

		not be taken up before 19.02.2024. Further, it is humbly submitted that no major delay was perform in any manner in respect of State Govt. As such, the observation raised at Sr. no. (iv) be waived off in the Interest of Govt. of H.P.
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- ix. The Committee was also informed that all compensatory levies have been realized from the User Agency and the same has been deposited into the account of National, CAMPA.
- x. During the discussion in the meeting, the State Nodal Officer has also requested to extend the validity of the 'in-principle' approval for further 2 year period from the validity of last extension i.e. 19.02.2024 to 18.02.2026.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and Nodal Officer, Government of Himachal Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Himachal Pradesh, the Committee recommended modifications in the 'In-principle' approval granted dated 20.2.2015 in favour of M/s HPPCL for non-forestry use of 909 ha. (Original proposed 901.00 ha.) of forest land for Construction of Renukaji Dam Project in Sirmour District in the State of Himachal Pradesh as under:-
- a. The validity of the 'in-principle' approval shall be extended for further 2 year period from the validity of last extension i.e. 20.02.2024 to 19.02.2026.
 - b. Condition No. xxvi (f) of Stage- I approval pertaining to construction of Fish ladders in Renuka Dam and Dadahu Barrage shall be read as 'The State Government shall construct fish hatcheries on upstream and downstream of the dam'.
 - c. The Compensatory Afforestation shall be carried out on degraded forest land double the extent of forest land diverted proposed across the State. Approved CA schemes for patches not provided till date, may be submitted.

Agenda No. 8

Proposal No. FP/JH/ENCRH/42933/2019

Subject: Proposal seeking Ex-post fact approval under Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 1.66 Ha jungle-jhari land for construction of Sponge Iron Plant by M/s Shri Balaji Industrial Engineering Limited at Badajamda Village, Chaibasa Forest Division under Chaibasa District of Jharkhand State (Online No. FP/JH/ENCRH/42933/2019) - regarding.

1. The above stated agenda item was considered by the Advisory Committee in its meeting held on 16.04.2025. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Jharkhand vide their letter No Van-Bhumi-21/2022-3884 dated 01.10.2024 forwarded a fresh diversion proposal to obtain prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, on the above to the Regional Office, Ranchi.
 - ii. The Nodal Officer, Govt. of Jharkhand informed that the present proposal is for ex-post facto approval for diversion of 1.66 Ha of GMJJ forest land/Revenue forest land under jurisdiction of Revenue Department of State Govt. of Jharkhand. The 1.66 Ha forest land under question is part of 6.73 Ha premises of M/s Shri Balaji Industrial Engineering Limited, a sponge Iron making industrial unit conceived as Sri Balaji Industrial Products Ltd in 2004 with a total installed capacity of 0.12 MTPA. The unit is located at Bara Jamda village in Paschim Singhbhoom, Jharkhand.
 - iii. The State Govt. has informed that for establishment of this industrial unit around 10 acres of land was purchased from private landholders in 2004-05 and additional 19.41 acre adjacent revenue land was requested from state government in 2005 out of which 6.48 acres revenue land was identified for allotment vide Deputy Commissioner, Paschim Singhbhoom's letter dated 09.03.2006 against a sum of Rs.37,26,163/-.
 - iv. Upon deposition of the required amount, the Deputy Commissioner, Paschimi Singhbhoom allotted 2.48 acres of desired revenue land out of total 6.48 acres vide its letter dated 23.08.2007 to the company. Rest 4 acres of the Revenue land under consideration was of Jungle Jhari land type for which DC vide its letter dated 12.07.2007 requested DFO Chaibasa to provide for no objection certificate from competent authority so that formal allotment for this remaining land could also be issued to the company. Subsequently, on guidance/directions from DFO, the user agency applied for diversion of this 4 acres i.e., 1.66 Ha Revenue forest (GMJJ land) in accordance to the provisions of Forest (conservation) Act, 1980 on 16.08.2007.
 - v. EDS to this application was issued by DFO vide its letter dated 21.08.2007 which apart from other short comings of application, also highlighted the inadequacy of Non-forest land identified for

