

Full title of the Project: Diversion of Forest Land for construction of Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik Districts of Maharashtra State
File No.: FP/ MH/HYD/153240/2022
Date of Proposal: 06/03/2022

PARTICULARS OF THE PROJECT

(Submitted by the Dy. CF. Shahapur Division)

1.	Parivesh ID	bhavail.psp@jsw.in
2.	Name of Project	Construction of Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik Districts of Maharashtra State
3.	User Agency	JSW Energy PSP Two Limited, JSW Centre, Bandra Kurla Complex, Bandra East, Mumbai- 400 051
4.	Category of the Project	Hydel
5.	Location (i) District (ii) Division (ii) Circle	Thane Shahapur Thane
6.	Area Statement (Area involved in the project) of Shahapur Division	(i) Non-Forest Land (A): 31.08 Ha. (ii) Forest Land (B): 243.737 Ha. Say: 243.74 Ha. Shahapur Division: Forest: 181.45 Ha. Non- Forest: 0 Ha. West Nasik Division: 62.29 Ha. NF: 31.08 Ha. Total land (A)+ (B): 274.82 Ha. Say: 275.00 Ha. (iii) Legal Status of forest land involved – RF/ PF/ Deemed RF
7.		The Pumped Storage Project is essentially a site-specific project because it requires a particular type of topographical and geological conditions. The sites of elevation variance are required to construct reservoirs of desired capacity. Reservoir location should compulsorily fulfil the geo-technical criteria needed for establishing the Pumped Storage Project. Since this project requires water as a means to store energy, the project has to be in close proximity of the water source. For this project, initially, the proposed site was identified by the Government of Maharashtra. The Government of Maharashtra has entered

		into an agreement with JSW Group by signing the Memorandum of Understanding for setting up of the extant project.		
8.	(i) Whether project falls within any Protected Area (Yes /No)	A part of project in West Nasik Division falls within Conservation Reserve.		
	(ii) If yes, Name of PA	Igatpuri Conservation Reserve		
	(iii) How much forest area involved in the project is located in PA	62.29 Ha.		
	(iv) How much forest area involved in the project is outside PA	181.45 Ha.		
9.	(i) Whether project falls in vicinity of a PA (Yes/No)	Yes		
	(ii) If yes, Name of PA & Distance of project from the boundary of PA	Name of PA	Distance	
		Kalsubai Harishchandragad WL Sanctuary	2.21 KM (from nearest boundary in Shahapur Division)	
		Igatpuri Conservation Reserve	Within	
	(iii) Extent of ESZ of this P.A. in Km	About 1.60 to 4.00 km of Kalsubai Harishchandragad WL Sanctuary		
10.	(i) Whether projects fall in wildlife corridor? (Yes/No)	No		
	(ii) if yes	1	Area of the project falling in Tiger corridor as per EVL study	NA
		2	Area of the project falling in Tiger corridor as per Telemetry study	NA
		3	Area of the project falling in Tiger corridor as per Tiger Conservation Plan	NA
		*If the project falls in Tiger Corridor, details of compartments/survey no. to be provided		
11.	Whether Wildlife Clearance is required for the project	Vide letter dated 23/05/2022 of MoEF & CC (WL Division), if the project area is falling within Conservation Reserve, it does not require consideration by the Standing Committee of NBWL as per Ministry's Guidelines dated 06/05/2022.		

