

(PARIVESH 1.0)**Minutes of the Meeting of the Advisory Committee (AC) meeting held on
02.12.2025****Agenda No. 6****File No. 9-HRB018/2018-CHA**

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. H.M Foods for non-forestry use of 0.012 ha. of Protected Forest for access to H.M Foods on Bhuna - Fatehabad Road (SH-02), RD 36.105 (RHS) in Village- Bhutan Kalan, Tehsil & District Fatehabad in the State of Haryana (Proposal No. FP/HR/ROAD/28580/2017)- regarding.

1. The agenda item was considered by the AC in its meeting held on 02.12.2025. The corresponding agenda note may be seen at www.parivesh.nic.in.
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 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 DDGF (Central), Regional Office, Chandigarh and Officials from the Government of Haryana attended the meeting. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The proposal is for diversion of 0.012 ha. Protected forest for access to H.M Foods on Bhuna - Fatehabad Road (SH-02), RD 36.105 (RHS) in Village- Bhutan Kalan, Tehsil & District Fatehabad in the State of Haryana.
 - ii. Canopy density in the proposed area is reported to be 0.012 of Eco class III with 02 no. of tree feeling is proposed to be felled during implementation of the project.
 - iii. Proposal does not fall within 10 km radius of the boundary of any PAs. No endangered, Schedule-I species, etc. have been reported in the area proposed for diversion. No protected archaeological / heritage site / defence establishment or any other important monuments is located in the area has been reported. Certificates to this effect have been submitted by DFO concerned.
 - iv. As per decision Rule- 1 and 2, the area does not falls into High Conservation value Zone.
 - v. Compensatory Afforestation has been proposed over 0.024 ha degraded forest land in Fatehabad Distry RD 171 to 172 Left Side, Fatehabad Forest Division. CA scheme with 10 years of maintenance is provided. Site suitability certificate has been furnished by the concerned DFO.

- vi. The Committee was informed that the proposal involves violation, DFO, Fatehabad has mentioned in Part- II that there is no violation. However, Regional Office has mentioned in their inspection report that during the inspection the DFO, Fatehabad informed that there was a violation of the said proposal by the User Agency. The User Agency has constructed approach access through forest area without obtaining any approval. Accordingly, the violation was registered vide DR dated 26.12.2023. The work was stopped and also the UA has not allowed using the forest land till the approval.

Further, it is also mentioned that User Agency has submitted proposal on 09.08.2017 and accepted by the Nodal Officer on the 11.10.2017. In view of the violation report and facts therein, the violation has been carried out while the FC proposal is under consideration, therefore, the activities carried out are violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and not the violation of the Indian Forest Act, 1927.

- vii. Further, the Committee was informed that the site inspection of the instant proposal was conducted by Regional Office, Chandigarh on 30.04.2025. The SIR has also been recommended by DDGF (C) of RO, Chandigarh. Summary of the same are as under:

I. Background on the proposal:

The proposed approach is required for diversion of 0.012 ha of forest land for access to Rice sheller of M/s H.M. Foods on Bhuna Fatehabad Road (SH-02), RD 36.105 (RHS) at Village Bhutan Kalan under forest division and district Fatehabad, Haryana and strip along this road is declared as protected forest. No other approach road falling in non forest area. the instant proposal for approach road is proposed.

II. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials.

As per PARIVESH web portal No Violation recorded. However, during the inspection the DFO, Fatehabad informed that there was a violation of the said proposal by the User Agency. The User Agency has constructed approach access through forest area without obtaining any approval. Accordingly, the violation was registered vide DR dated 26.12.2023. The work was stopped and also the UA has not allowed using the forest land till the approval.

Further on examination of the proposal in PARIVESH Portal, it has been found that the User Agency has submitted by UA on 09/08/2017 and accepted by the Nodal Officer on the 11/10/2017. In view of the violation report and facts therein, the violation has been carried out while the FC proposal is under consideration, therefore, the activities carried out are violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and not the violation of the Indian

Forest Act, 1927. Accordingly, the violation need to be dealt as per the provisions under the Para 1.16 (ii) of the Consolidated Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The Para 1.16 (ii) as above read as follow:

(ii) In cases where the proposal under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 is under consideration and forest land is diverted before grant of FC

(a) 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.

