

File No: 8-06/2025-FC (E- 275240)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jor bagh Road
New Delhi- 110003
Dated: 01-06-2026

To

The Principal Secretary (Forests)
Department of Forest, Environment and Climate Change
Government of Maharashtra
Mumbai.

Sub.: Proposal for seeking prior approval of the Central Government under Section 2 (i) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of JSW Energy PSP Two Limited for non-forestry use of 207.171 ha (originally proposed for 243.74 ha of forest land) of forest land for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra (Proposal No. FP/MH/HYD/153240/2022)– reg.

Madam/Sir,

I am directed to refer to Government of Maharashtra's proposal No. FP/MH/HYD/153240/2022 on the above subject seeking prior approval of the Central Government in accordance with Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Adhiniyam on 08.05.2026.

2. After careful consideration of the proposal of the Government of Maharashtra and on the basis of the recommendations of the Advisory Committee and approval of the same by the competent authority of MoEFCC, New Delhi, the Central Government hereby accords "***In-principle/Stage-I***" approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 207.171 ha (originally proposed for 243.74 ha of forest land) of forest land for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra, subject to the following conditions:-

General Conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation as per the approved CA Scheme at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal;
- iii. Compensatory Afforestation over 245.735 ha non-forest land shall start within two years from the date of final approval and maintained thereafter in accordance with the approved CA scheme by the State Forest Department;
- iv. The non-forest land shall be transferred and mutated in favour of the State

Forest Department, OR shall be notified by the State Government as Protected forest under section 29 of the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before handing over the forest land to the user agency;

- v. The additional compensatory afforestation shall be raised over 40 Ha of Degraded Forest Land and maintained by the State Forest Department at the cost of the User Agency and the work of compensatory afforestation shall start within two years of issue of order of diversion of the corresponding forest land;
- vi. The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC (pt.) dated 29.12.2023 in this regard;
- vii. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- viii. The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);
- ix. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- x. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled, if any, and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xi. The cost of felling of trees, if any, shall be deposited by the User Agency with the State Forest Department;
- xii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xiii. The forest land shall not be used for any purpose other than specified in the proposal;
- xiv. No labour camp shall be established on the forest land;
- xv. The User Agency shall provide fuels preferably alternate fuels, if required to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xvi. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates;
- xvii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- xviii. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly

- material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xix. The User Agency shall implement the R&R Plan, if applicable, as per R&R policy of State Government in consonance with National R &R policy, Government of India before the commencement of the project work and implementation. The said R&R plan shall be monitored by the State Govt./Regional Office of MoEF&CC;
 - xx. The KML files of proposed area for diversion as well as the land identified for the compensatory afforestation shall be uploaded on the e-Green watch portal with all requisite details before handover of the land;
 - xxi. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
 - xxii. No damage to the flora, fauna or the environment of the adjoining area shall be caused;
 - xxiii. Adequate measures to ensure no damage to the adjoining forest areas should be taken by the User Agency at the project cost;
 - xxiv. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
 - xxv. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
 - xxvi. The user agency shall comply all the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
 - xxvii. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023.

Standard Conditions:

- i. The user agency shall undertake afforestation along the periphery of the reservoir and canals bank and maintain plantations with the State Forest Department (as applicable).
- ii. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down.
- iii. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan.

- iv. The User agency shall consult organization(s) having experience in construction of roads in hilly areas to avoid frequent road blockade due to landslides etc. and shall provide breast walls and retaining walls wherever necessary.
- v. The State Government and the user agency shall ensure that the trees available between full reservoir level (FRL) and FRL - 4 meters are not felled, if applicable;

Specific Conditions:

- i. The State Government shall ensure implementation of the Site-Specific Wildlife and Biodiversity Management Plan, duly approved by the Chief Wildlife Warden (CWLW), at the cost of the User Agency. The requisite funds shall be deposited by the User Agency in the account of National CAMPA.
- ii. The State Government shall ensure implementation of the duly approved CAT Plan at the cost of the User Agency. The requisite funds shall be deposited by the User Agency in the account of National CAMPA.
- iii. The State Govt. shall ensure to implement controlled blasting mitigation measures as suggested by CSIR-Central Institute of Mining and Fuel Research. Further blasting material must not be stored in the forest area.
- iv. The State Govt. shall ensure that the 23.122 ha of land designated for muck dumping shall be handed over to the State Forest Department within six months of the commencement of commercial operations of the Bhavali PSP, after due stabilization and reclamation of the muck disposal area.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours
faithfully,

Sd/-
(Deepika Chaudhary)
Deputy Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Government of Maharashtra, Nagpur.
2. The DDGF (Central), Regional Office, Nagpur of MoEF&CC.
3. The APCCF-cum-Nodal Officer, Government of Maharashtra, Nagpur.
4. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
5. User Agency.