

**(PARIVESH 1.0)****Minutes of the Meeting of the Advisory Committee (AC) meeting held on  
27.01.2025****Agenda No. 1****File No: 8-123/2003-FCVol.**

**Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for renewal of mining lease over 80.77 ha forest land for Durgapur Open Cast Mine Project by M/s Western Coalfields Limited in compartment No 400 and 401 of Chandrapur Forest Division, Chandrapur District of Maharashtra State (Online No. FP/MH/MIN/6704/2014)– regarding.**

1. The agenda item was considered by the AC in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra 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. 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 Maharashtra vide their letter No. FLD-2019/CR-310/F-10 dated 19.06.2024 forwarded a proposal on the above subject to obtain prior approval of the Central Government, in terms of the under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - ii. The total mine lease of Durgapur Opencast Project is 1597.50 ha excluding 25.00 Ha for rehabilitation purpose. The proposed 80.77 ha forest land was acquired vide CBA (A&D) Act 1957 Notification vide SO No.450E, dated 04.08.1979.
  - iii. The forest land of 80.77 ha of Durgapur Opencast mine had received Stage II approval vide Ministry letter No.8-123/2003-FC dated 08.11.2005 for the period of 8 years. The 80.77 ha land has been handed over for mining activities to Western Coalfields Limited on 25.08.2006 and the FC was valid up to 07.11.2013. The Western Coalfields submitted proposal for renewal of forest approval on 01.01.2013. Thereafter, regular correspondence between State Forest Department and WCL has happened to resolve shortcomings of the proposal. Revised Project Report of Durgapur Extn. (Deep) Opencast Project was approved by the WCL. Board on 21.02.2017. Proposal was recommended by the Nodal Officer, Government of Maharashtra vide letter dated 23.08.2019. Renewal of forest approval was recommended by the Government of Maharashtra vide letter FLD-2019/CR-310/F-10 dated 19.06.2024.

- iv. The Project was accorded environmental clearance for 3.00 MTPA in a Mine lease area of 1622.50 ha by MoEF&CC vide letter no. J-11015/381/2015-IA-II(M) dated 10.11.2017. The coal reserve in 80.77 Ha is 15.19 MT. Out of this, only 7.19 MT coal had been mined out during forest clearance period of 2005-2013 and, 8.00 MT coal reserve is still available in the benches of remaining forest land. This reserve could not be extracted because vertical mining cannot be done. Now, WCL have a forest clearance proposal of 121.58 Ha which is adjacent to this 80.77 Ha. Hence, for the extraction of balance coal reserve, the user agency need extension of time period by renewing the Forest Clearance. Presently mining is going on in Sector V which is a non-forest land.
- v. The proposed forest land for renewal is having canopy density of 0.1 and Eco-class 3 wherein 93 number of trees of different species and girt size have been earmarked for felling in the 80.77 ha Reserved forest land.
- vi. The committee noted that the Canopy density of the proposed forest land for renewal of lease does not corresponds to the vegetation cover as visible through satellite imagery in the proposed land. In this regard, the Nodal officer, Govt. of Maharashtra apprised that the proposed 80.77 ha forest land was jointly inspected by the DFO, Chandrapur and the CCF, Chandrapur respectively for the Wildlife Clearance of 80.77 ha and due to the natural growth of bushes around this area green vegetation cover is visible in the satellite imagery.
- vii. The Government of Maharashtra has submitted the total area of the project is 1597.50 ha which is inclusive of 379.35 ha forest land. It is to inform that, all of this 379.35 ha has proper approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and as per the order of Revenue and Forest Department, Maharashtra State. The forest land within the lease were acquired under CBA(A&D) Act, 1957 and the acquisition of land was carried out in the years 1979 & 2010 and due to the progressive and site specific nature, the forest clearance were obtained by the user agency as per the requirement of mining plan. The details of approvals under the Adhiniyam, 1980 are as under;

S. No.	Approval letter No & Date	Validity	Land Surrendered & Reclaimed	Area in Ha
1	FLD/3679/1453 F-3 dated 23.05.1980	Nil	Land being utilized for mining purpose i.e. Backfilling and temporary infrastructure	40.46
2	8-123/2003-FC dated 08.11.2005	8 Years	Mined out. Renewal of FC under progress	80.77
3	8-84/2014-FC dated 22.12.2021	Co-terminus with Mining Lease	Mining to be carried out	121.58

4	8-35/2001-FC (Vol-I) dated 19.09.2006	20 Years	36 Ha Surrendered to State Forest Dept.	172.54 (Reduced to 136.54)
			<b>Total</b>	<b>379.35</b>

- viii. The Nodal officer, Govt. of Maharashtra also informed that 80.77 ha forest land is required for mining operation extraction of coal and as per updated mining plan the proposed 80.77 ha forest land will not be used for dumping of overburden removed from the 121.58 ha Forest land. The coal produced from this project is being directly supply to the Chandrapur Super Thermal Power Station (MAHAGENCO) which is a Government of Maharashtra Company. Further, informed that the Coal Reserve is site-specific and after the excavation of the coal, the extracted area will be backfilled for reclamation. The coal reserve beneath the 46.10 Ha is to be excavated and the remaining 34.67 Ha is to be reclaimed as per mining plan. The entire 80.77 ha will be used for mining activities such as Coal Extraction, Excavation of OB, Backfilling and Reclamation. Hence, the activities proposed in the 80.77 Ha are considered as Site Specific by the State Government.
- ix. The committee noted that the 40.46 ha area was already handed over by the Govt. of Maharashtra vide order No FLD/3679/1453-F3 dated 23.05.1980. In this regard, the Nodal officer submitted that the 40.46 ha reserved forest land is located in Compartment No. 401 of Chandrapur Forest Division. Legal status of the forest land is still maintained as forest land till today. The user agency has submitted the order of the Government of Revenue and Forest Department, Maharashtra State dated 23.05.1980 however, the validity of approval is not given. It is also to mention here that the said 40.46 Ha forest land is handed over prior to enactment of FC Act, 1980.
- x. The State Govt. has informed that an area measuring 162.00 ha. Protected Forest of Paili Bhatadi village bearing Survey No. 98, Chandrapur Range was used for Compensatory Afforestation plantation. Plantation carried out in the years 2005-06 and 2006-07. The survival rate of the plantation is more than 30%.
- xi. The DDGF (C), Regional Office, Nagpur also apprised the committee that the 80.77 Ha forest land was already diverted vide Ministry letter no. 8-123/2003-FC dated 08.11.2005 for the period of 8 years. Presently, renewal of forest clearance is required for expansion of mine. The 80.77 Ha Forest Land was acquired u/s 9(i) of Coal Bearing Areas (Acquisition & Development) Act 1957 vide SO No.450E, dated 04.08.1979. The renewal of this mining area is required for gaining access to another mining lease area for which Stage-II approval has already been obtained by the User Agency on 22/12/2021 for an area of 121.58 ha.
- xii. The CWLW, Govt. of Maharashtra has given comments vide letter dated 14.02.2024 wherein it has been mentioned that the recommendation of SBWL and NBWL is necessary for diversion of 80.77 ha forest land.

- xiii. The Nodal Officer, Govt. of Maharashtra informed that the User Agency has submitted Wildlife Clearance proposal as directed by PCCF (Wildlife), Government of Maharashtra and the proposal was discussed in SBWL meeting held on 12.08.2024 and same is recommended. It has further informed that this project is not falling in Eco-sensitive Zone and Buffer Zone of Tadoba - Andhari Tiger Reserve. Further, the area was already broken up during the previous forest approval which valid from 08.11.2005 to 07.11.2013. Eco-sensitive Zone is not affected due to this diversion. However, the proposed forest land 80.77 ha. in Comptt. No. 400 & 401 is falling in the tiger corridor.
  - xiv. The committee noted that as per the DSS analysis, the proposed forest land for renewal of mining lease over 80.77 ha for Durgapur Open Cast Mine Project is located at a distance of 1.89 Km from the Tadoba-Indravati Tiger Reserve. Further, the proposed forest land is located at a distance of 5.68 Km from the Tadoba-Indravati Tiger Corridor.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, the Committee '**deferred**' the proposal for renewal of mining lease over 80.77 ha forest land for Durgapur Open Cast Mine Project by M/s Western Coalfields Limited in compartment No 400 and 401 of Chandrapur Forest Division, Chandrapur District of Maharashtra State for want of following information:
- i. The proposed forest land for renewal of mining lease over 80.77 ha for Durgapur Open Cast Mine Project is located at a distance of 1.89 Km from the Tadoba-Indravati Tiger Reserve. Further, the proposed forest land is located at a distance of 5.68 Km from the Tadoba-Indravati Tiger Corridor. Therefore, the State/Ministry shall obtain the comments/ recommendation on the present proposal from the NTCA.

## Agenda No. 2

**File No: FC-II/MH-165/2021-NGP**

**Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 12.07 forest land for Sakhari-Irawati (Pouni III) Opencast Mine Project in Reserve Forest Compartment No. R-603 in favour of M/s Western Coalfields Limited in Chandrapur District of Maharashtra State (Online No. FP/MH/MIN/8832/2014) - regarding.**

1. The agenda item was considered by the AC in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra 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. 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 Maharashtra vide letter no. FLD-3616/CR-01/F-10 dated 10.06.2021 submitted the proposal seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to the Regional Office, Nagpur. Thereafter the instant proposal has been forwarded by Regional Office, Nagpur to the Ministry for further needful as per the delegation of power under Rule 10 sub rule (2) of Van (Sanrakshan Evam Samvardhan) Rules 2023.
  - ii. The proposal involves the diversion of 12.07 ha Reserved forest land for extraction of Coal in Pouni-III Opencast Mine Project of M/s WCL Chandrapur District of Maharashtra State.
  - iii. The proposed forest land for diversion is having canopy density of 0.4 and Eco-class 3 and no tree felling is involved in the proposed diversion area.
  - iv. It has been observed that 12.07 ha land in Survey No. 440/1 of Sakhri village was made available by the Revenue Department for compensatory afforestation in lieu of affected forest area for Dongargaon tank project and the said 12.07 ha land was notified as Reserve forest vide Govt. of Maharashtra Gazette Notification dated 29.01.2014. This 12.07 ha land was proposed as Reserved Forest (U/s 4 of IFA, 1927). Notification u/s 20 is awaited.
  - v. The Nodal officer, Govt. of Maharashtra apprised the Committee that instant proposal is part of capacity expansion of existing Pouni III Opencast Mine Project where mining operation over non-forest land are ongoing. The total lease area is 1152.66 ha, out of which 1140.59 ha is non-forest and remaining 12.07 ha is Forest Land. It has been further informed that forest land is proposed for quarry only and other activities are proposed outside the forest area. The summary of components of project is as follow:

Component	Area
Quarry:	295.35 Ha (incl. 12.07 ha of forest land)
External OB:	308.90 Ha
Infrastructure:	10.00 Ha
Rationalisation:	336.41 Ha
Blasting Zone:	200 Ha
Colony Land (Hostel):	2.00 Ha
<b>Total Land:</b>	<b>1152.66 ha</b>

- vi. The total area requirement of project is 1152.66 Ha. Out of which 1050.99 Ha is agriculture land, 89.60 Ha is Govt. land and 12.07 Ha is forest land. a Mining Plan by excluding the Forest Land and adjacent non-forest land (for maintaining mine geometry) has been prepared as

Phase-I with area of 1095.52 Ha. The Phase-1 Mining Plan was prepared for an area of 1095.52 Ha for which approval of WCL Board was accorded on 26.12.2018. Environment Clearance was issued vide no. J-11015/80/2016-LA.II (M) dated 28.03.2019 for area of 1095.52 Ha. With a directive that fresh proposal for EC or amendment therein, shall be submitted to take into account the additional land after receipt of Stage-1 forest clearance for the forest land of 12.07 Ha. WCL has prepared Mining Plan for 1152.66 Ha (including Phase-1& Phase-11) which was approved by the WCL Board on 09.09.2023 against which acquisition of 1105.95 Ha has been done and balance land of 46.71 Ha land is under acquisition process.

- vii. The safety zone of 7.5 meters is proposed all along the inner boundary of 1152.66 Ha Mine Boundary. The forest land falling inside the safety zone is 0.161 Ha which will be left untouched so as to maintain safety zone all around inner boundary of the proposed forest area as per provisions of MoEF&CC.
  - viii. The committee observed that the Wildlife Management Plan of Rs. 20 lakhs was prepared by the State Govt. however the DCF, Chandrapur certified that the proposed area does not falls within 10 km distance to any wildlife sanctuary, Nation park, Tiger reserve etc. In this regard, the Nodal officer, Govt. of Maharashtra apprised the committee the proposal is technically scrutinized to verify that project falls in 'Tiger Corridor or not. After scrutinizing the project details, it was found that Sakhari village & concerned project falls within tiger corridor joining TATR & Indravati tiger reserve as per Telemetry data of Wildlife Institute of India. Also, there is high probability that non-forest area which is part of project may also overlap this corridor which can be ascertained with KML files of project area. Keeping this in view a Wildlife Management Plan of Rs. 20 Lakh was prepared by the Dy. Conservator, Central Chanda, Chandrapur and was submitted with the proposal. Also, the user agency has submitted a Wildlife Clearance proposal vide proposal No WL/MH/MIN/QRY/504961/2024 on Parivesh portal for obtaining Wildlife clearance. The committee noted that as per DSS analysis no wildlife sanctuary, National park, Tiger reserve and Tiger corridor is located within 10 KM buffer distance from the forest land proposed for diversion.
  - ix. The committee observed that the Compensatory Afforestation in the proposal has been proposed over 24.14 ha degraded forest land in Compartment No 567 in Ballarpur Range, Central Chanda Division, District Chandrapur of Maharashtra State. However, the Regional Office, Nagpur has not visited the said degraded forest land for CA and the recommendation of the RO, Nagpur on the proposed CA land over DFL is not available in their site inspection report.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Maharashtra the Committee '**deferred**' the proposal for diversion of 12.07 forest land for Sakhari-Irawati (Pouni III) Opencast Mine Project in Reserve

Forest Compartment No. R-603 in favour of M/s Western Coalfields Limited in Chandrapur District of Maharashtra State for want of following information:

- i. The Regional Office, Nagpur shall examine the requirement of Compensatory Afforestation in the instant proposal in view of latest guidelines issued by the Ministry and shall inspect the degraded forest land proposed for Compensatory Afforestation in the instant proposal and accordingly submit a report along with clear recommendations within a week.