(b) State Government will initiate disciplinary action against the official concerned for not being able to prevent use of forestland for non-forestry purpose without prior approval of Government of India.

(c) Central Government will initiate suitable action against the concerned offender.

(d) User Agency responsible for violation shall be prosecuted under relevant local Act of the State and/or Central Act

It was further observed during the site inspection that the use of forest land has been stopped by the State Forest Department and work has been stopped.

III. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not. Details be furnished specifically if rehabilitation plan would affect any other forest area by translocating outstees in and around the said forest:

No.

IV. Recommendations of the Principal Chief Conservator of Forests/ State Government: Submitted along with the proposal.

V. Whether land being diverted has any socio-cultural/religious value. Whether any sacred grove or very old grown trees/forests exists in areas proposed for diversion:

The officials of the State Forest Department informed that the land being diverted has no socio-cultural/religious value.

VI. Situation w.r.t. any Protected Area: There are No Protected Areas.

VII. Any other observation:

The violation under the instant case has been carried out while the FC proposal is under consideration; therefore, the activities carried out are violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Accordingly, the violation need to be dealt as per the provisions under the Para 1.16 (ii) of the Consolidated Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

VIII. Recommendations of DDGF (Central), RO, Chandigarh:

The proposal is for approach access to private property of the User Agency and has been recommended by the State Government, accordingly same is recommended for consideration in the Advisory Committee as per the extant Rules and Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and officials from Government of Haryana, recommended the proposal for grant of '**in-principle**' approval for diversion of 0.012 ha. of Protected Forest land for access to H.M Foods on Bhuna - Fatehabad Road (SH-02), RD 36.105 (RHS) in Village- Bhutan Kalan, Tehsil & District Fatehabad in the State of Haryana subject to the general, standard and following specific conditions:

- i. Compensatory Afforestation shall be carried over 1 ha degraded forest land. Details of CA including KML, site suitability certificate etc need to be submitted along with Stage- I compliance report.
- ii. Detailed violation report, clearly mentioning the nature, extent, date and details of the persons responsible for violation and action taken against the officers responsible for violation shall be submitted along with Stage- I compliance report.
- iii. The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
- iv. Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 be initiated by Regional Office, Chandigarh, as applicable.
- v. 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 issued.

Agenda No. 7

File No. 9-HRB129/2022-CHA

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. HSIIDC Stone Mines, Khanak, for non-forestry use of 0.1785 ha. of Protected forest land for access permission for transportation of mining material at Village- Khanak under Forest Division and District Bhiwani in the State of Haryana (Proposal No. FP/HR/Approach/146575/2021)- regarding.

1. The agenda item was considered by the AC in its meeting held on 02.12.2025. The corresponding agenda note may be seen at www.parivesh.nic.in.

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 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 DDGF (Central), Regional Office, Chandigarh and officials from the Government of Haryana attended the meeting. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The proposal is for diversion of 0.1785 ha of Protected Forest for access permission for transportation of mining material at Village-Khanak under Forest Division and District Bhiwani in the State of Haryana.
 - ii. Canopy density in the proposed area is reported to be 0.03 of Eco class III with no tree feeling proposed to be felled during implementation of the project.
 - iii. Proposal does not fall within 10 km radius of the boundary of any PAs. No endangered, Schedule-I species, etc. have been reported in the area proposed for diversion. No protected archaeological / heritage site / defence establishment or any other important monuments is located in the area has been reported. Certificates to this effect have been submitted by DFO concerned.
 - iv. As per decision Rule- 1 and 2, the area does not falls into High Conservation value Zone.
 - v. Compensatory Afforestation has been proposed over 0.357 ha degraded forest land in Bhurtana Minor Rd 0-5 L&R, Compartment No. H43V13, Range Tosham. CA scheme with 10 years of maintenance is provided. Site suitability certificate has been furnished by the concerned DFO.
 - vi. The Committee was informed that the proposal involves violation, DFO, Bhiwani has mentioned in Part- II that there is violation of FCA, 1980, over an area of 0.1785 ha for a period of 3 years by HSIIDC, Khanak.