- compensatory afforestation in Giridih district. While the processing of diversion application was moving back & forth, the company continued its construction operation work on its land including Revenue forest land in anticipation of NOC from Forest department as corresponding amount was already paid by them to Revenue department.
- vi. Meanwhile, as Iron & Steel industry was one of the worst victims of Global financial crisis of 2008, this unit came on the verge of closure and hence was demerged as Balaji Industrial Engg. Ltd since 06.2.2008 from other unit of the parent company to keep the latter immune of the underperformance of earlier.
 - vii. Later, this industrial plant revived as Sri Balaji Industrial Engineering Ltd and therefore the project proponent started to pursue the application of 1.66 Ha forest land diversion afresh owing to the changed firm name.
 - viii. By this time, online application through PARIVESH portal was only option for forest diversion application, therefore user agency applied online for contextual ex-post facto diversion in 2019 which was accepted by nodal officer in 2022 after completion of FRA related process.
 - ix. The applied area is part of Sri Balaji Industrial Engg Ltd premises that is a sponge Iron making unit with an installed capacity of 12 MTPA in Barajamda village (near Odisha border) of Paschimi Singhbhum situated around 60 kms from district headquarter Chaibasa town. The industrial unit is operating from a premises of 6.73 Ha area which includes 1.66 Ha of forest land under jurisdiction of Revenue department of Jharkhand. Rest 5.07 Ha is non forest land. An existing railway track to Chaibasa passes adjacent to Southern boundary of the premises.
 - x. Canopy density of the proposed area is reported as 0.1. No trees felling involved in the project.
 - xi. It has been further apprised by the Nodal Officer, Govt. of Jharkhand that the proposed forest land of 1.66 Ha solicited for ex-post facto approval is Jungle – Jhari land under the jurisdiction of state Revenue Department. The Forest Department of the state neither manages for administrative point of view such land nor does exercise any jurisdiction over such revenue forest lands nor does maintain any record for such lands. Since the applied land is already part of the industrial unit premises and under use for the purpose, it is practically vegetation less and is not of significant vulnerability for erosion.
 - xii. The State Govt. reported that the entire area of Chaibasa Forest Division comes under Elephant Reserve of Singhbhum. Therefore in spite of the fact that ex-post facto approval of walled land may not directly hinder the wildlife habitation/movement, such approval must contribute to augment the conservation measures in surrounding/nearby forest areas. There are no protected

- archaeological/heritage/culturally rich or strategically important site located in the proposed area.
- xiii. As the application is for ex-post facto approval, therefore the non-forestry work on forest land already has happened. This amounts to violation of forest laws/regulations. The Nodal Officer, Govt. of Jharkhand further apprised that in consonance to the demand note issued by the concerned revenue authorities vide letter dated 09.03.2006, the user agency deposited the required amount and thereafter only they started work on land under consideration in anticipation of all the requisites done. Therefore, the year 2006 may be considered the year since violation is continued. Since forest department has no jurisdiction on this forest land, they only played a facilitator role for getting the approval done under the Van Adhinyam 1980 as per the request made by revenue department vide its letter dated 12.07.2007. The State further submitted that neither Revenue authorities nor forest authorities of State government have issued any order to user agency to do non-forestry work on this 1.66 Ha GMJJ land. Therefore, no authority from the state has been involved in violation of Van Adhinyam, 1980 in present proposal. The user agency in their representation to the State Forest Department requested that this violation was result of an un-intentional folly and the company is committed to correct it by way of this application for ex-post facto approval and the extant application soliciting ex-post facto approval was not arisen out of any compulsion like environmental clearance etc.
- xiv. The DDGF(C), RO, Ranchi apprised the committee that the land under application is already within the walled premises of the industrial plant and hence already under use. Therefore, the proposal is site specific. The applied 1.66 Ha GMJJ land is part of 6.73 Ha plant premises and is presently under complementary use for the plant. Some part of the applied area is under shade where coal-carrying trucks were standing at the time of inspection. Few areas were also seen being used for ore dump/storage. Few structures were also seen built on the applied land. User agency informed them as transfer house, godown, ramp etc. The detailed land use of plant in forest and non-forest land both is as under;