### Agenda No. 3

**File No: 8-196/1984-FC(Vol.)**

**Subject: : Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 36.734 ha of Reserved Forest land of Forest Survey No. RF-833, 834, Forest Range-Budhar, Division-Shahdol for Bangwar Underground Coal Mining in favour of M/s South Eastern Coalfields Limited in Shahdol District in Madhya Pradesh State (Online No. FP/MP/MIN/29264/2017) - regarding.**

1. The agenda item was considered by the AC in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh 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 Madhya Pradesh vide their letter No. F-1/824/2021/10-11/1114 dated 25.03.2022 forwarded the proposal on the above cited subject to obtain prior approval of the Central Government, in terms of the Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - ii. The proposed forest land for diversion is having canopy density of 0.5 and Eco-class 4 and no tree felling is involve d in the proposed diversion area.
  - iii. The proposed diversion area is adjacent to the already diverted 513.296 ha area in favour of SECL. In the diverted 513.296 ha area, in 315.354 ha area underground mining of Coal is already in progress. The annual production of the existing mine is 6.5 lakh tonne. About 35.00 lakh tonne Coal is estimated reserve in the proposed 36.734 ha area and the same is proposed to be extracted by underground method of mining.
  - iv. The DDGF (C), Regional office, Bhopal apprised the committee that the proposed area for diversion was found to be properly demarcated on the ground by erecting small pillars. The total no. of pillars erected

were 13. The area was found to have very good Sal forest. The terrain is mostly a flat ground with gently sloping towards north east direction and draining in to a small seasonal stream. The Soil is red loamy with considerable depth. There was not much sign of erosion except small portion in the northern side of the proposed area. There is no river/ stream passing through the area. It was further informed that the area is subjected to heavy grazing by local cattle. The area was very much infested by weed like Lantana. There were excellent regeneration of Sal found in the area but due to heavy biotic pressure, the young seedlings are getting either trampled or browsed. Therefore, to rejuvenate the existing forest in the proposed diversion area, fencing with chain link fence, execution of some suitable SMC works, removal of Lantana and gap plating as per requirement, shall be taken up by the forest department at the cost of the User Agency.

- v. It has been further informed that as the mining is by underground method and there is no requirement of any surface rights, no disturbance would be caused to the standing forest in the proposed diversion area. There may be a little subsidence of the floor of the forest after extraction of the Coal, the cracks developed would be immediately closed with earth and no damage would be caused to the standing crop of the forest. The immediate treatment of the cracks would prevent any possibility of underground fires in future. The extracted coal would be salvaged from underground by the existing system of winning the coal in the existing mine and taken out on surface through the existing mine opening. The coal extracted is of Thermal quality and the same will be utilized in Thermal Power plants, Fertilizer Plants and other Industries. It will cater to the increasing demand of power.
- vi. The State Govt. reported that the proposed area is neither a part of any protected area nor it falls in any Tiger corridor. It is situated at a distance of about 49 Km from Bandhavgarh Tiger Reserve and 58 Km from Achanakmar Tiger Reserve.
- vii. The committee noted that the extant project though proposes mining by Underground methods and maximum subsidence up to 5.68 m has been reported in the report. In this reference, the Nodal officer, Govt. of Madhya Pradesh informed the committee that the user agency has submitted an Undertaking to bear the cost of Plantations and NPV as per the extant rules and guidelines.
- viii. It has been further informed by the State Govt. that the total project area in the proposal is 488.108 ha. The summary is as under:

Sr. No	Area (Ha)	Legal Status	Present Status	Total Area (Ha)
1	315.347 (Part of 513.296 ha)	Forest land	Diverted/ Approved vide MoEF&CC letter No 8-196/1984-FC dated 15-12-1986	399.545 Ha



2	38.302 (Part of 403.118)	Forest land	Diverted/ Approved vide MoEF&CC letter No 8-125/85-FC Date 13-04-1987	
3	36.734	Forest land	Proposed	
4	9.162	Forest land	Diverted/ Approved (Not Required)	
5	47.934	Government + Private Land	Not Acquired/ Not Required	88.563 Ha
6	0.848	Government + Private Land	Not Acquired/ Not Required	
7	0.879	Government + Private Land	Not Acquired/ Not Required	
8	20.432	Government + Private Land	Acquired	
9	18.470	Government + Private Land	Acquired	
Total	488.108		Total	488.108 Ha

- ix. The committee observed that the proposed forest land is located at a distance of 9.62 Km from the Achanakmar -Bandhavgarh Tiger corridor as per the DSS. In this regard, the Nodal Officer, Govt. of Madhya Pradesh apprised that the proposed the CWLW, Govt. of Madhya Pradesh confirmed that the proposed forest land is located at a distance of 9.352 Km from the Achanakmar -Bandhavgarh Tiger corridor and has recommended the proposal subject to fulfilment of Wildlife Management Plan.
- x. The committee noted that out of the 403.118 hectares of earlier diverted forest land for open-cast mining vide Ministry letter dated 13.04.1987, 38.302 ha will be used for the Bangwar underground mine for which a land use change proposal is required.

4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Madhya Pradesh the Committee recommended '*in-principle*' approval for diversion of 36.734 ha of Reserved Forest land of Forest Survey No. RF-833, 834, Forest Range-Budhar, Division-Shahdol for Bangwar Underground Coal Mining in favour of M/s South Eastern Coalfields Limited in Shahdol District in Madhya Pradesh State subject to the General, Standard and following specific conditions:

- i. A comprehensive Wildlife Conservation Plan duly approved by the Principal Chief Conservator of Forests (Wildlife)-cum- Chief Wildlife Warden, Government of Madhya Pradesh shall be submitted.
- ii. The State Govt. shall submit a land use change proposal (as per guideline) of 38.302 ha for the Bangwar underground mine out of

earlier approved 403.118 ha of forest land diverted for open-cast mining vide Ministry letter dated 13.04.1987 along with complete compliance.

#### **Agenda No. 4**

**File No. 8-16/2023-FC**

**Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 2250.05 ha (instead of 2272.05 ha) forest land for construction of Morand - Ganjal Irrigation Project located in Hoshangabad, Betul, Harda and Khandwa Districts of Madhya Pradesh State in favour of M/s Narmada Valley Development Authority (Online No. FP/MP/IRRIG/36231/2018) – regarding.**

1. The agenda item was considered by the AC in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh 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. 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 Madhya Pradesh vide their letter No. F-3/16/2018/10- 11/1667 dated 26.04.2023 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 2272.05 ha forest land for construction of Morand - Ganjal Irrigation Project located in Hoshangabad, Betul, Harda and Khandwa Districts of Madhya Pradesh State in favour of M/s Narmada Valley Development Authority.
  - ii. Thereafter on the basis of technical analysis, the State Government vide letter no F-3/16/2018/10-11/3669 dated 16.08.2023 submitted that on re-examination of the affected forest area in this project, the area of affected forest land has been found to be 2250.05 hectares.
  - iii. Density of vegetation in the proposed area is from 0.4 to 0.7 having Eco class 3 and approximately 7,17,232 number of trees will be affected at the full reservoir level(FRL) out of which a total of 5,75,164 no. of trees are marked for felling at FRL-4-meter Level.
  - iv. The proposal involves rehabilitation of 644 no. of families out of which 604 are Schedule Tribes families and 40 are other families.
  - v. The proposed forest diversion area is falling in Satpura - Melghat Tiger corridor and the CCF, Betul and the CF, Narmadapuram in their Site Inspection reports have mentioned that the forest land proposed for diversion forms a part of an active wildlife corridor utilized by wild

- animals (Tiger, Panther, etc.). The project execution may therefore lead to habitat fragmentation and cause obstruction in the corridor.
- vi. The State Government vide letter no. F-3/16/2018/10-11/1667 dated 26.04.2023 has mentioned that compensatory afforestation has been proposed over an area of 2407.189 ha non forest land in Agar Malwa, Sagar, Betul and Jabalpur District, Madhya Pradesh. However, the detailed Compensatory Afforestation scheme for the proposed non forest land has not been submitted.
  - vii. It has been observed that the District Collectors, Sagar, Betul, Agar Malwa and Jabalpur have reserved land for carrying out CA in the instant proposal. However, after examination of the same it has been found that as per District Collector, Betul vide their order dated 25.09.2018 an area of 662.00 ha of land has been reserved for CA out of which an area of 386.469 ha is proposed for CA against the instant proposal in Tehsil Betul, Amla and Godhadungri. However, the land type of proposed CA is recorded as Forest land, Bade Jhar ka Jungle. Also as per District Collector, Sagar vide their order dated 18.09.2018 an area of 1071.99 ha of land has been reserved for CA and same is proposed for CA against the instant proposal. However, the land type of proposed CA in Tehsil Kesli, Village – Padhna Khurd, Chirai, Rengajholi is recorded as Government Forest land. Further the land type (Bhumi Noiyath) of CA land is not recorded in District Collector, Jabalpur order dated 18.02.2019. Therefore, the Ministry vide letter no. 8-16/2023-FC dated 13.06.2023 requested the State Government to clarify that whether such lands proposed for CA does not comes in the ambit of Forest (Conservation) Act, 1980 and justify these lands as Non Forest Land.
  - viii. In this regard, the Government of Madhya Pradesh vide their letter No. F3/16/2018/10-11/3669 dated 16.08.2023 has informed that the project is likely to be executed in a phased manner as under and in First Phase 116.27 ha forest land is required and for the same Compensatory Afforestation scheme for the area of 116.27 ha non forest land is submitted.

S. No.	Phase	Component	Proposed area in Ha
1	First	Dam seat and Sluice, Pipeline PH/DC, Spillway Channel with Fish Ladder, Approach & Diversion Road, Transmission line	116.27
2	Second	FRL-4	1135.57
3	Third	FRL-4	616.748
4	Fourth	FRL	381.462
		Total	2250.05

- ix. As per DSS analysis, it has been observed that Satellite imagery shows the presence of Settlements/Built-up, Agriculture land, earthen dam, Road, playground, presence of earthen dam and canals in the CA areas and the proposed CA area are not free from encumbrances.

- x. As per the technical approval dated 18.10.2017 it has been reported that the Morand Dam will be constructed in Phase-I and if the water requirement gets fulfilled by the same in that case the construction of Ganjal will not take place. Moreover, the Indira Sagar Dam is located at a distance of 54.40 Km from the proposed forest diversion site for Harda Dam and Tawa Reservoir is located at a distance of 34.33 Km from the proposed forest diversion site for Morand Dam. However, later on the State Govt. has informed that even after the construction of Ganjal Dam, a large area will remain deprived of irrigation facilities and State Government vide approval letter number F31- 21/2017/2401, dated 21/04/2022 has decided to construct both the dams.
- xi. The RO, Bhopal in site inspection report has reported that as the proposed area for diversion is 2250.05 ha, the user agency has provided 2289.209 ha nonforest land at several locations in Betul, Jabalpur, Sagar & Agar Malwa District. Further it has been reported that there was no numbering of the trees falling in either submergence area or dam seat or spillway channel and it was found that there was no complete enumeration of the trees in the proposed area for diversion had taken place. Moreover, the figures given for no. of affected trees in the proposed diversion area was as per the no. of trees per ha mentioned in the working plan.
- xii. As per the DSS analysis, the proposed forest land for diversion is located at a distance of 52.22 Km from the Ratapani Wildlife Sanctuary and 37.28 Km from the Bori Wildlife Sanctuary. However, the proposed forest diversion patches are falling on Satpura-Melghat Tiger corridor.
- xiii. The compensatory afforestation has been proposed over non forest land in Agar Malwa, Sagar, Betul and Jabalpur District, Madhya Pradesh. However, the detailed Compensatory Afforestation scheme for the proposed non forest land has not been submitted and the Government of Madhya Pradesh vide their letter No. F-3/16/2018/10-11/3669 dated 16.08.2023 has informed that the project is likely to be executed in a phased manner and in first phase 116.27 ha forest land is required and for the same Compensatory Afforestation scheme for the area of 116.27 ha non forest land is submitted.
- xiv. The proposal was considered by the Advisory Committee (AC) in its meeting held on 14.11.2023 wherein the Committee deferred the proposal for want of following information:
  - a. In order to have actual assessment of the no. of trees involved in the project, the species wise and girth class wise complete enumeration of the trees falling in proposed diversion area shall be submitted.
  - b. Keeping in view the fact that the area proposed for diversion and submergence is quite large and is located in a landscape which is part of an active wildlife corridor i.e., Satpura-Melghat Tiger corridor, the execution of the project may lead to habitat fragmentation and cause obstruction in the corridor. Therefore, a study of the possible impacts of the project on the Biodiversity and Wildlife by Wildlife Institute of India which shall be submitted along with the specific recommendation from the CWLW and State Govt.

- c. The State shall submit the recommendations/comments of National Tiger Conservation Authority (NTCA) on the instant proposal.
  - d. Keeping in view the fact that the area is within Satpura-Melghat Tiger Corridor, the State shall take necessary action as per rules to seek the requisite recommendations of NBWL/SBWL.
  - e. The complete CA scheme, along with relevant documents, revenue record, maps and KML files for the total non-forest land proposed for Compensatory Afforestation shall be submitted. The State shall ensure that the proposed area is free from all encumbrances.
- xv. The said decision of the Advisory Committee was communicated to the State Government vide Ministry letter dated 27.11.2023 and in this reference the State Government vide their letter no. F-3/16/2018/10-11/830 dated 06.02.2024 has submitted the information. The examination of the said information has revealed that:
- a. In order to have actual assessment of the no. of trees involved in the project, the species wise and girth class wise complete enumeration of the trees falling in proposed diversion area as requested has not been submitted by the State Govt. which needs submission.
  - b. The study of the possible impacts of the project on the Biodiversity and Wildlife by Wildlife Institute of India along with the specific recommendation from the CWLW and State Govt. as requested has not been submitted by the State Govt. which needs submission.
  - c. The recommendations/comments of National Tiger Conservation Authority (NTCA) on the instant proposal as requested have not been submitted by the State Govt. which needs submission.
  - d. Necessary action as per rules to seek the requisite recommendations of NBWL/ SBWL as requested has not been taken by the State Govt. which needs submission.
  - e. The complete CA scheme, along with relevant documents, revenue record, maps and KML files for the total non-forest land proposal for Compensatory Afforestation and to ensure that the proposed area is free from all encumbrances as requested has not been submitted by the State Govt. which needs submission.
- xvi. The proposal was again considered by the Advisory Committee (AC) in its meeting held on 28.02.2024 wherein the Committee deferred the proposal for want of following information:
- a. In order to have actual assessment of the no. of trees involved in the project, the species wise and girth class wise complete enumeration of the trees falling in proposed diversion area as requested has not been submitted by the State Govt. which needs submission.
  - b. The study of the possible impacts of the project on the Biodiversity and Wildlife by Wildlife Institute of India along with the specific recommendation from the CWLW and State Govt. as requested has not been submitted by the State Govt. which needs submission.

