

**MINUTES OF THE MEETING OF FOREST ADVISORY COMMITTEE HELD
ON 19th December, 2018**

Agenda No. 1

F. No. 8-46/2018-FC

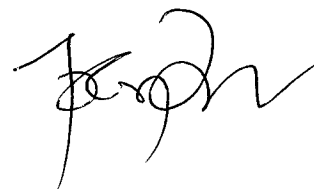
Sub: The proposal for diversion of 345.189 ha forest land including 6.919 ha safety zone within total mininig lease area of 366.311ha Khandbandh Iron Ore Mines of M/s Odisha Mining Corporation (OMC) Ltd. in Keonjhar district, Odisha.

The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in.

Decisions of FAC

The FAC after thorough deliberations and discussions, **recommended** for grant of in-principle approval for the diversion of of 345.189 ha forest land including 6.919 ha safety zone within total mininig lease area of 366.311ha Khandbandh Iron Ore Mines of M/s OMC Ltd. in Keonjhar district, Odisha with general, standard and following Specific conditions:

1. User Agency shall pay penal NPV.
2. User Agency shall pay CA for entire area.
3. User Agency shall submit approved Wildlife Management Plan.



Agenda No. 2

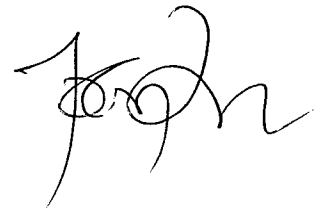
F. No. 8-49/2017-FC

Sub: Proposal for according permission for use of 4.62ha. of forest land within total Mining lease area of 192.81ha. in Roida-C Iron and Manganese Mining lease located entirely inside Sidhamath RF of Keonjhar Forest Division in Keonjhar district for undertaking exploratory drilling of 83 no. of boreholes of 4" dia (83 boreholes @ 0.02ha each totalling 1.66ha and 2.96 ha for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals

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Decisions of FAC

The FAC after thorough deliberations and discussions recommended for grant of in-principle approval for the diversion of 4.62ha of forest land within total Mining lease area of 192.81ha in Roida-C Iron and Manganese Mining lease located entirely inside Sidhamath RF in Keonjhar district for undertaking exploratory drilling of 83 no. of boreholes of 4" dia (83 boreholes @ 0.02ha each totalling 1.66ha and 2.96 ha. for construction of road) by M/s Odisha Mining Corporation Ltd. for prospecting of minerals. The NPV and cost towards planting trees shall be levied from the user agency as per the new Guidelines of the Ministry due for issuance. *(The Ministry has now issued new guidelines no. 5-3/2007-FC, dt. 24.12.2018.)*

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Agenda No. 3

F. No.8-70/2018-FC

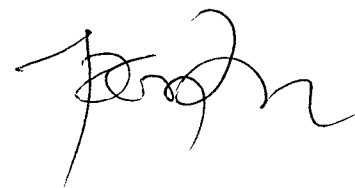
Sub: Diversion of 40.5084 ha. of forest land in favour of ADM- cum- Dy. DIR ADMN c/o ADM Office Bilaspur for the construction of proposed AIIMS at Kothipura, within the jurisdiction of Bilaspur Forest Division, District Bilaspur, State of Himachal Pradesh (Online Proposal No. FP/HP/DISP/35397/2018)-regarding

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Decisions of FAC

The FAC after thorough deliberations and discussions **decided to defer the proposal** till the following information are obtained.

- i. Although KML file for whole project area (including forest and non-forest area) has been provided, the forest area has not been demarcated within that. The same should be furnished.
- ii. The justification for use of such a huge area for the project.
- iii. The justification for use of forest land for dumping sites.
- iv. A technical person/official conversant with the lay out of the plan and specifications in the proposal may attend the FAC meeting when this proposal will be placed again.



Agenda No. 4

F.No.8-75/2018-FC

Sub: Diversion of 140.917 ha. of forest land in Kamalapura and Ingalgi village Sy No.s in Bilikallu West reserved Forest, Hospet Taluk, Ballari District for establishment of Zoological Park in favour of the Executive Director & Dy Conservator Forests, Shri Atal Bhihaari Vajapyee Zoological Park, Kamalapura, Karnataka.

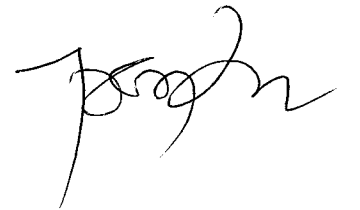
The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in.