In violation report submitted along with the reply, it is mentioned that a local forest guard patrolled the Hisar-Tosham road at Km. 34-35 and the Khanak forest land in Khanak village. During the patrol, it was discovered that the Khanak forest land in Khanak village was being used for an illegal road. Mr. Shashi Bhushan Kaushik, Project Manager, HSIIDC, had not obtained a permit from the Forest Department. This clearly indicates that the accused Project Manager, HSIIDC, violated the Indian Forest Act, 1927, by using the forest land for mining. A Forest Offense Report No. 069/0702, dated February 24, 2022, has been filed against Mr. Shashi Bhushan Kaushik, Project Manager, HSIIDC, for this violation, and the prosecution case is pending before the Honourable Environment Court. As per the records available in this proposal, charge sheets have been issued against the then employee of Tosham Range, Shri Jaipal, Deputy Forest Officer, vide letter no. C.No. 55571/E-IV/311 dated 03.06.2025 of the Principal Chief Conservator of Forests (Administration), Haryana, Panchkula and

against Shri Anil Kumar, Forest Inspector, vide letter no. 650 dated 02.07.2024 of the Conservator of Forests, Western Circle, Hisar. further action will be taken on the basis of the investigation report in the proposal.

- vii. The Committee was further informed that Ministry, after scrutiny of the proposal, observed shortcomings viz. detailed report on violation, State Government need to assess the actual requirement and place to be utilized for approach access, legal status of mining area along with approval and since CA land overlaps with the approach road proposed for diversion; clarification on how planting of requisite number of trees will be done in the area needs to be submitted by the State Government etc. Additional information was requested from the State on 30.06.2025.
- viii. The State Government submitted its reply online on 19.09.2025 and informed following:
 - a) It is mentioned in violation report that on February 24, 2022, a local forest guard patrolled the Hisar-Tosham road at Km. 34-35 and the Khanak forest land in Khanak village. During the patrol, it was discovered that the Khanak forest land in Khanak village was being used for an illegal road. Mr. Shashi Bhushan Kaushik, Project Manager, HSIIDC, had not obtained a permit from the Forest Department. This clearly indicates that the accused Project Manager, HSIIDC, violated the Indian Forest Act, 1927, by using the forest land for mining. A Forest Offense Report No. 069/0702, dated February 24, 2022, has been filed against Mr. Shashi Bhushan Kaushik, Project Manager, HSIIDC, for this violation, and the prosecution case is pending before the Honourable Environment Court. As per the records available in this proposal, charge sheets have been issued against the then employee of Tosham Range, Shri Jaipal, Deputy Forest Officer, vide letter no. C.No. 55571/E-IV/311 dated 03.06.2025 of the Principal Chief Conservator of Forests (Administration), Haryana, Panchkula and against Shri Anil Kumar, Forest Inspector, vide letter no. 650 dated 02.07.2024 of the Conservator of Forests, Western Circle, Hisar. further action will be taken on the basis of the investigation report in the proposal.
 - b) As per information submitted by user agency vide their letter dated 16.07.2025, that proposal requires minimum of 0.1785 ha forest land.
 - c) A copy of approval issued by the Director, Department of Mines and Geology, Haryana vide letter dated 03.01.2014 valid for 20 years has been submitted.
 - d) It is mentioned that CA has been proposed on Bhurtana minor road 0-5 L & R/side and CA details has been uploaded on Parivesh portal.
- ix. Further, the Committee was also informed that the site inspection of the instant proposal was conducted by Regional Office, Chandigarh on

15.05.2025. The SIR has also been recommended by DDGF (C) of RO, Chandigarh. Summary of the same are as under:

I. Background on the proposal:

The User Agency has proposed diversion of 0.1785 ha. forest land for construction of approach access to transport the mining minerals extracted from the Khanak mine area in at Village Khanak under Forest Division and District Bhiwani, Haryana.

II. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials.