12.	Whether Environment Clearance is required for the project	Yes		
13.	Details of Alternative Examined (i) No. of Alternative Examined. (ii) Justification for selecting the proposed alternative & reason for rejecting other alternatives	(i) Project is site specific. However, three layouts have been examined. (ii) Three alternative layouts have been examined by the Project Proponent on the basis of geo- technical and techno- economic parameters. Proposed layout will have less Levellised Tariff and overall cost as compared to other alternatives.		
14.	Vegetation of Area proposed for diversion			
	(i) Density	Area	Density	Category
		73.85	0.2	Open Forest
		107.600	0.6	Dense Forest
	(ii) Eco-Class Value	Class I		
	(iii) Species wise composition of vegetation of the area.	Tropical Moist Deciduous Forest		
15.	(i) Project affected trees (Number) FRL	Below 30 cm girth - 30010 Above 30 cm girth - 29468 Total Numbers of trees - 61554		
	(ii) Out of trees listed in 15 (i) above, trees required to be felled (Number) FRL -4	Below 30 cm girth - 30009 Above 30 cm girth - 27637 Total Numbers of trees - 57646		
16.	Any Rare/endangered/ threatened species found in the area, if yes mention species	Presence of wild animals like leopard, in the forest as well as in the revenue areas is not uncommon.		
17.	Details of Schedule-I species in the area, if any	Leopard		
18.	Compensatory Afforestation Details			
	(i) Whether C.A land is applicable?	Yes		
	(ii) Nature of land (DFL/NFL/Compensatory Trees)	NFL		
	(iii) Canopy Density of proposed C.A land.	0.5		
	(iv) No. of patches	01		
	(v) Area of each patch	245.735 Ha.		
	(vi) Distance of proposed CA land from forest area	Adjoining		

	(vi) Financial outlay for C. A.	Type of Work	Area (Ha.)	Amount
		CA Scheme	30.00	40699986
		Scheme of crop improvement Programme	215.7350	66778223
		Total	245.7350	107478209
	(vii) Whether C.A land is suitable, is free from encroachment and suitable from management point of view	Yes. The land is situated adjoining to the RF, is free from encroachment and suitable from management point of view.		
19.	Whether any Violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and related guidelines.	No		
20	Whether is observed any court case/judgment pertaining to the project proposal or related to diversion of forest land.	No		
21.	Cost Benefit Analysis			
	(i) Whether C.B Analysis is applicable (Yes/No)	Yes		
	(ii) C:B ratio	9.89:1		

Date: 02/07/2025

Place: Shahapur

Office Seal:



Dipesh Malhotra, IFS
Dy. Conservator of Forests
Shahapur Forest Division, Shahapur

F. No. 6-30/2019-WL
Government of India
Ministry of Environment, Forest and Climate Change
(Wildlife Division)

3rd Floor, Jal Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi 110003.

06 May, 2022

To

1. The Principal Secretary (Forests)

All States/UTs

2. The Chief Wild Life warden

All States/UTs

3. The PCCF, All States/UTs

Sub: Guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas - reg.

Sir/Madam,

Reference is invited to the subject mentioned above. This Ministry since has received complaints regarding consideration of Wild Life Clearance in protected areas. The matter has been examined in Wild Life Division of the Ministry. Accordingly, guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas have been revised.

2. In this context, I have been directed to enclose herewith revised guidelines for seeking recommendations of Standing Committee of National Board for Wild Life for activities in protected areas for ready reference.

3. This issues with the approval of the competent authority.

Yours faithfully,



Encl: as above

(Dr. Rajendra Kumar)

Scientist 'C'

Email: kumar.rajendra@gov.in

Copy to:

1. PPS to DFG&SS, MoEF&CC
2. PPS to ADG(WL), MoEF&CC
3. PPS to IGF(WL)/IGF(PE)/IGF(NTCA), MoEF&CC
4. PS to DIG(WL)/DIG(FC), MoEF&CC
5. Guard File

GUIDELINES FOR SEEKING RECOMMENDATIONS OF STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE

Areas of ecological, faunal, floral, geomorphological, natural or zoological significance and reserve forests are notified as Sanctuaries and National Parks for the purpose of protecting, propagating or developing wildlife or its environment. Such areas are extremely important for conservation of biodiversity and for ensuring the survival of its floral and faunal components, not only for the present but also for the future. However, the rising human population and growing demand for socio- economic development have placed tremendous stress on such areas. Since a balance has to be struck between development and conservation, any activity involving use or diversion of any part of a notified protected area should be permitted only under exceptional circumstances and after taking into account the likely impact of the activity on the protected area.