Decisions of FAC

The FAC during the deliberations noted that there has been no direction from the Hon'ble court for withhold or discontinue any work of the zoo. It also noted that, the activities that have been taken up so far before formal approval under FCA was obtained, are basically forestry components. Hence do not come under the purview of violation.

After thorough deliberations and discussions with APCCF (Regional Office, Bengaluru), Nodal Officer (FCA) of state on VC and User agency, **recommended for grant of in-principle approval** for the diversion of 140.917 ha. of forest land in Kamalapura and Ingalgi village Sy No.s in Bilikallu West Reserved Forest, Hospet Taluk, Ballari District for establishment of Zoological Park in favour of the Executive Director & Dy Conservator Forests, Shri Atal Bhihaari Vajapyee Zoological Park, Kamalapura, Karnataka with general, standard and following Specific conditions:

- i. NPV for 15% of the total area proposed to be diverted shall be paid by the UA.
- ii. Non-forest land equal to 15% of the total area (A zoo involves both forestry activities such as ex-situ conservation, rescue center, breeding of endangered species, nature education and non-forestry activities such as cafeteria, parking. Therefore, it has been decided that for the purpose of diversion 15% of the activities will be considered as non-forestry activities) shall be identified to be mutated in the name of State Forest Department and be transferred accordingly. The same land is to be notified as RF/PF within six months of issue of stage-II clearance.
- iii. The UA shall deposit cost of CA over the CA land to be transferred to Forest department.
- iv. The land under the existing zoo, after its shifting to the new site, shall be handed over to the forest department.



Agenda No. 5

F.No.8-36/2018-FC

Sub: Proposal for diversion of 841.538 hectares of forest land for non-forest purpose under Forest Conservation Act. 1980 for the proposed Parsa Open Cast Mine (SMTPA) in favour of M/s. Rajasthan Rajya Vidyut Utpadan Nigam Limited (RRVUNL), in Surguja and Surajpur Districts in the State of Chhattisgarh.


The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in.

Decisions of FAC

FAC discussed the proposal thoroughly with with APCCF (Regional Office, Nagpur), Nodal Officer (FCA) of state and User agency. During deliberations, FAC noted that the Additional Solicitor General of India (ASG) has tendered his opinion, that there is no legal restriction for FAC to consider the instant proposal. FAC also noted that lot of time has elapsed since the proposal was first considered in the Ministry and also there been certain directions of Hon'ble NGT and Hon'ble upreme Court, observations of Minister, EF&CC on the matter which needs to be given due regard before taking a final view on the proposal.

Accordingly, FAC **formed the following sub-committee to make a site inspection**, examine the relevant issues and submit its report so that the matter can be placed before FAC again for a final decision.

- i. Shri Kanwaljeet Singh, APCCF, Regional Office, MoEF&CC, Nagpur
- ii. Shri S.S. Bajaj, Nodal Officer (FCA), Govt. of Chhatishgarh
- iii. Shri Deepak Mohanty, Member, FAC



Agenda No. 6

F. No. 8-53/2018-FC

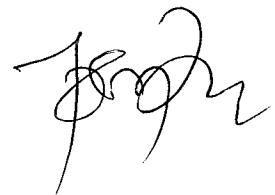
Sub: Diversion of 523.046 ha of forest land for construction of Lower Kopili Hydro Electric Project by Assam Power Generation Corporation Ltd. (APGCL) under Dima Hasao West Division, Haflong and Hantren Division, Assam.

The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in,

Decisions of FAC

The FAC examined the SIR submitted by Regional Office. After thorough deliberations and discussions with the APCCF, Regional Office (on VC), State Government and the UA, **recommended** to grant in-principle approval for the diversion of of 523.046 ha of forest land in favour of the User agency, for the aforesaid proposal, with general, standard and following Specific conditions:

- i. Since muck disposal has not been permitted within the proposed diverted forest area, 22 ha forest land shall be added to the already identified Green Belt within the proposed forest area for diversion. All other items will remain same as submitted earlier.
- ii. User agency may modify the DPR accordingly and a copy be submitted to the Regional Office, MoEF&CC.
- iii. Landuse Plan and landuse map to be submitted by the user agency.



Agenda No. 7

F. No. 8-61/1991-FC

Sub. Diversion of 30.760 ha forest land for construction of Nirandpur Tank in Sagar District, Madhya Pradesh State— regarding.