It was noted during the site inspection that the User Agency has used forest area for transportation of the mining minerals extracted from the site without prior approval of the Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. It was informed by the DFO, Bhiwani that the work was stopped and a trench was dug in the forest area with barbed wire fence to avoid future use of the forest land. It was also noted during inspection that the User Agency is continuing the mining operations. It was found that the proposed forest area for approach has been closed by the Forest Department; however, User Agency has made new openings through strip forest to transport the material. One such opening was found during the inspection and also movement of trucks was spotted. It was informed by the Forest Department personnel that there are two such openings created by the User Agency. Google imaginary of same is follow:

It was visually evident during the inspection that the User Agency is violating the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 since long time and also no attempts made by the State Forest Department to stop the continuous violation by the User Agency.

The User Agency is continuously using the entire forest land proposed for diversion and dedicated approach to transport the mining minerals has been developed at multiple places, accordingly, the instant case is for post-facto approval, wherein, the forest land has been already used for non-forest purpose.

The State Government need to assess the actual requirement and place to be utilized for approach access and same area needs to be applied for post-facto approval as per prevailing provisions under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Further, all other openings in the forest area needs to be reclaimed by the User Agency.

III. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not. Details be furnished specifically if rehabilitation plan would affect any other forest area by translocating outstees in and around the said forest:

No.

IV. Reclamation Plan: Not Applicable

1. Details and financial allocation: Not Applicable.

V. Details on catchment and command area under the project: Not Applicable.**VI. Cost benefit ratio:** Not Applicable.**VII. Recommendations of the Principal Chief Conservator of Forests/ State Government:** Submitted along with the proposal.**VIII. Whether land being diverted has any socio-cultural/religious value. Whether any sacred grove or very old grown trees/forests exists in areas proposed for diversion:**

The officials of the State Forest Department informed that the land being diverted has no socio-cultural/religious value.

IX. Situation w.r.t. any Protected Area:

There are No Protected Areas.

X. Recommendations:

1. The User Agency is continuously using the forest land and dedicated approach to transport the mining minerals has been developed at multiple places in direct and prolonged violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. As the entire forest land proposed for diversion has been used for non-forestry purpose from a long time; accordingly, the instant case is for post-facto approval, wherein, the forest land has been already used for non-forest purpose without prior approval of the Central Government under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
2. The detailed report on violation including its extent through multiple openings, duration of violation, name and details of persons responsible both from the State Forest Department and User Agency for violation and action against them thereof needs to be submitted.
3. The State Government need to assess the actual requirement and place to be utilized for approach access and same area needs to be applied for post-facto approval as per prevailing provisions under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Further, all other opening in the forest area needs to be reclaimed by the User Agency.

XI. Recommendation of DDGF (Central), Regional Office, Chandigarh:

The findings and recommendation of the inspecting officer of RO, Chandigarh is attached herewith and same is agreed upon and recommended. Accordingly same is recommended for consideration of MoEF&CC as per the extant Rules and Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and officials from Government of Haryana, recommended the proposal for grant of '*in-principle*' approval for diversion of 0.1785 ha. of Protected Forest land for access permission for transportation of mining material at Village- Khanak under Forest Division and District Bhiwani in the State of Haryana subject to the general, standard and following specific conditions:
- i. Compensatory Afforestation shall be carried over 1 ha degraded forest land. Details of CA to be carried out needs to be submitted along with Stage- I compliance report.
 - ii. The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
 - iii. 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 issued.
 - iv. The State Government shall ensure that no forest land other than the proposed land is used for approach access to the mining area.

Agenda No. 18

Online No. FP/MP/MIN/19894/2016

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 28.02 ha of Protected Forest land in Survey No. PF-807 & 809 for extraction of manganese ore mining through open cast method in favour of M/s Arpan Ferro Alloys in Balaghat District of Madhya Pradesh (Online No. FP/MP/MIN/19894/2016)- regarding.

1. The agenda item was considered by the AC in its meeting held 02.12.2025. The corresponding agenda note may be seen at 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 to the AC. 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 Govt. of Madhya Pradesh vide their letter No. F-1/831/2021/10-11/608 dated 17/02/2022 forwarded a fresh diversion proposal to obtain prior approval of the Central Government, in terms of the Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 28.02 ha of Protected Forest land in Survey No. PF-807 & 809 for extraction of manganese ore mining

through open cast method in favour of M/s Arpan Ferro Alloys in Balaghat District to the Regional office, Bhopal of the Ministry.