- c. The recommendations/comments of National Tiger Conservation Authority (NTCA) on the instant proposal as requested has not been submitted by the State Govt. which needs submission.
  - d. Necessary action as per rules to seek the requisite recommendations of NBWL/ SBWL as requested has not been taken by the State Govt. which needs submission.
  - e. The complete CA scheme, along with relevant documents, revenue record, maps and KML files for the total non-forest land proposal for Compensatory Afforestation and to ensure that the proposed area is free from all encumbrances as requested has not been submitted by the State Govt. which needs submission. The Ministry vide letter dated 16.02.2024 has requested the State Govt. to furnish the above mentioned information.
- xvii. The said decision of the Advisory Committee (AC) was communicated to the State Government vide Ministry letter dated 08.03.2024. In this reference, the State Government vide their letter dated 06.08.2024 has submitted the information. The examination of the said information has revealed that:
- a. In order to have actual assessment of the no. of trees involved in the project, the species wise and girth class wise complete enumeration of the trees falling in proposed diversion area as requested has not been submitted by the State Govt. which needs submission.
  - b. The study of the possible impacts of the project on the Biodiversity and Wildlife by Wildlife Institute of India along with the specific recommendation from the CWLW and State Govt. as requested has not been submitted by the State Govt. which needs submission.
  - c. The recommendations/comments of National Tiger Conservation Authority (NTCA) on the instant proposal as requested have not been submitted by the State Govt. which needs submission.
  - d. Necessary action as per rules to seek the requisite recommendations of NBWL/ SBWL as requested has not been taken by the State Govt. which needs submission.
  - e. The complete CA scheme, along with relevant documents, revenue record, maps and KML files for the total non-forest land proposal for Compensatory Afforestation and to ensure that the proposed area is free from all encumbrances as requested has not been submitted by the State Govt. which needs submission.
- xviii. Thereafter the proposal was considered by the AC in its meeting held on 27.08.2024 wherein the Committee observed that the State Govt. has not submitted the complete information in view of recommendations of Advisory Committee (AC) in its meeting held on 28.02.2024 which was communicated to the State Government vide Ministry letter dated 08.03.2024. Accordingly, it is again re-iterated that the State Govt. shall submit the required information as per Ministry letter dated 08.03.2024.
- xix. The said decision of the Advisory Committee (AC) was communicated to the State Government vide Ministry letter dated 17.09.2024. In this reference, the

State Government vide their letter dated 09.10.2024 has submitted the reply. On examination of the same it has been observed that the State Govt. has not submitted the required complete information as sought by Advisory Committee (AC) and same was communicated vide Ministry letter dated 16.10.2024. In this reference, the State Government vide their email dated 13.11.2024 has forwarded their letter dated 13.11.2024. On the examination of the said information it has been found that the State Govt. has not submitted the requisite information as sought by Advisory Committee (AC). Accordingly the Ministry vide letter dt. 14.11.2024 communicated the same to the State Govt. 8. In this reference the APCCF- cum- Nodal Officer, Government of Madhya Pradesh vide their letter dt. 07.01.2025 has submitted the information. The examination of the said information has revealed that:

- a. The calculation of affected trees in the proposal has been conducted on a factual basis. Further, the tree count in the Narmadapuram (Hoshangabad) forest division has been carried out using sample plots. It has been reported that, as per the guidelines issued by the Government of India on 29.12.2023 under point 1.4 (vi), for cases involving more than 10 hectares, the tree count can be conducted either through sample plots or according to the work plan. Therefore, it is requested that the tree count conducted using sample plots in the Narmadapuram forest division be considered valid.
  - b. A technical and financial proposal has been prepared by the Director, Wildlife Institute of India, in reference to letter number WII-CAP/NVDA/188 dated 28.11.2024, regarding the adverse effects of the project on wildlife and the associated mitigation measures. The duration of the aforementioned study will be 24 months, and the financial expenses will be borne by the applicant institution. For this purpose, a letter was issued to the applicant institution on 07.01.2024.
  - c. A Compensatory Afforestation scheme has been prepared for a total of 1050.70 hectares of non-forest land, which includes 170.00 hectares of land from Jabalpur district, 212.420 hectares of land from Agar Malwa district, and 668.28 hectares of land from Sagar district, for compensatory afforestation. A copy of the technical approval order is submitted. Further it has been stated that, according to the guidelines issued by the Government of India on 29.12.2023, point no. 11 (10), proposals involving more than 1000 hectares will be granted approval in phases. Furthermore, as per point no. 9.1 of Chapter 9 of the guidelines, the compensatory afforestation plan can be implemented in various phases based on the forest land required for the proposal.
- xx. In view of recommendations/comments of National Tiger Conservation Authority (NTCA) on the instant proposal the FC Division has requested the NTCA for their comments wherein the NTCA has provided their comments has provided their comments as under:

*The proposal was analysed by the Tiger Cell NTCA vis a vis the All India Tiger Estimation Data and identified tiger corridors. As per the analysis done by Tiger cell, the major observations are as follows:*

- a. *The proposed irrigation project is located within the critical connecting corridor between the Satpura and Melghat Tiger Reserves, as identified by the National Tiger Conservation Authority (NTCA) and incorporated into the approved Tiger Conservation Plan. This project entails the construction of two dams—one across the Morand River and another across the Ganjal River. The proposed site lies within a tiger-occupied forest, as documented in the National Tiger Estimation Exercise 2022 .*
- b. *In addition to tigers (*Panthera tigris*), the forested area identified for the project harbors a variety of other threatened species protected under Schedule I of the Wild Life (Protection) Amendment Act, 2022. Leopards (*Panthera pardus*), for instance, were reported in both the 2018 and 2022 cycles of the National Tiger Estimation Exercise. Furthermore, Indian wolves (*Canis lupus pallipes*), wild dogs (*Cuon alpinus*), and striped hyenas (*Hyaena hyaena*) were detected in the 2018 estimation cycle.*
- c. *These findings highlight the high biodiversity value of the proposed dam site and its importance as a habitat for several endangered and ecologically significant species. The construction of these dams will result in the submergence of forested areas that serve as a vital connecting link between the Satpura and Melghat Tiger Reserves. Both reserves currently exhibit low tiger densities and operate within a meta-population framework, relying on the movement of tigers and other wildlife through this corridor for genetic exchange and population stability. Any disruption to this ecological connectivity will likely have long-term detrimental impacts on the viability of tiger populations and the broader wildlife community within this landscape.*
- d. *Both reserves are in a recovery phase following voluntary village relocations, with significant improvements in wildlife populations, as evidenced by the National Tiger Estimation Report 2022. The intactness of this corridor is essential for maintaining the ecological processes that support these recovering populations and for ensuring the persistence of a functional meta-population of tigers and other species.*
- e. *The site inspection reports by the Chief Conservator of Forests (CCF), Betul, and the Conservator of Forests (CF), Narmadapuram, document the presence of a diverse assemblage of fauna, including Tiger (*Panthera tigris*), Leopard (*Panthera pardus*), Gaur (*Bos gaurus*), Nilgai (*Boselaphus tragocamelus*), Sambar (*Rusa unicolor*), Chital (*Axis axis*), Wild Pig (*Sus scrofa*), Fox (*Vulpes spp.*), Jackal (*Canis aureus*), Barking Deer (*Muntiacus muntjak*), Hyaena (*Hyaena hyaena*), Sloth Bear (*Melursus ursinus*), Pangolin (*Manis spp.*), Chinkara (*Gazella bennettii*), Honey Badger (*Mellivora capensis*), Civets (*Viverridae*), and Indian Grey Wolf (*Canis lupus pallipes*). This biodiversity underscores the ecological importance of the area slated for submergence.*
- f. *Given the significant ecological importance of the proposed area, it is imperative to explore alternative sites for the construction of irrigation infrastructure to minimize environmental damage. Selecting less ecologically sensitive locations for such projects can help strike a balance between developmental needs and the conservation of critical*



*wildlife habitats. Ensuring the long-term preservation of biodiversity and the ecological integrity of this landscape must remain a top priority.*

- xxi. The Committee noted that the calculation of affected trees in the proposal has been conducted on a factual basis. Further, the tree count in the Narmadapuram (Hoshangabad) forest division has been carried out using sample plots.
- xxii. The Committee observed that a technical and financial proposal has been prepared by the Director, Wildlife Institute of India, regarding the adverse effects of the project on wildlife and the associated mitigation measures. The duration of the aforementioned study will be 24 months, and the financial expenses will be borne by the applicant institution.
- xxiii. The Committee also noted that a Compensatory Afforestation scheme has been prepared for a total of 1050.70 hectares of non-forest land, which includes 170.00 hectares of land from Jabalpur district, 212.420 hectares of land from Agar Malwa district, and 668.28 hectares of land from Sagar district, for compensatory afforestation. A copy of the technical approval order is submitted.
- xxiv. The committee observed that the RO, Nagpur in their site inspection report has reported that the proposed diversion area is falling in Pench-Satpura-Melghat Tiger Corridor. Further, the NTCA in their comments has mentioned that *Given the significant ecological importance of the proposed area, it is imperative to explore alternative sites for the construction of irrigation infrastructure to minimize environmental damage. Selecting less ecologically sensitive locations for such projects can help strike a balance between developmental needs and the conservation of critical wildlife habitats. Ensuring the long-term preservation of biodiversity and the ecological integrity of this landscape must remain a top priority.* In view of the above, it is prudent that the area is inspected by a sub-committee and the sub-committee analyse the proposal in holistic manner and submit a detailed report with their recommendations.

4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and the Nodal Officer, Government of Madhya Pradesh. After going through the facts of the proposal, the Committee recommended that:

To examine the proposal holistically keeping in view the facts of the case and other ecological considerations important for considering such proposals, a Sub-Committee shall visit the project area and submit a detailed report with clear recommendations for further needful. The Sub-Committee shall comprise of the following members:

- a. Shri Anjan Kumar Mohanty, Additional Director General of Forests (Forest Conservation), MoEF&CC, New Delhi. (Chairperson)
- b. Shri Nityanand Srivastava, Non- Official Member of Advisory Committee, (Member)
- c. DDGF (Central), Regional Office, MoEF&CC, Bhopal, (Member)
- d. A representative from National Tiger Conservation Authority, MoEF&CC, New Delhi (Member)

- e. Dr. Mehraj Sheikh, Additional Commissioner (Soil Conservation), Ministry of Agriculture and Farmers' Welfare (Member)

*The above sub-committee will be assisted by APCCF-cum-Nodal Officer, Government of Madhya Pradesh for all needful support and logistics.*

### **Agenda No. 5**

**F. No. 8-13/2023-FC**

**Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Kashvi Power & Steel Pvt. Ltd. for non-forestry use of 60.508 ha of forest land including 2.331 ha of safety zone in Dholta Pahar Iron Ore Block for iron ore mining in Bonai Forest Division under Sundargarh District, Odisha –reg. (Online No. FP/OR/MIN/150522/2021)**

1. The above-mentioned subject proposal was considered by the Advisory Committee (AC) in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The CCF cum Nodal Officer, Govt. of Odisha and DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar attended 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. 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 after through deliberation and discussion observed that:
  - i. The Government of Odisha vide letter no. FE-DIV-FLD-00-0030-2023-5799/FE&CC dated 28.03.2023 seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Kashvi Power & Steel Pvt. Ltd. for non-forestry use of 60.508 ha of forest land including 2.331 ha of safety zone in Dholta Pahar Iron Ore Block for iron ore mining in Bonai Forest Division under Sundargarh District, Odisha.
  - ii. Legal status of the proposed forest land is Reserve Forest and density is 0.6, Eco Class-I. Total 29,838 numbers of trees of have been enumerated for proposed to be felled. The area is not Vulnerability to erosion.
  - iii. The proposed area is not part of National Park / Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. No RET species of flora and fauna found in the area. No heritage site/defence establishment or any other important monuments are located in the area proposed for diversion.
  - iv. Total financial outlay of the CA scheme is ₹2,80,84,400/- All details of the CA along with site suitability certificate has been provided.
  - v. No violation of Adhiniyam, 1980 has been committed by the User Agency. The requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. ToR vide letter no. 4224/SEIAA dated 15.03.2022 by State Environment Impact Assessment Authority.