The Ministry has issued clarifications/guidelines from time to time for seeking recommendations of the National Board for Wild Life(NBWL)/Standing Committee of the National Board for Wild Life (SCNBWL). These guidelines are being issued in supersession of the earlier guidelines.

1.	ACTIVITIES INSIDE PROTECTED AREAS
	Consideration and recommendation of NBWL/SCNBWL is required in the following cases:
1.1	WILDLIFE SANCTUARIES: In view of the provisions of section 29 of WLPA , consultation with the State Board for Wild Life (SBWL) is required before permitting any activity mentioned in this section within a sanctuary. In view of the directions dated 9 th May 2002 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 337/1995 and order dated 5.10.2015 in W.P. (C) No. 202/1995, all such proposals also require recommendation of the SCNBWL.
1.2	NATIONAL PARKS: Section 35 (6) of WLPA mandates consultation with the NBWL for undertaking any activity mentioned therein within a National Park. In view of section 35(8), the proviso to section 33(a) is applicable in relation to a National Park as it applies in relation to a sanctuary.
1.3	OTHER PROVISIONS: Section 33 (a) of the WLPA provides for prior approval of the National Board for construction of commercial tourist lodges, hotels, zoos and safari parks inside a sanctuary. This proviso is also applicable on National Parks as per Section 35 (8) of the WLPA.
1.4	ACTIVITIES WITHIN TIGER RESERVES AND LINKING AREAS:

	The Protected Areas constituting a Tiger Reserve attract all the provisions applicable for National Parks or Sanctuaries. In addition, as per section 38-O (1) (g) of the Act, approval of NBWL and advice of the National Tiger Conservation Authority (NTCA) are required for activities within tiger reserves and in areas linking one Protected Area or tiger reserve with another Protected Area or tiger reserve for ecologically unsustainable uses, except in public interest.
1.5	ALTERATION OF BOUNDARIES: In view of sections 26A (3) and 35 (5) of WLPA, no alteration of the boundaries of a Sanctuary/National Park by the State Government can be made except on a recommendation of the NBWL/SCNBWL. Further, in view of section 38 W of the WLPA, no alteration in the boundaries of a Tiger Reserve can be made except on a recommendation of the NTCA and the approval of the NBWL.
1.6	ACTIVITIES INSIDE ECO-SENSITIVE ZONES: Notifications of Eco-Sensitive Zones (ESZ) specify the activities which are prohibited, regulated and promoted in the ESZ. Proposals for prohibited activities should not be forwarded for consideration of the SCNBWL. For taking up any activity within an ESZ, if notified, or within 10 km zone of the boundary of National Parks/Wildlife Sanctuaries, if ESZ has not been notified, prior approval of the NBWL/SCNBWL shall be required if the activity/project is listed in the schedule of the EIA Notification 2006 as amended from time to time.
1.7	ACTIVITIES REFERRED BY OTHER AGENCIES: There may be cases where chairperson of NBWL/SCNBWL or Hon'ble Supreme Court of India or any other statutory agency may desire examination of a proposal by the NBWL/SCNBWL. Such cases may be submitted by the State Government/UT Administration for consideration of NBWL/SCNBWL along with the recommendations of the SBWL.
2.	PROCEDURE TO BE FOLLOWED FOR CONSIDERATION OF PROPOSALS BY THE STANDING COMMITTEE OF NATIONAL BOARD FOR WILDLIFE: - The User Agency can submit the proposal online on PARIVESH portal of the Ministry as provided in the User Manual of Online Submission and Monitoring of Environmental, Forests and Wild Life Clearance – a Single Window Clearance System, uploaded on the website. http://www.moef.nic.in/division/orders-and-releases). No proposal submitted for consideration of the SCNBWL in physical form shall be entertained by the Ministry. - The user agency can also track the movement of the proposal through different stages of processing through the online clearance system. - The roles of various agencies involved in the process and actions required to be taken are provided in the manual. In case of difficulty, the details of concerned to be contacted have also been provided.