- ii. The proposal falls in the Tikamgarh Forest Division comprising an area of 28.02 Ha with vegetation density of 0.6 of eco class III.
- iii. The proposal involves felling of 27018 trees of 38 species viz. *Cleistanthus collinus*, *Chloroxylon swietenia*, *Lagerstroemia parviflora*, *Anogeissus latifolia*, *Soymida febrifuga*, *Cassia fistul*, *Diopyros melanoxylon*, *Pterocarpus marsupium*, *Terminalia tomentosa*, *Lannea coromandelica*, *Bombax ceiba*, *Stereospermum chelonoides*, *Dalbergia paniculata*, *Madhuca indica*, *Aegle marmelous*, *Buchanania lanzan*, *Butea monosperma*, *Bauhinia malabarica*, *cordifolia*, *Albizia Adina*, *Terminalia bellirica*, *odoratissima*, *Acacia catechu*, *Ixora pavetta*, *Mitragyna parvifolia*, *Schleichera oleosa*, *Bridelia retusa*, *Gardenia gummifera*, *Semecarpus anacardium*, *Holoptelea integrifolia*, *Dalbergia latifolia*, *Flacourtia indica*, *Erythrina stricta*, *Grewia tiliifolia*, *Tribulus terrestris*, *Boswellia serrata*, *Sterculia urens*, *Ficus lacor*, *Emblica officinalis* etc.
- iv. The following wildlife animals are present in and around the area proposed for diversion: The presence of Tiger, Leopard, Blue bull, Spotted deer, Barking deer, wild boar, Jackal, Python, Common langur, Rhesus macaque.
- v. The proposed area for diversion is not found vulnerable for erosion.
- vi. The proposal does not form part of the National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
- vii. The State Govt. for the instant proposal has submitted the reclamation plan.
- viii. The proposal for the Environmental Clearance has been submitted by the User Agency on the online portal vide application no. SIA/MP/MIN/418774/2023.
- ix. State Govt. reported that the Project does not warrant displacement of any human habitation and therefore resettlement and rehabilitation plan is not required for this project.
- x. The land use plan of the proposal is as under:

Component wise breakup			
S. No.	Component	Forest Land (ha.)	Non-Forest Land(ha.)
1	Road	0.62	0
2	Mining area	19.68	0
3	Dump	4	0
4	Siding	2	0
5	Plantation	1.72	0
Total		28.02	0

- xi. CA has been proposed over 28.02 ha of Non forest land in 2 patches in village Dhipur (17.0565 Ha and Khapakheda (10.9635 Ha). Additional DFL over 10 Ha area is also proposed for the instant proposal in compartment no. 805 of South Balaghat Division. The CA site suitability certificate has been provided by the concerned DFO. The details are as under:

S. No	District Name	Village	Area (in ha.)
1	Balaghat	DHIPUR	17.0565

2	Balaghat	KHAPAKHEDA	10.9635
3	Balaghat	Range-Kairlanji	10

- xii. The CA schemes amounting to ₹26301586/- has also been provided by the State Government along with the proposal.
- xiii. The User Agency has submitted the Water Conservation Plan for the water reservoirs situated near to the land proposed for diversion.
- xiv. A certificate regarding non-availability of same mineral and quantity in surrounding/ non-forest area has been provided by the Mineral Resource Department, M.P.
- xv. As per the recommendations of the REC, an undertaking has been submitted by the UA that no staff quarter shall be established on the proposed forest land.
- xvi. The State Government has submitted the approved copy of the Wildlife Management Plan with financial outlay of ₹41.616 lakh.
- xvii. It has been submitted by the State Government that the Mining plan of the instant proposal has been revoked by the IBM on 09.06.2021 and the matter for validity of the Mining Plan is under consideration with the Honourable High Court which implies that the matter is sub judice with regard to the validity of the mining plan. It is pertinent to mention here that as per Para 7.2 of Chapter-7 given under the Consolidated Handbook of Rules & Guidelines issued by the Ministry on dated 29.12.2023, the User Agency should have valid Mining Plan.
- xviii. The State Govt. has submitted that the lease was approved in the year 1994 but due to the confusion of land between revenue land or forest land, the lease did not execute till 2015. In the year, 2015, the State Govt. directed to start the process of forest clearance. Accordingly, agreement/contract was executed between the User Agency and the State Government as per Hon'ble High court order dated 11.01.2017.
- xix. The State Government further submitted that the originally Mining Plan was approved on 09.05.1994 and on the same mining plan the process of getting Environmental Clearance and forest clearance is under consideration.
- xx. The Hon'ble High Court on 09.01.2017 passed the following order:
 "Keeping in view the fact that an approval has been granted under section 5(1) of the Mines and Minerals (Development and Regulation) Act, 1957 by the Central Government on 16.11.1993, as is evident from Annexure P-3, now in view of the amendment to the aforesaid Act brought into force w.e.f. 27.03.2015 the respondents are directed to atleast execute the agreement with the petitioner as required under the statute before the cut off-date i.e. 11.01.2017 subject to the outcome of the judicial proceedings and other quasi-judicial proceedings pending in the matter so that ultimately in case the quasi-judicial proceedings or the judicial proceedings are decided in favour of the petitioner, the statutory limitation on the cut-off date may not come in the way of the petitioner in seeking the benefit of the permission granted by the Central Government. However, It Is clarified that permission to execute the agreement granted by this Court shall not be construed to mean that the petitioner is permitted to carry out the mining activities.

That apart, we further clarify that the decision to be taken and the action thereof shall be subject to outcome of any judicial or quasi judicial proceeding or statutory provision that is pending in the matter. With the aforesaid, the petition stands disposed of.”

- xxi. The State Government has informed that the agreement/contract executed between the UA and the State Govt. as per Hon'ble High court order dated 11.01.2017. Further, the Mineral Resource Department., Government of Madhya Pradesh vide order dated 22.11.2019 extended the validity of the Lol from 11.01.2019 to 10.01.2021. The Comments/ recommendation by the Mineral Resources Department, Govt. of Madhya Pradesh regarding the lease is valid as on date in light of provisions of section 10 A 2 (c) of the MMDR Amendment Act, 2015 is not provided by the State Govt.
- xxii. The Comments/ recommendation by the Mineral Resources Department, Govt. of Madhya Pradesh regarding the lease is valid as on date in light of provisions of section 10 A 2 (c) of the MMDR Amendment Act, 2015 is not available along with the proposal.
- xxiii. The component wise area details as per the KML file submitted by the State Government is as under a) Approach Road= 0.60 ha b) Safety zone = 1.72 ha c) Area for Mining = 26.29 ha Total = 28.61 ha. However, the component wise KML file of Dump and Siding has not been uploaded on the portal.
- xxiv. The committee observed that the IBM on 09.06.2021 has revoked the Mining plan of the instant proposal and the matter for validity of the Mining Plan is under consideration with the Honourable High Court, which implies that the matter is sub judice with regard to the validity of the mining plan. The State Government further submitted that the originally Mining Plan was approved on 09.05.1994 and on the same mining plan the process of getting Environmental Clearance and forest clearance is under consideration.
- xxv. The committee observed that the State Government has informed that agreement/contract was executed between the User Agency and the State Government as per Hon'ble High court order dated 11.01.2017. Further, the Mineral Resource Department., Government of Madhya Pradesh vide order dated 22.11.2019 extended the validity of the Lol from 11.01.2019 to 10.01.2021. The Comments/ recommendation by the Mineral Resources Department, Govt. of Madhya Pradesh regarding the lease is valid as on date in light of provisions of section 10 A 2 (c) of the MMDR Amendment Act, 2015 is not submitted by the State Govt.
- xxvi. The committee further observed that the State Government has not submitted the component wise KML file including the area proposed for dump and siding. Further, the correct KML files for the proposed mineral evacuation road is also not submitted along with the reply submitted by the State Government.
- xxvii. The committee further observed that some non site specific activities such as dumping area on 4 Ha and staff quarters on 1 ha has been proposed. Accordingly, the State Government may explore the possibility of shifting these non-site specific activities on the non- forest land.