- vi. Compensatory afforestation scheme has been proposed over 58.757 ha of Govt. Non-Forest land identified in village San-Sibnathpur under Gurundia Tehsil of Bonai Range in Bonai Forest Division. However, as per the new rules equivalent non-forest land is required for CA.
- vii. The User Agency has given an undertaking to produce the relevant certificate under FRA, 2006 after getting from Collector, Sundargarh for forest land of 60.508 ha involved in the Dholta Pahar iron ore Block leased out in favour of M/s Kasvi Power & Steel Pvt. Ltd.
- viii. State authorities in the State have recommended the proposal and it has been informed that in pursuant to the Mines and Minerals (Development and Regulation) Act, 1957 and the Mineral (Auction) Rules, 2015, Govt. of Odisha issued the notice inviting tender dated 07.07.2021 for commencement of the auction process to grant the mining lease for Dholta Pahar Iron Ore Block located in Koira Tahasil of Sundargarh district of Odisha. The e-auction process was conducted in accordance with the tender document and the mineral auction rule. 2015 for said mineral block and M/s Kashvi Power & Steel Pvt. Ltd. was declared as the preferred Bidder under-Rule 9(9) (iii) or Rule 10(A) of Auction Rules having quoted a final price offer of 126.55%.
- ix. The PCCF & HoFF, Odisha has reported that M/s Kashvi Power & Steel Pvt. Ltd has made payment of ₹6,99,89,5871- (Rupees Six Crore Ninety-Nine Lakhs Eighty-Nine Thousand Five Hundred Eighty-Seven only) "through treasury challan on dated 21.10.2021 against the first instalment being twenty percent of the upfront money. Accordingly, the Government of Odisha have' issued Letter of Intent under Rule 10(2) of Mineral Auction Rules, 2015 to M/s Kashvi Power & Steel Pvt Ltd for grant of Mining Lease for Dholta Pahar Block for iron ore over an area of 60.508 ha near Dengula village, Koira Tahasil of Sundargarh district of Odisha for a period of 50 years. This Letter of Intent is valid subject to the provision of the Act and the Rules made there under as amended from time to time and M/s Kashvi Power & Steel Pvt. Ltd. shall be designated as the Successful Bidder and subsequently granted, the mining lease only upon satisfactory compilation of all requirements under the Act and Rules made there under.
- x. As per the DSS report the proposed area is falling under the VDF category and in High conservation Zone as per decision Rule 1 and 2. The area proposed for mining is within a pristine and very dense forest and the proposal will have an impact on the biodiversity.
- xi. The State has given the justification for proposing the area under VDF and stated that the Mining is a site specific activity irrespective of the land status and Govt. of Odisha allocated this block through c-auction to carry out mining operation and exploitation of iron ore. M/s Kasvi Power and Steel Pvt. Limited has been declared as preferred bidder for grant of mining lease of Dholta Pahar Iron Ore Mines. As per the data provided by the Director of Mines, Steel and Mines Department, Government of Odisha,, the total mining lease DGPS surveyed area is 60.508 ha. The total area comes under Reserved Forest. The ore body needs to be judiciously exploited in view of systematic mining with optimum exploitation of ore to meet the growing demand of raw materials for indigenous steel plant, sponge iron plant, pellet plants etc.

for ultimate production of Steel and also for export to earn foreign exchange for development of the country. Now, for grant of mining lease of Dholta Pahar iron ore Block and use of 60.508 ha of forest land for the mining and ancillary activities purposes, it is required to apply for diversion of forest land under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for approval of the Central Government.

- xii. Further it has been mentioned that the diversion of 60.508 ha forest land is very much essential for grant of mining lease of Dholta Pahar iron ore Block in the district of Sundargarh of Odisha for systematic and scientific mining as well as optimum exploitation of iron ore in the project area. The proposed mining project will be beneficial to the peripheral community as there will be ingress of floating population along with cash flow and the affect will on the local economy by direct and indirectly through ancillary activities and through employment, CSR and other activities and infrastructural developments like roads, electricity, drinking water supply schools & hospitals.
- xiii. The State has informed that another proposal will be submitted for road connectivity. However, for electricity the user agency will apply to NESCO to provide them 11 KV power line to their Mines and same will be drawn in the RoW of the proposed connecting road so that requirement of additional forest land will be avoided. In this regard the requirement of water, the User Agency have already obtained NOC from CGWA, Gol to draw groundwater to the tune of 97 m<sup>3</sup> /day.
- xiv. Regarding non-site specific activities the State Govt. has informed that the area earmarked for dumping is 7.265 ha as because during plan period, ore will not be exhausted in any place and hence the waste generated during mining operation has to be kept in the external dump. After exhaust of mineral the User Agency will not use any forest land for dumping purpose and waste materials will be used for reclamation. The area earmarked for storing of minerals is 6.021 ha for the purpose of storing of sub-grade ore (45%fe to 55%fe) which has no market, and it has to be preserved as per Rule 14 of MCDR, 2017-"Separate stacking of non-saleable minerals. All the non-saleable or unusable minerals or ores above the threshold value of the mineral, as may be notified by Indian Bureau of Mines from time to time, or otherwise shall be stacked separately on the ground earmarked for the purpose. The balance area is for stacking & storing of Minerals. Considering the grade wise and size wise requirement of the consuming industries, the ore raised is to be segregated and stacked separately for sale purpose. Considering from the mineral conservation point of view, the Indian Bureau of Mines, Govt. of India is emphasizing on assessment of the iron ore reserve with the cut-off grade of 45%Fe and stacking of the sub grade ore properly. Presently, the good quality ore is only marketable and the sub-grade ore raised are normally not sold presently, which are required to be stacked separately for the future use. Again, for removal of ore from mining lease hold area, stacking of minerals is essential. The State Government vide notification 3973 dated 28.04.2021 have issued operational guideline for Stacking, Sampling & Chemical Analysis. As per the guideline each stack should

not be more than 20000 MT and the height should not be more than 3 meters. To accommodate 20000MT, the required surface area is approximately more than 25000sq.M. Road has to be kept in between the stacks, so considering all the above, area required for each stack is 5000 Sq.M or 0.5 ha. Depending on the placement of Rakes, the average time for removal of one stacks take about a month. To dispatch 1 lakh tone of material every month and to achieve the quantity, 7 to 8 nos. of stack of different grade and size are required. So minimum 3 ha of land is required for stacking of Ore of processed ore. Again, some area is required for un-processed ore. Looking to the above, 6.021 ha. has been earmarked for Mineral storage.

- xv. The Regional Office in their SIR has reported that the proposed ML area of 60 ha is predominantly very dense forest with certain gaps on the top as it is situated on a plateau. There is no approach road to the proposed ML area. Road has been proposed and seen to be demarcated with pillar posting through the Sarkunda RF. The stream order 1 and 2 are seen to emanate from the proposed mining lease area as per the water shed map of the mining lease site. Hence, mining will impact the water table, water sources and may lead to contamination with nearby nallah and streams, if adequate precaution is not taken. Elephant movement along the water sources is noticed at 1.2 km from the proposed RF within the boundary of the Sarkunda RF. Mining and movement of heavy machinery in the Sarkunda RF will result in degradation of the forest and loss of habitat as is the case in many mines already operating in the area and may also result in human elephant conflict. 18 number of non-working mines; 12 number of working mines; and 2 auctioned mines are present in the 10 km radius of the proposed mining lease area. The area around the proposed mining lease area is already disturbed. However, the proposed mining lease area is on an elevated plateau within the Sarkunda RF with very dense vegetation that makes it inviolate. Moreover, the proposed mining area is placed almost in the middle of the Sarkunda RF, which does not have any mining activity at present and is undisturbed housing a very good chunk of forest at this point of time and the Sarkunda RF is a contiguous and intact patch of Sal forest in the heavily mined periphery and its strategic location on an elevated area makes it vulnerable to contamination of water sources down streams in case of mining in the proposed site.
- xvi. The RO in his SIR has reported that the studies need to be conducted on the impact of mining in Sarkunda RF on loss of habitat of wildlife including mesopredator and small mammals, movement and dispersal of elephant. Studies on impact of mining on the hydrological regime of Sarkunda RF as well as the watershed of the proposed mining lease area within 10 km zone of influence need to be undertaken. Also studies on the eco-cultural linkages of the local communities with the Sarkunda sal forest needs to be studied to find the organic link between the forest and the people of the region which is already heavily mined district, and this forest chunk of 1901.108 ha appears to be a contiguous patch of forest in the mining dominated landscape.

- xvii. The RO in his SIR has also reported that the 18 number of non-working mines; 12 number of working mines; and 2 auctioned mines are present in the 10 km radius of the proposed mining lease area. The proposed mining area is at a distance of 3.6 km from SAIL mines and 1.8 km distance from C P Sharma mines and reported that the proposal may be considered after receipt of the satisfactory compliance of the mitigative measures suggested in the SIR.
4. The above facts were considered in the Advisory committee meeting first time held on 29.11.2023 and after thorough deliberation and discussion with CCF cum Nodal Officer, GoO and DDGF (Central), RO Bhubaneswar considering the fact that the proposed area is falling under the VDF category and in High Conservation Zone as per DSS and the area proposed for mining is within a pristine and very dense forest and the proposal will have an impact on the biodiversity, the Advisory Committee recommended to **reject** the proposal.
5. The State Government vide their letter dated 09.04.2024, has forwarded the representation of the user agency for re-consideration of the proposal. Following submissions have been made by the user agency which have been forwarded by the PCCF cum Nodal Officer, Govt. of Odisha for reconsideration of the proposal:
- i. The user agency has submitted a representation dated 22.02.2024 and 20.03.2024 for reconsideration of their proposal and undertaken to comply any other conditions that the MoEF&CC may impose in the interest of afforestation, conservation and management of flora and fauna in the area.
  - ii. The PCCF (FD&NO, FCA) O/o the PCCF & HOFF, Odisha vide his letter dated 05.04.2024 based on the information received from the RCCF, Rourkela Circle and adverting to the submissions made by the user agency, has stated there are 16 Nos. of Mining leases located within a radius of 8 (Eight) km within which the Dholtapahar Iron Ore mines is also located. The mining leases located in the periphery and the status of approval (EC/FC) all these mines have been provided by the State Government.
  - iii. There is no wildlife corridor situated in the area and human habitation is also located on the western side of the lease. Although the area has biodiversity, it does not serve as any connecting corridor for wildlife. However, in case of any likely Impact on wildlife due to the project, the same will be effectively mitigated with a site-specific Wildlife Management Plan to be prepared and implemented by the State Forest Department in the area located around the lease.
  - iv. As per inspection report of the DFO, the crown density of the area is 0.6. The area falls under MDF Category and not under Very Dense Category. It is further supported by the total number of trees enumerated in the 16 sample plots of the lease area. Out of the total 7890 nos. of enumerated trees (6114 Sound and 1776 un-sound), 2,820 falls below 60 cm girth category while only 5070 trees fall above 60 cm girth category. The trees making up the crown density of the lease area comes to be approx. 317 trees per ha which may be considered under MDF category.
  - v. There are existing kuccha roads in the area which are used by the villagers for their connectivity. To the possible extent and to cause

minimum disturbance to the local ecosystem, the company will use such kuccha roads for evacuation of the ore deposits and after carrying out detailed survey, the road alignment will be finalized in consultation with the Forest Department. Further, the power lines for the proposed mining leases will be laid along the road to keep the disturbance at the minimum. Once the mining operations is resumed/started, the possibility to construct the conveyor belt till the major road head will also be explored and if, found feasible the entire transportation of ore in the forest area will be carried out through conveyor bells.

- vi. For the purpose of constructing a road from Dholtapahar Iron Ore Block to PWD road Dengula, a proposal for diversion of forest land has been submitted vide Proposal No. FP/OR/ROAD/440392/2023 and same has been examined by the Project Screening Committee. The Project Screening Committee raised EDS to comply.
- vii. Further, the Collector, Sundargarh has issued FRA Certificate in Form-I for this linear project vide No.2333 dated 8.09.2023. Enumeration of trees in non-forest land has already completed.
- viii. No non- site-specific activity has been proposed in the mining lease area. OB dump area is an integral part of the mining lease as the overburden dumped in the OB areas is to be used for the reclamation of the mining lease at the end of the mining lease period as per the provisions of the Mining Plan. Locating the OB at a distant location is not feasible scientifically, technically, environmentally and economically. The requirement of the area for the various components including OB dump has been kept at barest minimum keeping in view the geology of the area and the stripping ratio of the mine.
- ix. As stated by the user Agency, Iron ore occurs mostly in this Joda-Koira belt predominantly having good forest growth areas. Rejecting this auction block will jeopardise the future auction in the State. Since, mining is site-specific, it should be allowed with proper precautionary measures and mitigative measures should be adopted to minimize the impact.
- x. Touching upon the crucial strides made by India's Steel Sector, large-scale augmentation will be done to double the production from the present capacity of 150 million tonnes per annum to 300 million tonnes per annum by 2030, India has already emerged as the second largest steel producer in the world and our per capita steel consumption has gone up from 57 kg to 78 kg during the last nine years. To cater to the need of 300MTPA of steel production, India needs to produce around 600MTPA of Iron Ore.
- xi. The above submissions made by the user agency, the PCCF & Nodal Officer, Odisha has enclosed the representation of the user agency for the consideration of the representation of the user agency subject to following conditions:
  - a. The User agency has to undertake CSR and other activities and Infrastructural developments like roads, electricity, and drinking water supply schools & hospitals for local communities.
  - b. The User agency has to transport the minerals as per the NEERI recommendation.

- c. The comprehensive Action Plan (CAP) for the conservation of elephants and mitigation of Human-Elephant Conflict (HEC) in Odisha to be prepared in consultation with the State Forest Department.
  - d. The Site-Specific Wildlife Conservation Plan (SSWLCP) has to be prepared as per approved guidelines of the State Govt. Prescription like specific interventions for the protection of Forest and Wildlife, prevention of forest fire, Habitat Management, Mitigation of Human-Elephant Conflict, Public Awareness, Community Participation and Eco-Development activities etc. must be focused while preparing the SSWLCP.
  - e. The State Government, adverting to the submission made by the user agency and conditions recommended by the PCCF has forwarded the same to the MoEF&CC with a request to consider the representation of the user agency for reconsideration of their proposal.
6. The above facts submitted by the State gov. for re-consideration of the proposal were discussed in the Advisory committee meeting second time held 04.07.2024 and the AC decided to defer the proposal for seeking following information for the State Government and as well as Regional Office Bhubaneswar:
  - i. The State Government shall submit a valid and cogent reasons that why a comprehensive proposal including all ancillaries activities have not been submitted in accordance with the decision of the Advisory committee meeting held on 20.10.2023.
  - ii. The State Government shall provide the comments on the issues raised by the Regional Office is their SIR regarding:
    - a. Studies need to be conducted on the impact of mining in Sarkunda RF on loss of habitat of wildlife including mesopredator and small mammals, movement and dispersal of elephant.
    - b. Studies on impact of mining on the hydrological regime of Sarkunda RF as well as the watershed of the proposed mining lease area within 10 km zone of influence need to be undertaken.
    - c. Studies on the eco-cultural linkages of the local communities with the Sarkunda Sal forest needs to be studied to find the organic link between the forest and the people of the region, which is already heavily, mined district and this forest chunk of 1901.108 ha appears to be a contiguous patch of forest in the mining dominated landscape.
    - d. The RO in his SIR has also reported that agriculture patches area also seen in one corner of the plot. Here regeneration of Sal is quite good and needs adequate protection, watch and ward and fencing. Hence, instead of 1600 plants/ha over 52 ha and 1000/ha over 5 ha, a maximum of 400 plants (Sal and associates need to be planted in the CA site). The balance proposed sapling can be taken up in additional CA land. The proposal for CA needs to be revised accordingly.