3.

TIME LINES TO BE FOLLOWED BY VARIOUS AGENCIES INVOLVED IN PROCESSING THE PROPOSALS

Following time lines will be adhered by all the officials responsible for the activities indicated

1	DFO/Wild Life Warden	i. Initial scrutiny in 5 days of receipt of the proposal
		ii. 15 days after receipt of complete proposal for site inspection, consultation with Conservator of Forests/Chief Conservator of Forests/Addl. Principal Chief Conservator of Forests and forwarding to the Chief Wild Life Warden
2	Chief Wild Life Warden	15 days from receipt of proposal for scrutiny and recommendation to the State Government for placing before the State Board for Wild Life.
3	Consultation with State Board for Wild Life and recommendation of State Government	The activity involves decision of the State Government, consultation with State Board for Wild Life and thereafter, recommendation of State Government to Ministry of Environment, Forest and Climate Change enclosing the copy of the minutes of the State Board for Wild Life. Therefore, this stage may take up to 45 days (one and half months) , as the State Board for Wild Life is chaired by Hon'ble Chief Minister
4	Ministry of Environment, Forest and Climate Change	i. Initial scrutiny in 10 days of receipt of the proposal
5	Consultation with Standing Committee of National Board for Wild Life	ii. In the upcoming Meeting of Standing Committee of National Board for Wild Life which are ordinarily convened once in 3 months .

4.

PROPOSALS FOR SURVEY WORK TO BE CARRIED OUT INSIDE NATIONAL PARKS AND WILDLIFE SANCTUARIES:

	State Governments/Union Territory Administrations may consider prescribing Rules under section 28 of the WLPA for application and safeguards to be followed for grant of permission to enter Protected Areas for survey investigation if no physical disturbance in the PA is contemplated. In view of section 35(8) of the Act, the provisions of section 28 apply in relation to a National Park as they apply in relation to a sanctuary. It may also be noted that when invasive activities (such as destruction, exploitation, removal etc from PA) are involved, the permit for survey and investigation can be issued only after consideration by the SCNBWL. In case any kind of survey work and/or Environment Impact Assessment (EIA) studies are to be taken up in areas involving a Protected Area, and are covered under section 29 or 35(6) of WLPA, then also the entire procedure, as prescribed in paragraph 3 above would need to be followed.
5.	MANDATORY SUBMISSION OF ANIMAL PASSAGE PLANS A guidance document, namely, 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.
6.	COST OF MITIGATION MEASURES: A guidance document titled 'Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wild Life' has been prepared by the Ministry. The document prescribes measures, both structural and non-structural, to be adopted while designing linear infrastructure projects through wildlife habitats. Whenever a linear infrastructure project is planned through a wildlife habitat, an animal passage plan shall be prepared by the user agency in consultation with the Chief Wild Life Warden for submission along with the project proposal.
7.	MANAGEMENT PLANS FOR AREAS UNDER TRANSMISSION LINES: Proposals for transmission lines shall be accompanied with a management plan for the area below the transmission line. The management plan should prescribe the species to be planted and maintained below the transmission line, periodicity of maintenance etc.
8.	BIO-DIVERSITY IMPACT ASSESSMENT REPORT Proposals for use of an area exceeding 50 ha within a sanctuary/national park shall be accompanied with a bio-diversity impact assessment study report and it suggested mitigation measures prepared by an agency accredited by the Government of India.

9.

MINING PROPOSALS:

In view of the direction of the Hon'ble Supreme Court of India in its order dated 04.08.2006 in I.A. 1000 in W.P. 202/95, no proposal for mining in a sanctuary/National Park or within one km from the boundary of a sanctuary/ National Park should be forwarded to the Ministry for consideration of the SCNBWL.

10

Use of innovative Technology in mitigation of impacts- State/UT Government shall endeavour to encourage the user agency for use of innovative technology and modern scientific tools while prescribing mitigation measures and monitoring the impacts due to developmental activities in wildlife habitats for seeking recommendations of SCNBWL.