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 '**deferred**' the proposal for diversion of 28.02 ha of Protected Forest land in Survey No. PF-807 & 809 for extraction of manganese ore mining through open cast method in favour of M/s Arpan Ferro Alloys in Balaghat District of Madhya Pradesh for want of following information:
- i. The IBM on 09.06.2021 has revoked the Mining plan of the instant proposal and the matter for validity of the Mining Plan is under consideration with the Honourable High Court, which implies that the matter is sub judice with regard to the validity of the mining plan and there is no valid mining plan as on date. The state shall submit the proposal along with a valid mining plan.
 - ii. The Mineral Resource Department., Government of Madhya Pradesh vide order dated 22.11.2019 extended the validity of the Lol from 11.01.2019 to 10.01.2021. Thus valid Lol is not available as on date. The State shall submit the proposal along with a valid Lol in favour of the user agency.
 - iii. The state has not submitted any justification regarding the validity of the Lol in light of provisions of section 10 A (2) (c) of the MMDR Amendment Act, 2015. The state shall give justification in this regard.
 - iv. The comments of the Ministry of mines shall be obtained on the validity of the Lol in light of provisions of section 10 A (2) (c) of the MMDR Amendment Act, 2015.
 - v. The State Government shall submit the component wise KML file including each component. Further, as per KML file the proposed mineral evacuation road is terminating within the forest area, therefore the correct KML file shall be submitted.
 - vi. The non site specific activities like muck dumping over 4 Ha and staff quarters on 1 ha etc. shall be shifted to non-forest land.

Agenda No. 19

Proposal No. FP/MP/MIN/18959/2016

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 4.654 ha Revenue forest land in Khasra No 13/1, 14/1 & 826 of Village Beliya and Atariya, Keshwahi Forest Range of South Shahdol Forest Division for Rampur Batura OCP in favour of M/s South Eastern Coalfields Limited (SECL) under the Shahdol District of Madhya Pradesh State (Online No. FP/MP/MIN/18959/2016)- regarding.

1. The agenda item was considered by the Advisory Committee (AC) in its meeting held 02.12.2025. The corresponding agenda note may be seen at 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 to the AC. 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 Govt. of Madhya Pradesh vide their letter no. F-1/FP/MP/MIN/18959/2016/5172 dated 08.10.2024 (received on 22.11.2024) submitted a fresh proposal to obtain prior approval of the Central Government, in terms of the Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 4.644 ha Revenue Forest land for Rampur Batura OCP in favour of M/s South Eastern Coalfields Limited (SECL) under the Shahdol District of Madhya Pradesh State.
 - ii. The State Government submitted that Rampur Batura is a green field opencast project in the western part of Sohagpur area in SECL, Bilaspur. It is a 4 MTY project having a coal reserve of 65.50 MT of G6 Grade. This 4.654 ha of revenue forest having an extractable reserve of 3.50 lakh tonnes of coal, required to be diverted for mining purpose, is an integral and inalienable part of the project.
 - iii. The proposed area has a canopy density of 0.4 of Eco Class IV and the involves the felling of 152 number of trees.
 - iv. The State Government submitted that the proposed area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
 - v. The State Government further submitted that no rare/ endangered/ unique species of flora and fauna found in the area proposed for diversion. Further, no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area proposed for diversion.
 - vi. The State Government reported that the proposed area for diversion is not vulnerable to erosion.
 - vii. The User Agency submitted that the proposed 4.654 hectares of revenue forest land does not require the rehabilitation, although the entire project includes a provision for rehabilitation and resettlement for 3,000 affected individuals as per the approved mining plan. Rehabilitation and resettlement proceedings will be carried out under the provisions of the Coal India (R&R) Policy 2012.
 - viii. The land use plan of the proposal is as under:

Component	Forest	Non-Forest Land (ha.)
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	Land (ha.)	
Mining	4.654	1806.053