- iii. CA has been proposed on 58.757 ha non-forest Govt. land (excluding 2.331 ha earmarked for Safety zone) however, equivalent NFL to the extent of the area is being proposed for diversion i.e.60.508 ha is required as per the latest guidelines issued by the Ministry in this regard.
- iv. The Regional office shall examine the facts submitted by the State Government for re-consideration of the proposal and submit comments along-with specific recommendations.
- v. DDGF, Regional Office Bhubaneshwar shall make a presentation on actual status of land and the studies recommended by him in the area, with special reference to the whole mining landscape of the district.
- vi. The State Government vide their letter no. 19127/9F (MG)-14/2023 dated 21.09.2024 received in the Ministry on 01.10.2024, has submitted information as sought vide Ministry letter dated 26.07.2024. After the discussion the Committee has noted the following:
  - a. Regarding submission of the valid and cogent reasons that why a comprehensive proposal including all ancillaries activities have not been submitted, the State Govt. has informed that the proposal has been filed before 20.10.2023 i.e. 01/10/24 prior to holding of the Advisory Committee meeting and the standalone proposal was filed inadvertently because of they were not knowing the status of existing road. The same has been also vetted by DFO and RCCF concerned. This office has a view that the linear proposals for road and transmission line are in the non-lease area comprising of forest, private and Government Non-forest land. The concerned officials insists for in principle approval of the mining lease, so that they will give NOC to the user agency for filing of diversion proposal and for use of Government land, subject to necessary clearance.
  - b. The committee noted that the State Govt. has recommended that a specific study may be undertaken at landscape level, wherein the User agency also has undertaken that they will participate in the study and pay proportionately their share as and when demanded as per the advice of State Forest Department.
  - c. The State Government has informed that the study of the Groundwater Condition in both Core Zone and Buffer Zone of Dholtapahar Iron Ore Block has been carried out by MR Centre for Advance Water Technology & Management, Manav Rachna International Institute of Research & Studies, Faridabad. However, Studies on impact of mining on the hydrological regime of Sarkunda RF as well as the watershed of the proposed mining lease area within 10 km zone of influence and eco-cultural linkages of the local communities with the Sarkunda Sal forest need to be carried out with mitigative measures which are highly required. As there are 18 numbers of non-working mines; 12 number of working mines; and 2 auctioned mines located in the zone of influence, it is suggested that an institution of repute to carry out the study for the region. The User agency

- has undertaken to participate in the study and pay proportionately their contribution.
- d. The DFO, Bonai Forest Division has reported that, the Compensatory Afforestation Scheme over 58.757 ha. of Non-Forest Govt. land identified in village San-Sibnathpur has been revised by taking ANR @400 seedlings per hectare which will accommodate 22,800 nos. of seedlings. The revised Compensatory Afforestation Scheme is given. Further, an area of 75.00 ha. of degraded forest land has been identified in Kello 'B' Reserved Forest for plantation of balance sapling of 36,543 (including the balance seedling of the SZ) for Addl. Compensatory Afforestation. The Addl. Compensatory Afforestation Scheme is given. Also the user agency has furnished an undertaking to revise the CA scheme already submitted along with the proposal as per the observation made in the SIR of DDG (Central), Regional Office, Bhubaneswar.
- e. The DFO, Bonai Division has reported that an area of 2.331 ha. of non-forest Govt. land has been identified and allotted in village San-Sibnathpur under Gurundia Tahasil of Bonai Range of Bonai Forest Division by the Addl. District Magistrate, Sundargarh vide his Leucr No.6832 dt.9.8.2024 for Compensatory Afforestation in lieu of the forest land involved in Safety Zone. Accordingly, the Compensatory Afforestation Scheme has been prepared in ANR mode @500 seedlings/ha which will accommodate 1165 nos. of seedling. The C.A. scheme is given. The user agency has furnished an undertaking to pay the funds towards CA over 2.331 ha of NFL identified against the forest land involved in the SZ of the ML is given.
- vii. The Regional Office, Bhubaneswar Vide letter No. 5-ORA591/2023-BHU dated 07.10.2024 has submitted the comments on point no. (iv) and (v) as desired by the Advisory Committee in its meeting held on 04.07.2024. The DDGF (Central) RO Bhubaneswar has also given a representation before the AC meeting. The details provided by the RO are as below:
- a. The Govt. of Odisha vide letter No.FE-DIV-FLD-0030-2023-6820/FE&CC dated 09.04.2024 has submitted reconsideration proposal for diversion of 60.508 ha forest land in Dholta Pahar Iron Block for Iron Ore mining in Bonai Forest Division under Sundargarh District by M/s Kashvi Power & Steel Pvt. Ltd. to Ministry on the ground as envisaged by the User Agency. The following important reasons have been submitted for reconsideration of the proposal:
- In pursuant of the MMDR Act, 1957 and Mineral (Auction) Rules, 2015, Govt. of Odisha issued the notice inviting tender on 07.07.2021 for commencement of the auction process to grant mining lease for Dholtapahar Iron Ore Block located in Koira Tahasil of Sundargarh District. The e-auction process was conducted in accordance with the tender document and the Mineral Auction Rules, 2015 for

said mineral block and M/s Kashvi Power & Steel Pvt. Ltd. was declared as preferred Bidder under Rule 9(9)(iii) or Rule 10 (A) of Mineral Auction Rules having quoted a final price offer of 126.55%. The State Govt. vide letter No.8725/IV(B)SM-52/2021 dated 28.10.2021 issued Letter of Intent (LoI) for grant of Mining Lease for a period of 50 years.

- There are 16 Nos. of Mining leases located within a radius of 8.00 Km within which the Dholtapahar Iron Ore Mines is located.
  - Iron ore occurs mostly in this Joda-Koira belt predominantly having good forest growth areas. Rejecting this auction block will jeopardizes the future auction in the State. Mining and mineral processing are important activities that have had a major contribution to human civilization and advancement of technologies, though, both activities results also in serious environment impact. Since, mining is Site Specific, it should be allowed with proper precautionary measures and mitigative measures should be adopted to minimize the impact.
  - The Government's vision to achieve a \$5 trillion economy by 2024 entails investments worth INR 100 lakh crore in infrastructure sectors, including several steel-intensive sectors like Housing for all, 100% electrification, piped water for all etc. Steel has several inherent advantages of durability, faster completion, time reduced environment impact, and the creation of circular economy. Steel will have a crucial role to play in India's rise to a \$5 trillion economy.
- b. The DFO, Nodal Officer, PCCF and State Govt. have recommended the proposal for reconsideration subject to the following conditions:
- The user agency has to undertake CSR and other activities and infrastructural developments like roads, electricity, drinking water supply, schools & hospitals for local communities.
  - The user agency has to transport the minerals as per the NEERI recommendation.
  - The Comprehensive Action Plan (CAP) for the conservation of elephants and mitigation of Human-Elephant Conflict (HEC) in Odisha to be prepared in consultation with the State Forest Department.
  - The Site-Specific Wildlife Conservation Plan (SSWLCP) has to be prepared as per approved guidelines of the State Govt. Prescription like specific interventions for the protection on Forest and Wildlife, prevention of forest fire, Habitat Management, Mitigation of Human- Elephant conflict, public Awareness, Community Participation and Eco Development activities must be focused while preparing the SSWLCP in that landscape.

- c. The comment of the Regional Office on the response of State Govt. vide letter No. 19127/9F(MG)-14/2023 dated 21.09.2024 on the points asked by the Advisory Committee meeting held on 04.07.2024 are as follows:
- RO has a view that the linear proposal for road and transmission line are in the non-lease area comprising of forest, private and Govt. non-forest land. The concerned officials insist for 'in-principle' approval of the mining lease, so that they will give NOC to user for filing of diversion proposal for use of Government land, subject to necessary clearance. So, the explanation by the State Govt. may be accepted.
  - As per the report of the State Govt. the user agency has made following studies:
    - Study of the Ground water condition in both core and buffer zone of Dholta Pahara Iron Ore Block
    - Rain Water Harvesting structure in core zone of Dholta Pahar Iron Block.
    - Study of Biodiversity in and around Dholta Pahar Iron Ore Block.
    - Study on Social Impact in both core and buffer zone of Dhalta Pahar Iron ore Block.
    - In the studies the expected impact and the mitigation measures have been prescribed.
    - The State Govt. has also stated that "as there are 18 number of non-working mines; 12 number of working mines; and 2 auction mines located in the zone influence, it suggested that an institution of repute to carry out the study on impact of mining on the hydrological regime of Sarkunda RF as well the watershed of the proposed mining lease area within 10 Km of zone of influence and eco-cultural linkage of the local communities with the Sarkunda Sal forest need to be carried out with mitigative measures.
    - This explanation appears justifiable as one mine cannot be treated in isolation. So the Site Specific study for mine to protect the left out Sarkunda forest as well as studies for the entire landscape should be conducted and mitigative as proposed should be proportionately contributed to all the mining leases holders as per the mining lease area.
- d. The State Govt. has reported that 61.088 ha of non-forest land has been identified in village San-Sibanathpur (58.757 ha + 2.331 ha) under Gurundia Tahasil of Bonai Range of Bonai Forest Division for compensatory afforestation, in lieu of 60.508 ha of forest land proposed for diversion. As per CA Schemes total 23,965 seedlings (22800 + 1165) will be accommodated over 61.088 ha of non-forest land. Further, the State Govt. has identified 75.00 ha of degraded forest land in Kello-B RF in Bonai Forest Division to accommodate the balance 36,543

seedlings. So, total  $23,965 + 36,543 = 60,508$  nos. of seedlings will be planted. Total 29,838 nos. of trees have enumerated over the proposed forest land. In the CA Schemes total 60,508 nos. of seedlings will be planted. Thus, the land for land and tree for tree have been compensated in the proposal.

viii. Further it has been mentioned that:

- a. As per Ministry letter No.8-31/2022-FC dated 14.08.2023 a Consultative meeting was held on 17.10.2023 with the State Govt. authorities and other stakeholders including mining lessees of Netrabandh Pahar Iron Block landscape. In the meeting the representative from Ministry, Wildlife Institute of India, officials of the State Forest Department, Steel & Mines Department, State Pollution Control Board and representative of different Mining Lessees were present. During discussion it was stated in the consultative meeting that there are 17 non-working mines in that landscape. Except 2 mines which are non-operational, all other mines are non-working due to pending statutory clearances and all will be operational after getting statutory clearance. All the mines working in that area are producing minerals below their Environmental Clearance production capacity and there is possibility of expansion of the production capacity of the mines. During discussion, it was revealed that actual/suggested Sustainable Annual production in Joda-Koira Sector (Keonjhar and Sundargarh district) upto 2020-21 as follows:

Actual/Suggested Sustainable Annual Production in Joda Koira Sector (Keonjhar & Sundargarh districts) up to 2020-21:

Sl. No.	Year	Horizon	Actual/ Suggested Sustainable Annual Production (MT)	Mine Source with EC Capacity
1	2015-16	Base Year	80	Total 40 iron ore mines in Joda-Koira Sector (Keonjhar and Sundargarh districts) with total EC Capacity of 156 MTPA (already permitted/working mines)
2	2016-17	1st year	100 (80+20) (Actual Production - 98.38 MT)	Existing 40 iron ore mines upto March 2016 (EC Capacity 156 MTPA) or Additional 20 MT from further expansion or new mines
3	2017-18	2nd Year	120/100+20)	Existing iron ore mines upto March 2017 or Additional 20 M-from further expansion or new mines
4	2018-19	3rd year	140(120+20)	Existing iron ore mines upto March 2018 or Additional 20 M- from further expansion or new mines

5	2019-20	4th year	160(140+20)	Existing iron ore mines upto March 2019 or Additional 20 M from further expansion or new mines
6	2020-21	5th year	180(160+20)	Existing iron ore mines upto March 2020 or Additional 20 MT from. further expansion or new mines
				2020 or Additional 20MT from further expansion or new mines.

Accordingly, by 2021, the total iron production capacity can be 201 MT (Jada Sector-100 MT, Koira Sector 74 MT, Baripada Sector-10 MT and Jajput Sector 11 MT).

As per available records, the actual production of the mines in the landscape is as follows:

Sl. No	Name of user agency	Annual Production
1	JSW Steel	2.68 MTPA
2	Tata Steel Ltd.	2.95 MTPA
3	Raga Tradecon	1 MTPA
4	Triveni Earthmovers	1.65 MTPA
5	Rungta Mines Ltd.	3.98 MTPA
	<b>Total</b>	<b>12.26 MTPA</b>

It is clear from the above table that the expected production level also less than the additional quantity suggested for further expansion by NEERI.

The present extraction of ore is below in capacity that approved in the Environment Clearance. The CSIR-NEERI Report has suggested for special emphasis for Joda-Barbil and Koira Sector which is very rich in iron ore.

- b. The Special Expert Appraisal Committee (EAC-Non Coal mining sector) in its meeting held on 12.09.2023 on "whether a cap on mining is necessitated in the case of State of Odisha and, if so, the modalities to be followed for determining such a cap" has recommended that there is no need to cap the iron ore mining in Odisha.
- ix. Total 29,838 nos. of trees has been enumerated in the entire lease area. The number of trees with girth more than 60 cm is 19,173 and trees with girth less is 10,665.
- x. The proposed area is not a part of any National Park or Eco Sensitive Zone of any Protected Area. The Karo-Karampada Elephant Corridor is about 20.63 Km away from the project site.
- xi. Some non-site specific activity has been proposed in the forest land. As the entire lease area is having forest land and all the outer boundary of the lease is also forest land so the user agency has no option than to use forest land for mining as well as activities ancillary to mining.

