhubaneswar, Bangalore, Chennai and Nodal Officers of Maharashtra, Karnataka, Madhya Pradesh recommended that following conditions in MoEF&CC guidelines no 5-3/2007-FC dated 09.05.2018 may be modified as:

1. Condition no X of the guidelines states that

*User agency shall prepare a plan to plant 20 tall trees per bore-hole area. The cost of preparation of plan and plantation shall be borne by the user agency. State government shall ensure that the plants are planted on abandoned bore-hole area **and** degraded forest land as per prescription of working plan in a contiguous patch.*

It shall be read as:

User agency shall prepare a plan to plant 20 tall trees per bore-hole area. The cost of preparation of plan and plantation shall be borne by the user agency. State government shall ensure that the plants are planted on abandoned bore-hole area **or** degraded forest land as per prescription of working plan.



2. The condition no XI states that

The user agency shall engage ICFRE to conduct study on the impact numbers of bore holes for prospecting over forest and wild life of the area and suggest mitigation measures. The design of study shall be approved by MoEF&CC.

This condition is recommended to be deleted:

FAC recommended that the guideline no 5-3/2007-FC dated 09/05/2018 shall be modified accordingly.

not present
(Dr. Sanjay V. Deshmukh)
Member

not present
(Dr Rajesh Kaushal)
Member

(S. D. Vora)
Member

(A. K. Mohanty)
Inspector General of Forests (FC)

(Saibal Dasgupta)
Addl. Director General of Forests (FC)

not present
Additional Commissioner (Soil Conservation)
Ministry of Agriculture (Member)

(Siddhanta Das)
Director General of Forests & Special Secretary