The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in

Decisions of FAC

During deliberations and discussion with APCCF (Regional Office), Nodal Officer (FCA) of MP and User agency, FAC noted the concerns raised by the State Government, that more than 90% of work was completed, when further work was kept under abeyance. It was also noted that there are some errors in issuance of the in-principle approval in January 2018. Accordingly, FAC **recommended that the order of abeyance be withdrawn and the in-principle approval issued be modified/revoked.** Observing that the final approval was issued prior to levying of NPV came into force, FAC further recommended that no NPV be charged from the User agency.



Agenda No. 8

F.No. 8-79/2007-FC

Sub: Diversion of 1016 ha of forest land in favor of Executive Engineer, Somasila Project Division –IV Atmaku for Foreshore Submersion & Excavation of canals under SOMASILA Project in Proddatur, Kadapa, Rajampet & Nellore Divisions in Nellore District in the State of Andhra Pradesh – regarding.

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Decisions of FAC

The proposal is an old one and was received offline. Even though it was time-barred, considering the justification by the State Government, FAC decided to consider this.

FAC noted the submission of the state Government that the project had commenced prior to 1980. Later in the yaer 1996-97 Pensula Narasimha Wildlife Sanctuary was declared, which included the project area. After thorough deliberations and discussions with the APCCF (Regional Office), Nodal Officer (FCA) of AP and User agency, FAC recommended for grant of in-principle approval for the diversion of of 1016 ha of forest land in favor of the user agency, with general, standard and following Specific conditions:

- i. The user Agency shall provide evidence of commencement of project work before 1980, without which the work shall be treated as violation under FC Act and the State Government shall levy penal NPV as per norms.
- ii. NPV of five times shall be levied from user agency for the project area falling within the Sanctuary.



Agenda No. 9

File No. 11-438/2015-FC (Pt.)

Sub: Sand Mining by the Mechanical Handling/Mechanical Mining (JCB, Shuval Excavator etc.) for construction of Link Canal from Tanakpur Dam between India - Nepal Border by NHPC.

The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in

Decisions of FAC

FAC noted that the MoEF&CC had issued the final approval for collection of minor minerals from 384.69 ha. of forest land located in river bed of Sharda river in Champawat district of Uttarakhand, vide this Ministry's letter F. No. 8-61/1999-FC (Pt.III) dated 11.02.2013 with certain conditions including the condition that "*Minor mineral shall be collected by manually by using hand tools. Use of explosive and heavy machineries for breaking collection of minor mineral shall be strictly prohibited*". It was also apprised that, the above decision is supported by the report of a sub Committee constituted by FAC under the Chairmanship of Prof. N.P. Todaria, which had conducted a site inspection on 28.09.2013, in this regard.

The FAC after thorough deliberations and discussions **decided not to recommend** the requested by the user agency for use of mechanical means for collection of minor mineral y the NHPC which not a User Agency.



ADDITIONAL AGENDA - 1

F. No. 8-74/2018-FC

Sub: Diversion of 93.58 ha of Revenue forest land in Amgaon OC Mine in favour of SECL in District Surajpur, Chhattisgarh.

The above stated agenda item was considered by FAC in its meeting on 19.12.2018. The corresponding agenda note may be seen at parivesh.nic.in

Decisions of FAC

The FAC observed from the satellite imagery that some polygons out of the total area proposed for diversion appears to have been under some non-forestry use. Moreover, due to paucity of time all the facts associated with the proposal have not been thoroughly analysed. Accordingly, it decided that there should be a Site inspection and the report of the same be submitted to Ministry before it is placed in a FAC meeting.



ADDITIONAL AGENDA - 1


F. No. 8-74/2018-FC

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Decisions of FAC

The FAC observed from the satellite imagery that some polygons out of the total area proposed for diversion appears to have been under some non-forestry use. Moreover, due to paucity of time all the facts associated with the proposal have not been thoroughly analysed. Accordingly, it decided that there should be a Site inspection and the report of the same be submitted to Ministry before it is placed in a FAC meeting.


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

Confirmed through email
(Deepak Mohanty)
Member

Not present
(S.D. Vora)
Member

Confirmed through email
(Sanjay Deshmukh)
Member

Not present
Additional Commissioner, (Soil Conservation)
Ministry of Agriculture
Member

Confirmed through email
(Saibal Dasgupta)
Addl. DG (FC)
Member


(Siddhanta Das)
DGF & SS
Chairperson