- xii. The DFO, Bonai has reported the density of vegetation as 0.6 and DSS analysis says that Very Dense Forest: 59 ha and Moderately Dense Forest: 01 ha. From the field verification, it was found that the area is having Very Dense Forest, Moderately Dense Forest as well as blank area and there is an earthen road passing across the mining lease area. Though the forest is inviolate as per the DSS, but presence of 23.92 Million Tons of iron beneath the forest land gives the flexibility to the Advisory Committee to take decision as mining is a site-specific activity.
- xiii. The Committee further noted the recommendation made by the DDGF (Central) RO Bhubaneswar which are as follows:
- a. This lease should also be included in the purview of the Oversight Committee constituted by Ministry vide OM No.8-96/1996-FC (Pt-I) dated 29.12.2023 to review and monitor compliance of the conditions stipulated in the approval to be granted.
  - b. There should be study on total landscape of Joda and Koira Sector by reputed organization on:- (i) Impact of mining on loss of habitat of wildlife including mesopredator and small mammals, movement and dispersal of elephant (ii) Impact of mining on hydrological regime of the area as well as the watershed of the proposed mining lease area within 10 Km zone of influence & (iii) Impact of mining on the eco-cultural linkages of the local communities with the forest. The study should be conducted, and measures suggested to address the possible impact may be implemented by proportionate contribution to all the lease holders as per their lease area.
  - c. Site Specific Wildlife Conservation Plan shall be prepared and implemented at project cost. So mitigation measures to minimize destruction of habitat of elephants and protect their movement path to be part of the Site Specific Wildlife Conservation Plan along with conservation of small mammals and their habitat.
  - d. At present in Odisha, Regional Wildlife Conservation Plan are prepared every year, there is no long term Plan. So, the Regional Wildlife Conservation Plan should be prepared at least for 10 years covering the forest Division of Sundargarh, Jharsuguda and Keonjhar Districts. It is also suggested that a Bio-diversity Conservation Plan for this entire landscape may be prepared. The above plans shall be implemented by proportionate contribution to all the lease holders as per their lease area.
  - e. The State Govt. shall prepare and implement Soil & Moisture Conservation Plan at the cost of user agency.
  - f. Removal of trees has impact on the general ecosystem. So, trees should be felled only when it is absolutely necessary after proper inspection of local DFO and in a phased manner under the supervision of State Forest Department.
  - g. The transportation of ore should be done as per the report of NEERI.

- h. The lease area should be properly fenced so that no wildlife enters into the lease area.
  - i. No mine water should be drained to the adjoining forest land from the mine area.
  - j. In CA plantation only Sal and associates of Sal of more than 18 months old seedlings should be planted. To ensure that DFO should prepare nursery accordingly to get sufficient nos. of Sal and associates seedlings of 18 months old before planting.
  - k. There is an earthen forest road about 3 Km from the Mining Lease to main road. The user agency has to take forest clearance to use this road.
- xiv. The IGF-FC and member secretary of the Advisory Committee informed that to take note of the following important points concerning the instant proposal.
- a. The instant proposal was rejected by the Advisory Committee in its earlier meeting mainly due to the fact that the area proposed for diversion is in high conservation zone (i.e. inviolate area) as per DSS analysis and the area having very high density of forest (0.6 density) involving approximately 30,000 trees to be felled of Sal and associate species. The proposal was deliberated in the AC meeting dt. 29.11.2023, and the same was recommended for rejection.
  - b. There is presence of elephant in the area.
  - c. The regional office has reported that the proposed mining area is placed almost in the middle of the Sarkunda RF, which does not have any mining activity at present and is undisturbed housing a very good chunk of forest at this point of time and the Sarkunda RF is a contiguous and intact patch of Sal forest in the heavily mined periphery and its strategic location on an elevated area makes it vulnerable to contamination of water sources down streams in case of mining in the proposed site.
  - d. The regional office has recommended three studies (i) Impact of mining on loss of habitat of wildlife including mesopredator and small mammals, movement and dispersal of elephant (ii) Impact of mining on hydrological regime of the area as well as the watershed of the proposed mining lease area within 10 Km zone of influence & (iii) Impact of mining on the eco-cultural linkages of the local communities with the forest. It is stated that the study should be conducted, and measures suggested to address the possible impact may be implemented by proportionate contribution to all the leaseholders as per their lease area.
  - e. The proposal is not a comprehensive proposal as the proposal for requirement of transport and transmission is not included in the instant proposal, which is required as per guidelines Chapter 7, para 7.8 of the consolidated guidelines.
  - f. The Regional Office has also informed that there are two more mines that are being proposed in the same area, however no details viz. area required to be diverted and infrastructure required for the same is not available.



- xv. The Advisory Committee non-official member, Sh. S. D. Vora noted that as mentioned by the DDGF (Central) that the expected production level is less than the additional quantity suggested for further expansion by NEERI. The present extraction of ore is below in capacity than that is approved in the Environment Clearance. The CSIR-NEERI Report has suggested for special emphasis for Joda-Barbil and Koira Sector that is very rich in iron ore. The Expert Appraisal Committee (EAC-Non Coal mining sector) in its meeting held on 12.09.2023 on "whether a cap on mining is necessitated in the case of State of Odisha and, if so, the modalities to be followed for determining such a cap" has recommended that there is no need to cap the iron ore mining in Odisha. In this regard, the member observed that though there is no cap, however, it needs to be analysed whether, the existing mines are operating to their full capacity of peak production and the mines that are not operational or closed will be not be having further production. In light of this, it has to be seen whether the proposed mining activity is required to meet the required levels of production of ore.
  - xvi. It was also noted that during the presentation the DDGF (Central) has informed that the proposal was earlier rejected mainly based on the presence of very dense forest as per the DSS report. He also stated that the area proposed for diversion have few medium density and open patches as well. However, the exact details of the vegetation density and area under MDF or Open category are not provided in the report or presentation.
  - xvii. On asked for remarks by Chairman, ADG (FC) stated that:
    - a. The term 'inviolable' has been replaced with the 'very high conservation zone'. The IGF & Member Secretary may formally apprise the members of the committee, Regional Offices and the DSS team accordingly.
    - b. The AC had recommended for rejection of the proposal earlier, based on the DSS report that the area involves very dense forests. It should have given the cogent reasons along with its recommendation.
  - xviii. The Committee after detailed discussion with the DDGF (RO) Bhubaneswar has noted that the area is falling in Very Dense Forest. The Ministry has rejected it earlier, therefore to consider it again the economic benefits vis-a-vis the ecological concerns are required to be examined in detail.
  - xix. Further, the Committee noted that the area is not part of any PA/WL Sanctuary; however, the movement of the elephants is reported in the area. The CWLW has submitted his comments, however keeping in view the importance of the area specific recommendations of the CWLW may also be asked.
7. The above facts for re-consideration of the proposal was considered in the meeting of the Advisory Committee meeting held on 06.11.2024 After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar and Nodal Officer, Govt. of Odisha, the Committee decided to

defer the proposal for seeking the following information from the State Government and from the Regional Office Bhubaneswar:

- i. The Regional Office shall examine the economic benefits vis-a-vis the ecological concerns pertaining to the proposal in light of the observations made in the advisory committee meeting and submit a detailed report in consultation with the State Govt. A detailed justification shall be submitted for reconsidering or not reconsidering the proposal since Advisory Committee recommended to reject the instant proposal in its meeting dated 29.11.2023.
  - ii. The State Govt. shall submit specific recommendations of the CWLW, keeping in view the elephant movement and biodiversity richness in the project area.
8. The State Govt. vide letter No.FE-DIV-FLD-0030-2023-24257/FE&CC dated 05.12.2024 has furnished the point wise reply of above observation to this office which are as follows:

S. No.	Information sought by the RO	Reply by the State
	<p>The Regional Office shall examine the economic benefits vis-à-vis the ecological concerns pertaining to the proposal in light of the observations made in the committee meeting and submit a detailed report in consultation with the State Govt. A detailed justification shall be submitted for reconsidering or not reconsidering the proposal since Advisory Committee recommended to reject the instant proposal in its meeting dated 29.11.2023.</p>	<p><b>The detailed justification is as under:</b>  <b>A: Ecological concerns when a Forest Area is Diverted:</b></p> <ol style="list-style-type: none"> <li>1. <b>Loss of Tree Cover:</b> Diversion of forest land for mining purpose is associated with felling of trees and extending. Both will have impact on the Ecosystem. The present proposal involves felling of 29838 nos. of trees (this includes 1149 nos. of trees within safety zone area) in the entire lease period and mining of 23 MT of Iron Ore. To compensate the loss of tree cover, the State Govt. has identified an area of 58.757 ha of non-forest land in village San-Sibnathpur by taking ARN @ 400 seedlings per hectare which will accommodate 22,800 nos, of seedlings and another area of 2.331 ha of non-forest Govt. land identified in village San-Sibnathpur by taking ANR @ 500 seedlings per hectare which will accommodate 1165 nos. of seedlings for CA, which will subsequently be declared as Protected/Reserved Forest. The loss of land can be compensated by providing equal hectare of non-forest land.</li> </ol> <p>Further, an area of 75.00 ha of degraded forest land has been identified in Kello-B RF for plantation of balance saplings of 36,543 (including the balance seedlings of the SZ) for CA.</p> <p>The proposed area is having mostly A Sal and associates of Sal and 28,689 nos, of trees will be</p>

		<p>felled in the entire lease period. To compensate the loss of trees, the State Govt. will undertake plantation of same amount of tree and also, to minimize the impact of felling, the trees will be felled when felling of trees becomes absolutely essential and with strict supervision of Forest Department. Similarly, for the adverse impact due to excavation, mining and transportation, it is planned to fell trees when it is absolutely essential and with strict supervision of Forest Department.</p> <p>2. <b>Impact on Wildlife:</b> The proposed area is not a part of National Parks, Sanctuary or within the ESZ of any Protected Area. This proposed area is also not within the Tiger or Elephant corridor. However, diversion of forest area for mining will have impact on wildlife. Presence of wild animals and movement of elephants in and around the proposed area has been reported. The distance of project area form the nearest PA (Badrama Wildlife Sanctuary) is 84.04 Km and the project area is 20.36 Km away from the nearest Karo-Karampada Elephant Corridor.</p> <p>The diversion of forest area for mining will have impact on mesopredator and small mammals, movement and dispersal of elephant in and around project area. However, with appropriate site specific mitigation measures, the effect of the project on wildlife can be mitigate to a certain extent. Accordingly, the Site Specific Wildlife Conservation Plan will be prepared and implemented. And such intervention will be for the both the project area; and also within the zone of influence of 10 Km radial distance. The entire cost of thereof for its implementation will be borne by the project proponent for which an undertaking by the project proponent has already been furnished with the forest diversion proposal.</p> <p>It is also a fact that this region with Iron ore deposit and may mining activities are going on the surrounding of this project. A balanced approach can allow environment and mining to coexist sustainably. This requires a commitment to responsible mining practices that minimize environmental impact while promoting conservation and economic growth. Mitigation plans are prepared by the Forest Department from time to time. Accordingly, the user agency</p>
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		<p>has furnished an undertaking to participate in the aforesaid study and pay proportionately their contribution as and when demanded.</p> <ol style="list-style-type: none"><li>3. <b>Biodiversity richness:</b> Study of the biodiversity of the proposed area as well as the entire landscape is required. After detailed study, specific conservation activities will be done to preserve unique species from loss and local extinction. It is proposed that a general Biodiversity Conservation Plan for the entire landscape will be prepared and implemented to mitigate the impact of mining on biodiversity. In this context, the user agency has furnished an undertaking in this regard.</li><li>4. <b>Impact on Water Regime:</b> There are no perennial/seasonal streams in the proposed area. However, the proposed area act as a catchment for many reels and gullies eliminating form the slopes of the proposed area. To minimize the impact of loss of catchment, proper Soil and Moisture Conservation Plan will be implemented to increase infiltration of water and reduce the erosion of soil as well as water.</li><li>5. <b>Impact on Environment:</b> The proposed mine will have to take Environment Clearance from the competent authority. The project proponent should implement with utmost Page sincerity the condition laid out the Environment Clearance. The project proponent will ensure that no mining waste is released to the forest area outside the lease boundary. The transportation of mineral will be done as per the NEERI report. Mining will have definite ecological concerns. But these ecological concerns can be mitigated through proper planning and implementation of Wildlife Conservation Plan, Biodiversity Conservation Plan and Soil Conservation Plan etc. which have been proposed and implemented at project cost.</li></ol> <p><b>B. Economic Concern:</b> The proposed area is having 60.508 ha of Iron Ore Reserve. Iron ore being raw material to many industries will have an impact on general economy of the country. Establishment of this mining industry will provide direct employment permanently 150 nos. and temporary 500 besides many indirect employment also. Establishment of such mining will also cater to the basic need like communication, Health, Sanitation, Education etc. of the local people living in and around the mine through the fund identified for CSR. Seeing the increase demand of iron ore sector in our country as well as in the world as a whole by</p>
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		<p>mitigating of ecological concerns, sustainable mining can be done. The availability of 23 Million Ton of Iron Ore beneath the site has huge economic benefit by providing revenue as well as employment. Mining being a site-specific activity, the diversion of 60.508 ha of forest land including 2.331 ha of safety zone in Dholtapahar Iron Ore Block for Iron Ore mining by Kashvi Power &amp; Steel Pvt. Ltd. is recommended for reconsideration subject to the following condition:</p> <ol style="list-style-type: none"> <li>1. A general Biodiversity Conservation Plan for the entire landscape will be prepared and implemented to mitigate the impact of mining on biodiversity. The proportionate cost thereof for its implementation will be borne by the project proponent.</li> <li>2. The user agency has to undertake CSR and other activities and infrastructural development like roads, electricity, drinking water supply, schools &amp; hospitals for local communities.</li> <li>3. The Project Proponent has to transport the minerals as per the NEERI recommendation.</li> <li>4. Soil &amp; Moisture Conservation Plan has to be prepared and implemented at the cost of project proponent.</li> <li>5. The lease area should be properly fenced so that no wildlife enters into the lease area.</li> </ol>
	<p>The State Govt. shall submit specific recommendations of the CWLW, keeping in view the elephant movement and biodiversity richness in the project area.</p>	<p>The State Govt. vide letter No.FE-DIV-FLD-0030-2023-24257/FE&amp;CC dated 05.12.2024 has forwarded the Letter No.14318 dated 27.11.2024 of the PCCF (WL) &amp; CWLW, Odisha in compliance to the above observation. Keeping in view of the elephant movement and biodiversity in the project area, the PCCF (WL) &amp; CWLW, Odisha has recommended the proposal with following condition:</p> <ol style="list-style-type: none"> <li>1. The Site-Specific Wildlife Conservation Plan (SSWLCP) has to be prepared as per approved guidelines of the State Govt. Prescription like specific intervention for the protection of Forest and Wildlife including securing movement and dispersal of elephant, prevention of forest fire, Habitat Management, Mitigation of Human-Elephant Conflict, Public Awareness, Community Participation and Eco-Development activities etc, must be focused, while preparing the SSWLCP. The cost thereof for its implementation will be borne by the Project Proponent.</li> <li>2. DFO shall prepare a landscape level plan for mitigation of human elephant conflict. The proportionate cost thereof for its implementation will be borne by the Project Proponent.</li> </ol>