Land use Break-up				
S.No	Land use	Ha	JJ Land (Ha)	Non-forest land (Ha)
1	Coal shed	0.263	0.144	0.119
2	Coal dump	0.081	0.056	0.025
3	Control room and Kline	0.654	0.065	0.589
4	Ore dump	0.615	0.246	0.369
5	Product shed, PH and	0.198	0.012	0.186

	BIN			
6	Bunker, Ramp and Screen	0.114	0.073	0.041
7	Transfer house and Hopper	0.056	0.023	0.033
8	Godown	0.021	0.011	0.01
9	Coal crusher and Ground Bunker	0.099	0.00	0.099
10	Chimney and ESP	0.060	0.00	0.06
11	Water tank	0.075	0.00	0.075
12	Back filter and Gas plant	0.010	0.004	0.006
13	Washing plant and filter press	0.131	0.00	0.131
14	Houses and Workshop	0.063	0.00	0.063
15	Quarter	0.044	0.00	0.044
16	Sponge shed	0.033	0.00	0.033
17	Office, weigh bridge and security room	0.045	0.009	0.036
18	Oil tank	0.005	0.00	0.005
19	Charcoal dump	0.021	0.00	0.021
20	Existing road within total area boundary	0.066	0.00	0.066
21	Area left for plantation	4.076	1.017	3.059
	Total	6.730	1.660	5.070

- xv. The Nodal Officer, Govt. of Jharkhand informed that the State Govt. recommended to regularize the proposed area with a view to obtain the Non-forest land for CA which shall be twice in extent to the forest land being diverted through instant proposal. Hence, the Compensatory afforestation proposed over 3.70 ha non-forest land at village-Semarkodi and Karmatand and the DFO, Girdiah given suitability certificate for carrying out plantation work.
- xvi. It has been further informed that the Site Specific Wildlife Management plan under the supervision of State Forest Department shall be implemented and the user agency is agreed to bear such cost.

- xvii. The committee noted that the DDGF (C), Regional Office, Ranchi has not submitted their clear recommendation on the proposal and further observed that most of activities under use in the forest land are non-site specific in nature. Further, the area is within the Singhbhum Elephant reserve. The use of forest land for such non-site specific activities in violation of all norms is not justifiable.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Jharkhand, the Committee observed that the illegal use of forest land for proposed non-site specific activities in violation of all norms is not justifiable and therefore the committee recommended to '**reject**' the proposal for non-forestry use of 1.66 Ha jungle-jhari land for construction of Sponge Iron Plant by M/s Shri Balaji Industrial Engineering Limited at Badajamda Village, Chaibasa Forest Division under Chaibasa District of Jharkhand State.

Agenda No. 9

F. No. 8-56/2009-FCpt

Sub: Diversion of 1026.438 ha of forest land for coal mining Pakribarwadih Project in favour of M/s NTPC Ltd. in Hazaribag West Forest Division in Hazaribag District of Jharkhand - regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee in its meeting held on 16.04.2025. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Ranchi were present in the meeting. Nodal Officer, Government of Jharkhand was not present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. While deliberating on the proposal, Advisory Committee observed that:
 - i. The above cited proposal was accorded Stage-I approval vide Ministry's letter dated 11.05.2010 and Stage-II/ final approval vide letter dated 17.09.2010, subject to fulfilment of conditions prescribed therein.
 - ii. User Agency i.e. M/s NTPC vide their representation dated 09.10.2018 and 18.01.2022 requested for amendment in condition no. 8 of Stage-II/ final approval dated 17.09.2010 and condition no. 7 of Stage-I approval dated 11.05.2010 which states that "*The user agency will take up programme for at least 50 m green belt along the sides of the Pakwa nallah and Dumhani nallah from the initial years under the supervision of the state forest department*"