		<p>3. A general Biodiversity Conservation Plan for the entire landscape need to be prepared and implemented to mitigate the impact of mining on biodiversity. The proportionate cost thereof for its implementation will be borne by the Project Proponent. The State Govt. enclosing the recommendation of PCCF (WL) &amp; CWLW, Odisha and justification given by the Nodal Officer (FCA) on economic benefits vis-à-vis ecological concern. has recommended for reconsideration of the proposal.</p> <p>The Nodal Officer (FCA) has suggested certain mitigative measures to address the ecological concern and highlighted the mineral reserve worth 23 Million Ton which with huge economic benefit and employment opportunity.</p>
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9. After examination of the above reply of the State Govt. the RO has submitted his recommendations and recommended that the proposal for reconsideration subject to the following conditions:
- i. There should be study on total landscape of Joda and Koira Sector by reputed organization on:
    - a. Impact of mining on loss of habitat of wildlife including mesopredator and small mammals, movement and dispersal of elephant,
    - b. Impact of mining on hydrological regime of the area as well as the watershed of the proposed mining lease area within 10 Km zone of influence &
    - c. Impact of mining on the eco-cultural linkages of the local communities with the forest. The study should be conducted and measures suggested to address the possible impact may be implemented by proportionate contribution to all the lease holders as per their lease area.
  - ii. Site Specific Wildlife Conservation Plan shall be prepared and implemented at project cost. So mitigation measures to minimize destruction of habitat of elephants and protect their movement path to be part of the Site Specific Wildlife Conservation Plan along with conservation of small mammals and their habitat.
  - iii. At present in Odisha, Regional Wildlife Conservation Plan are prepared every year, there is no long term Plan. So, the Regional Wildlife Conservation Plan should be prepared at least for 10 years covering the forest Division of Sundargarh, Jharsuguda and Keonjhar Districts. It is also suggested that a Bio-diversity Conservation Plan for this entire landscape may be prepared. The above plans shall be implemented by proportionate contribution to all the lease holders as per their lease area.
  - iv. The State Govt. shall prepare and implement Soil & Moisture Conservation Plan at the cost of user agency.
  - v. The transportation of ore should be done as per the recommendation of NEERI.

- vi. This lease should also be included in the purview of the Oversight Committee constituted by Ministry vide OM No.8-96/1996-FC (Pt-I) dated 29.12.2023 to review and monitor compliance of the conditions stipulated in the approval to be granted.
  - vii. In CA plantation only Sal and associates of Sal of more than 18 months old seedlings should be planted. To ensure that DFO should prepare nursery accordingly to get sufficient nos. of Sal and associates seedlings of 18 months old before planting.
  - viii. Removal of trees has impact on the general ecosystem. So, trees should be felled only when it is absolutely necessary after proper inspection of local DFO and in a phased manner under the supervision of State Forest Department.
  - ix. The lease area should be properly fenced so that no wildlife enters into the lease area.
  - x. No mine water should be drained to the adjoining forest land from the mine area.
10. The Advisory Committee with respect to the report submitted by the Regional Office has observed that the RO has submitted report based on the information provided by the State Nodal officer and comments of the CWLW. The Report lacks of understanding of the proposal in totality without providing perspective and conclusion by the Regional Office. Therefore, it will be prudent to constitute a sub-committee to visit the area, examine the proposal holistically and give recommendations in view of the area being in High Conservation Zone as per Decision Rule 1 and 2 of DSS and reported elephant movement in the area. Further, as per extant rules and guidelines a comprehensive proposal including the road and transmission line was required to be submitted, whereas the state has mentioned that separate proposals are being submitted for road and transmission line. The committee shall therefore also examine the necessity and justification of the separate proposals for road and transmission line.
11. **Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar and CCF cum Nodal, Govt. of Odisha, the Committee deferred the proposal and decided that to constitute a sub-committee to visit the area, examine the proposal holistically and give recommendations in view of the area being in High Conservation Zone as per Decision Rule 1 and 2 of DSS, and reported elephant movement in the area. Further, as per extant rules and guidelines a comprehensive proposal including the road and transmission line was required to be submitted, whereas the state has mentioned that separate proposals are being submitted for road and transmission line. The committee shall therefore also examine the necessity and justification of the separate proposals for road and transmission line.
- The Sub-committee shall have following members.**
- i. Shri Anjan Kumar Mohanty, Additional Director General of Forests (Forest Conservation), MoEF&CC, New Delhi, (Chairperson)
  - ii. Shri Manoj Pant, Non-Official Member- (Member)
  - iii. Prof. K.R Shree Harsha, Non-Official Member- (Member).
  - iv. DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar, (Member)

*The above sub-committee will be assisted by APCCF-cum-Nodal Officer, Government of Odisha for all needful support and logistics.*

## **Policy Issues**

### **Agenda No. 1**

**Sub: Modification of guidelines issued for allowing repair and maintenance of transmission lines in the forest area constructed prior to enactment of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 – reg. (F. No.**

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 27.01.2025. The DDGF (Central), from the various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue, request for modifications submitted by the State Government and other relevant developments that took place in the matter.
3. The Advisory Committee, after deliberations noted that the Chief Secretary, Govt. of Karnataka vide his DO dated 7.12.2024 requested the MoEF&CC to modify the guidelines relating to upgradation and maintenance of transmission lines constructed in the forest area prior to 1980. Following submissions have been made by the State Government:
  - i. Repair and maintenance of transmission towers include reconstruction, upgradation and maintenance of transmission towers/lines in the existing corridors by replacing the old deteriorated towers and erecting new towers in close proximity of the existing towers within the permissible corridor.
  - ii. The upgradation work requires creation of new/additional intermediate towers to maintain appropriate span length in plain / hilly terrains to maintain sufficient ground clearance as per Central Electricity Authority (CEA) guidelines and also to provide safe crossing to the wildlife specially to elephants.
  - iii. While executing the upgradation works, it is essential to keep the existing power supply system active till the works of erecting new towers for fixing new conductors are completed to replace the existing conducting system.
  - iv. The existing transmission lines were commissioned about three to four decades back. Part of the transmission corridors which were earlier in forest areas have subsequently been brought under Protected-Areas. It would be inexpedient to change the alignment at this juncture to avoid Protected-Areas. Further, the guidelines of Central Electricity Authority (CEA) guidelines may not permit change of alignment intermittently for short distances.
  - v. This would naturally require breaking of the land and removal of the growth within the corridor for laying foundation of new towers. Since the powers lines need to remain live and cannot be switched off for long, it is essential foundation of new towers be laid in advance.
  - vi. Guidelines issued by the Ministry as given at para 10.3 of the Consolidated Guidelines allows such repair and maintenance work without breaking of forest land. However, installation of new mounting towers cannot be exactly at the place of existing towers. It is thus necessary to lay foundation of new



- towers within the existing and already permitted corridor and shall not involve fresh tree felling.
- vii. In view of the above submissions, the State Government has requested for amendment in the condition no. 10.3 (ii) and 10.3(iii) to allow construction of such transmission lines in the Protected Areas and with the breaking of forest land within the RoW of transmission lines.
4. The Committee, after examining the submissions made by the State Government observed the following:
- i. As per the provisions of para 10.3 of the Consolidated Guidelines, the Central Government has exempted the repair and maintenance of the transmission lines constructed in the forest area prior to 1980 inter-alia stipulating that
    - (ii) : *These lines fall outside the Protected Areas*
    - (iii) : *No breaking up of forest land or felling of trees shall be allowed.*
    - (vii) ..... *Vegetation in the RoW shall not be disturbed*
  - ii. As per the submissions made by the Government of Karnataka, the scope of repair and maintenance also include reconstruction and upgradation by erecting new towers which will invariably involves breaking of forest land.
  - iii. Repair works such as replacement of old conductors, stringing of new conductors, and replacement of dilapidated towers will invariably involve breaking of land. The justification given by the State appears to be appropriate as the old transmission lines cannot be revamped with the upgraded structure without breaking the forest land.
  - iv. The Wildlife Division of the MoEF&CC in its comments mentioned that there are no specific guidelines issued under the Wild Life (Protection) Act, 1972 governing such modifications or repair of transmissions lines. Minor modifications and repairs of transmission lines can be undertaken without any recourse to the NBWL provided such works are covered under the scope of original permission. In cases where the replacement of an existing transmission tower is proposed, and the construction of a new tower and laying of new transmission lines is involved, such activities shall necessitate obtaining the prior recommendations of the Standing Committee of the National Board for Wildlife (SCNBWL), as per applicable laws and guidelines.
  - v. The repair and maintenance works of transmission lines, as requested by the State Government include reconstruction, upgradation and maintenance of transmission towers/lines in the existing corridors by replacing the old deteriorated towers and erecting new towers in close proximity of the existing towers within the permissible corridor.
  - vi. The Committee also observed that repair and maintenance of such transmission lines may also require felling of trees or clearing of bushes. Such transmission lines were allowed prior to 1980 with a specific RoW as per the relevant guidelines of the Central Electricity Authority and their repair and maintenance has already been allowed by the Ministry with prior permission of the State Forest Department. Felling of trees in such cases should be avoided by the agency to the extent possible and the same should be carried only under unavoidable circumstance within the permitted RoW. Felling of trees should be compensated by the user agency by paying the cost of plantation of trees, 10 times to the trees required to felled during such repair and maintenance.

5. **Decision of the Advisory Committee:** After detailed deliberations with the Nodal Officer and Regional Offices, the Advisory Committee observed that repair and maintenance of the transmission lines will invariably involve breaking of land and hence the purpose of the guidelines given at para 10.3 of the Consolidated Guidelines is not being served fully in such cases. Therefore, the Committee recommended that para 10.3(ii), 10.3(iii) and 10.3(vii) of Chapter-10 of the Consolidated Guidelines Issued by the Ministry on 29.12.2023 may be amended and substituted with the following:
- i. Breaking of forest land limited for laying of foundation and erection of new towers can be allowed in the existing corridor permitted as per guidelines of the Central Electricity Authority.
  - ii. The old dilapidated towers shall be dismantled and removed before the commissioning of new towers.
  - iii. Felling of trees during the repair and maintenance of old transmission lines should be avoided to the extent possible. However, under unavoidable circumstances, limited felling of trees may be permitted subject to condition that felling of such trees shall be compensated by the user agency by paying the cost of plantation of trees, 10 times to the trees required to felled during such repair and maintenance.
  - iv. The State Forest Department shall carry out the plantation, from such payments collected from User Agencies, on degraded forest lands.
  - v. Repair, maintenance or upgradation of transmission in National Parks/Wildlife Sanctuaries and Tiger Reserves and Tiger Corridors shall be undertaken in the following manner:
    - (a) Minor modifications and repairs of transmission lines can be undertaken without any recourse to the NBWL provided such works are covered under the scope of original permission.
    - (b) In cases where the replacement of an existing transmission tower is proposed, and the construction of a new tower and laying of new transmission lines is involved, such activities shall necessitate obtaining the prior recommendations of the Standing Committee of the National Board for Wildlife (SCNBWL), as per applicable laws and guidelines.
  - vi. The work related to repair, maintenance or upgradation of the transmission lines in the forest areas shall be completed in a minimum possible time, which in any case should not exceed six months.

## **Agenda No. 2**

**Subject: Clarification on the applicability of provisions of compensatory afforestation in respect of forest land used for construction of tunnels in road/railways projects - reference received from Water Resources Department, Government of Rajasthan regarding.(File No. 11/114/2024-FC)**

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 27.01.2025. The DDGF (Central), from the various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue, request for modifications submitted by the State Government and other relevant developments that took place in the matter.
3. The Advisory Committee, after deliberations noted the following:
  - i. The Government of Rajasthan vide letter dated 24.09.2024 has requested to MoEF&CC for clarifying the applicability of provisions of compensatory afforestation in respect of forest land used for construction of tunnels in irrigation project. Submissions made by the Government of Rajasthan are as under:
    - a. Water Resources Projects are crucial for the sustainable development of the State's water resources. Water resources development projects are generally governed by the geographical features of the area and often necessitate the construction of tunnels to transfer/supply water to adjoining area. Such projects often require the construction of tunnels beneath the forest land. These tunnels, similar to those for roads/railways tunnels, do not impact surface flora and fauna.
    - b. Clarification dated 1.10.2024 has been issued in respect of road and railway projects treating them at par with underground mining proposal. However, it does not specify its applicability for construction of tunnels for irrigation projects.
    - c. Tunnels portions of water resources projects in forest area at par with the underground mining projects and road/railways tunnels, may be treated at par with the underground mining project for the purpose of applicability of compensatory afforestation.
    - d. In view of the above submissions, the State Government has requested to consider tunnels portions of water resources projects in forest area may be treated at par with the underground mining project for the purpose of applicability of compensatory afforestation.
  - ii. Construction of tunnels is an environment friendly activity as it does not interfere with surface flora, fauna and ecological regimes. As per guidelines issued by the Ministry on 17.04.2018, the tunnels proposed to be constructed as a component of hydel projects were also considered at par with the underground mining proposals and accordingly, the provisions of CA and NPV were made applicable in such cases involving construction of tunnels linked to hydel projects.
  - iii. The advisory Committee noted that recently, the Ministry vide its guidelines dated 1.10.2024 has already allowed such dispensation to linear projects (railways and roads) wherein keeping in view the fact that there is no disturbances on the ground surface, construction of tunnels linked to linear projects have been exempted from raising compensatory afforestation and for charging NPV @ 50% of the normal NPV rates. As the construction of tunnels for irrigation or for other purposes such as hydel projects are also at par with the underground works which involve no disturbance on ground surface, therefore provisions of CA and NPV in such cases also should be levied considering them at par with the underground mining proposals.

4. **Decision of the Advisory Committee:** After detailed deliberations with the Regional Offices, Nodal Officers and officers of the Forest Conservation Division, the Advisory Committee observed that construction of tunnels for irrigation or other similar purposes such as hydel projects is an environment friendly activity as it does not interfere with surface flora, fauna and causes no surface disturbances. Accordingly the Committee recommended that all underground works in the forest land linked to linear, irrigation, hydel and other developmental projects should be considered at par with the underground mining proposals and accordingly, applicability of the provisions of raising compensatory afforestation, Net present Value should be decided and prescribed by the processing authorities in such cases involving underground works such as construction of tunnels.

### **Agenda No. 3**

**Sub: Formulation of policy/guidelines for Penal Compensatory Afforestation (PCA) to ensure transparency, rationality and uniformity while imposing condition of raising penal CA in proposals involving violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (F. No. 813/UP/06/34/2018-FC). (File No. 11/126/2024-FC)**

The policy agenda was deferred by the Advisory Committee for the next meeting. The Committee desired that the Nodal Officer, Rajasthan and Nodal Officer Himachal Pradesh to remain present in the next meeting of the Advisory Committee and the DDG, Regional Office, Bhopal will make detailed presentation before the Committee on the recommendation made in the report submitted for formulation of policy guidelines for Penal Compensatory Afforestation (PCA).

### **Agenda No. 4**

**Sub: Request for approval to conduct Research and Development (R&D) drilling activity to assess the impact of Extended Reach Drilling (ERD) without commercial implication – regarding (File No. FC-11/1/2025-FC)**

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 27.01.2025. The DDGF (Central), from the various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue, request for submitted by the Directorate General of Hydrocarbon (DGH) and other relevant developments that took place in the matter.
3. The Committee, after deliberations, noted the following:
  - i. The Secretary, DGH, Ministry of Petroleum & Natural Gas, DGH vide his DO dated 19.12.2024, adverting to the minutes of the meeting held on 11.11.2024 under the chairmanship of DGF&SS to decide one suitable location for the R&D Study to be conducted by the WII, has requested this Ministry to accord approval for carrying out drilling as a Research and Development (R&D) activity without any implication, bypassing the online route. Following submissions were made by the Secretary, DGH: under:

- ii. In the minutes of the meeting dated 11.11.2024, it was decided that one fresh proposal may be submitted in PARIVESH 2.0 portal, seeking permission to drill any Extended Reach Drilling (ERD) well locations (BJG/BJE/BJD/BJF) to facilitate the development of region-specific guidelines.
  - iii. While perusing the process of online application, it was noticed that no appropriate category is available in PARIVESH 2.0 for this drilling activity under R&D purpose. There is a requirement of developing one new category as 'R&D' in PARIVESH, which would involve a multi-level scrutiny process, starting from State Government departments to the MoEFCC. Consequently, it is anticipated that the clearance process may require a minimum of 6 to 7 months to complete.
  - iv. The WII has been awarded with a long-term R&D project spanning five years, with a milestone of completing one study in a designated region within a one- year time frame. The job order with necessary funds for the first study in NE region has already been awarded and project timing, as per the agreement, has already started. The R&D study must be completed before the onset of the monsoon, taking into account the logistical challenges associated with the NE region.
  - v. It was acknowledged during the meeting that the identified locations (BJG/BJE/BJD/BJF) are the most suitable for conducting this study to develop region-specific guidelines and the outcomes of this study will contribute towards national goals for energy security and environmental conservation.
  - vi. Drilling will be carried out without any forest diversion. The Wildlife clearance for the ERD portion is already in place by SC-NBWL.
  - vii. Citing the above circumstances, the Secretary, DGH has requested to accord approval for carrying out drilling as R&D activity without any commercial implication, by passing the online route.
4. The Committee, after examining the request made by the DGF, note the following;
- i. In the meeting held in the Ministry on 11.11.2024, it was concluded that extraction via ERD technology in the National Parks will lead to violation of Hon'ble Supreme Court order dated 4.08.2006 and 26.04.2023 in W.P. 202 of 1995.
  - ii. The Central Government, based on a study report submitted by the DGH and General SoP provided by the Wildlife Institute of India as per their preliminary study, has exempted the ERD technology from the purview of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. The relevant guidelines given at para 7.10 of the Consolidated Guidelines. The exemption provided therein is inter-alia subject to the following conditions:
    - (a) *The DGH will facilitate the formulation of detailed regional-specific guidelines by the Wildlife Institute of India. The necessary financial support, as will be required by the WII, will be arranged by the DGH.*
    - (b) *The exemption considered for the ERD technology will not be applicable if the drilling area falls inside the Protected Areas notified under the Wild Life (Protection) Act, 1972 and Eco-Sensitive zone of Protected Areas.*
  - iii. The SoP prescribed by the WII inter-alia mention that *"Based on the site visit by the WII team, there is a need to understand the impact of ERD on the above-ground biodiversity of forest areas and associated wildlife species. Once a detailed study on animal distribution, activity, behaviour, and response to anthropogenic disturbance is carried out, we shall be able to*

*submit detailed and site-specific recommendations to mitigate the adverse effect of drilling and exploration on wildlife species. Drillings sites in different biogeographic zones and habitat types will be selected to monitor the impact of anthropogenic disturbance on wildlife activity and their responses. The study outcomes will incorporate the relevant environmental protection measures and provide essential mitigation measures to reduce the adverse impacts of drilling on wildlife and surrounding forest areas. Since most of the disturbance is during the drilling process, mitigation measures must be implemented along with the ERD activities. The measures across different drilling sites in India will be based on a comprehensive study proposed by WII based on credible primary data concerning wildlife species in our country.*

- iv. The above SoP, along with the report of the DGH was considered and recommended by the Advisory Committee in its meeting held on held on 17th July, 2023. Based on the recommendation of the Advisory Committee, the Central Government, accepted the report of DGH and SoP of the WII recommending to exempt the Extended Reach Drilling Technology from the purview of the Adhiniyam to undertake drilling in the forest areas, located outside the Protected Areas and Eco-sensitive Zones, subject to fulfillment of certain conditions mentioned therein. Accordingly, guidelines exempting the ERD technology from the purview of the Adhiniyam were issued on 12.09.2023 which were incorporated at para 7.10 of the Consolidated Guidelines.
- v. The proposed drilling for R&D, proposed by the DGH, is in consonance with the approval granted by the Central Government on 12.09.2023 wherein inter-alai it was conveyed that 'Drillings sites in different biogeographic zones and habitat types will be selected to monitor the impact of anthropogenic disturbance on wildlife activity and their responses. The study outcomes will incorporate the relevant environmental protection measures and provide essential mitigation measures to reduce the adverse impacts of drilling on wildlife and surrounding forest areas'.
- vi. In the instant case, 4 locations inside the Dibru Saikhova National Park have been selected for the purpose of a research study to be conducted by the WII to assess the impact of Extended Reach Drilling on the surrounding flora and fauna. Therefore, provisions of the Guidelines given at para 7.10 of the Consolidated Guidelines are not applicable for extraction of oil.
- vii. The Standing Committee of the NBWL in its meeting held on 29.07.2017 recommended the proposals of the DGH for undertaking exploration at the proposed locations in the Dibru Saikhova National Park. Subsequent to recommendation of NBWL, the Hon'ble Supreme Court vide its order dated 7.09.2017 has also granted approval for extraction of Hydrocarbon from the Dibru Saikhova National Park as proposed by the User Agency.
- viii. As the SC-NBWL and Hon'ble Supreme Court have already granted permission for extraction of Hydrocarbon from a depth of 3900-4000 meters below surface, the proposed activity, therefore, do not involve violation of Hon'ble Supreme Court.
- ix. Extant proposal submitted by the DGH is for the purpose of R&D study involving no diversion of forest land. Earlier, the Ministry has allowed research study in the State of Uttar Pradesh wherein a pilot study for backfilling of mining voids with fly ash and red mud involving forest area of

0.55 ha forest land in the State of Uttar Pradesh was assigned to IIFM, TERI, IIT-BHU and CPCB.

5. **Decision of the Advisory Committee:** After detailed deliberations with the Regional Offices, Nodal Officers and officers of the Forest Conservation Division, the Advisory Committee observed that extant proposal has been proposed within a National Park for undertaking a study by the WII, Dehradun to assess the impact of ERD technology on surrounding the flora and fauna without any commercial implications and in the recent past also the Ministry has allowed a pilot research and development study for backfilling of mining voids. The Committee, therefore, recommended that proposed research and development study as proposed by the DGH may be allowed in the proposed locations in the Dibru Saikho National Park subject to following conditions:
- i. The Research and Development study proposed by the DGH will not cause any diversion of forest land on the surface.
  - ii. The outcome of the proposed activity will not be used for any commercial purpose and will be used purely for research purpose to monitor the impact of anthropogenic disturbance on forests and wildlife for prescribing for not result into any commercial implications.

### **Additional Agenda No. 1**

**Proposal No: FP/BR/Approach/152066/2022**

**Subject:- Proposal for Ex-post facto approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.015 ha of forest land for approach access for establishment of retail on the side of Gaya-Sherghati Road, Khata No. 02, Plot No. 647, Thana No.703, Thana- Gurua, Mauza- Samda of M/s NX100 Pacific Biofuel Pvt. Ltd. by Shri Ajit Kumar in Gaya district of Bihar State (Online No. FP/BR/Approach/152066/2022) – regarding.**

1. The above stated agenda item was considered by the AC in its meeting held on 27.01.2025. The corresponding agenda note may be seen at [www.parivesh.nic.in](http://www.parivesh.nic.in). The Dy. DGF (Central), RO, Ranchi were present in the meeting. Nodal Officer, Government of Bihar 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. 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 Bihar vide their letter No. Van Bhumi-67/2023-82(E)/P.V.J.P. dated 09.02.2024 has submitted the above cited proposal seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to Regional Office, Ranchi..
  - ii. The proposal is for approach access for establishment of retail on the side of Gaya-Sherghati Road of M/s NX100 Pacific Biofuel Pvt. Ltd.
  - iii. Legal status of the proposed area is notified Forest and Density of the proposed area reported as 0.1 with Eco Class 3.
  - iv. As reported, details of violation and action taken are as under:

- a. **Details of violation:** In this case, the applicant has violated the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The user agency has already carried out work on forest land without the approval of the Government of India, which is a violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
  - b. **Action Taken:** The State Government has informed that a case number 105/2024 has filed under Section 33 1 (C) of Indian Forest Act (Bihar Amendment Act) 1989 has been registered. The case is pending in CJM Division Court.
- v. With regard to raising compensatory afforestation, as the proposal is below 1 ha. Therefore the Plantation of 100 trees will be carried out in the same road area.
  - vi. The RO, Ranchi has conducted the site inspection and the DDGF, Regional Office, Ranchi has recommended the proposal with 5 times penal NPV and action against the erring official.
  - vii. The committee observed that as per DSS analysis, there is no wildlife sanctuary, national park, tiger reserve and tiger corridor is located within 10 km distance from the proposed forest land for diversion. The instant proposal falls under Not-Inviolate zone or Not In-High conservation zone value as per the DSS Rule-I & II.
  - viii. The committee noted that RO, Ranchi has informed that action for illegal use of forest land has been initiated and a Court case has been filed under the Indian Forest Act against encroachment on forest land. At present, the said court case is pending in the court of Chief Judicial Magistrate Division Court.
  - ix. The committee noted that the RO, Ranchi has recommended the proposal with penal provisions.
  - x. The Committee observed that the matter regarding imposition of penal CA is under consideration for the formulation of a uniform policy guideline in the matter. Keeping this in view, the imposition of penal CA (if any) will have to be as per the said guideline.

**4. Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi. After going through the facts of the proposal and submissions made by the Dy. DGF (Central), RO, Ranchi the Committee recommended '*in-principle*' approval for diversion of 0.015 ha of forest land for approach access for establishment of retail on the side of Gaya-Sherghati Road, Khata No. 02, Plot No. 647, Thana No.703, Thana- Gurua, Mauza- Samda of M/s NX100 Pacific Biofuel Pvt. Ltd. by Shri Ajit Kumar in Gaya district of Bihar State subject to the General, Standard and following specific conditions:

- i. The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest from the date of raising of such demand till the deposit is made.
- ii. The matter regarding imposition of penal CA is under consideration for the formulation of a uniform policy guideline in the matter. Keeping this



in view, the imposition of penal CA (if any) shall be as per the said guideline, if applicable.

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**(confirmed through e-mail)**

Dr. KR Sree Harsha  
(non-official Member)

**(confirmed through e-mail)**

Shri Nityanand Srivastava  
(non-official Member)

**(confirmed through e-mail)**

Shri Manoj Pant  
(non-official Member)

**(confirmed through e-mail)**

Dr. Mehraj Sheikh  
Deputy Commissioner (NRM)  
(Member)

**(confirmed through e-file)**

Shri Sushil Awasthi  
Additional Director General of Forests  
(WL)  
(Member)

**(confirmed through e-file)**

Shri Anjan Kumar Mohanty  
Additional Director General of Forests (FC)  
(Member)

**(confirmed)**

Shri Ramesh Kumar Pandey  
Inspector General of Forests  
(Member Secretary)

**(Approved)**

Shri Jitendra Kumar  
(Director General of Forests and Special Secretary)  
(Chairperson)