- ix. The CA has been proposed over the 9.308 Ha of Degraded Forest Land in compartment no. RF 1042 of Keshwahi Range of South Sehdoi Division in a single patch. The DFO Jaitpur submitted that the proposal CA land is found suitable for the plantation purpose. Further, as per DSS Analysis, the area for the CA land is found to be 9.785 ha.
- x. The State Government was requested to submit the correct KML files of the CA land as the DSS analysis revealed that the part of CA land is falling outside the forest compartment boundary. Accordingly, the State Government submitted that the KML files of the CA land will be shared shortly.
- xi. Further, the RO Bhopal in its SIR submitted that the area was found to be plain with gently sloping into a seasonal stream. There were excellent regeneration of *Diospyros melanoxylon* and *Butea monosperma* in patches. The general vegetation in the area comprised of *Shorea robusta*, *Azadirachta indica*, *Syzygium cumini*, *Lagerstroemia parviflora*, etc. These trees were found to be matured and having good canopy. It was also observed that there were certain rocky outcrops in patches. The top soil was almost found to be eroded due to gently sloping ground. Taking these facts into account, it would be difficult to accommodate 9308 plants in the said area for plantation. Therefore, the CA area is required to be increased accordingly to accommodate 9308 plants. As the area is gently sloping, the soil and moisture conservation works like Contour trenches, Staggered contour trenches, Percolation tanks, etc. are suggested for better rejuvenation of the area. The Wildlife in the area includes Wild pigs, Langooors, Sloth bear, Jackals, Hares, etc.
- xii. The Committee observed that the instant mine is the extension of earlier approved mine of 76.840 Ha. Accordingly, the State Government has forwarded the compliance report submitted by the User Agency for the Ministry's earlier approval dated 16.07.2019. The committee further observed that the State Government has submitted the KML file of the area of 76.840 Ha that was earlier approved by the Ministry vide letter dated 16.07.2019. However, the KML file of CA land which was then approved by the Ministry vide its letter No 8- 33/2015-FC dated 16.07.2019 is not found uploaded along with the proposal.
- xiii. The committee observed that the land proposed for diversion i.e. 4.654 Ha will only be used for the mining purpose. In addition, as per the revised Mining Plan, total forest land requirement in the mine as per approved mining plan is 81.494 (79.614 Ha for quarry and 1.88 ha for safety zone). This 81.494 Ha includes the 4.654 Ha (instant proposal) and 76.840 Ha (in which Ministry has granted the approval vide letter dated 16.07.2019).

- xiv. The committee observed that the NoC has been received from the Water Resource Department for diversion of the Katna Nala at village Rampur. Further, it has been submitted that the proposal for getting NOC for the Jamuna Nalla is under consideration.
 - xv. The Committee further observed that the DFO in part II submitted that spotted deer, wild pig, monkey and fox etc. are occasionally found in the area proposed for diversion. Accordingly, this Ministry asked the comments of the CWLW. In this regard, the State Government has submitted that the forest land for diversion is not part of any National Park/Wildlife Sanctuary. Accordingly, there is no need for the Wildlife Management Plan in the instant proposal.
 - xvi. The Committee further observed that RO Bhopal, in its SIR submitted that there were certain rocky outcrops in patches of the proposed CA land. The top soil was almost found to be eroded due to gently sloping ground. Taking these facts into account, it would be difficult to accommodate 9308 plants in the said area for plantation. Therefore, the CA area is required to be increased accordingly to accommodate 9308 plants. As the area is gently sloping, the soil and moisture conservation works like Contour trenches, Staggered contour trenches, Percolation tanks, etc. are suggested for better rejuvenation of the area.
 - xvii. The committee observed that the thought the user agency is eligible to provide DFL for the compensatory afforestation, however keeping in view the small requirement of the area and the fact that many reclaimed non forest areas would be available with the user agency, state can also explore the possibility for using such areas for accredited compensatory afforestation.
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**' the Stage-1/In-principle approval for the diversion of 4.654 ha Revenue forest land in Khasra No 13/1, 14/1 & 826 of Village Beliya and Atariya, Keshwahi Forest Range of South Shahdol Forest Division for Rampur Batura OCP in favour of M/s South Eastern Coalfields Limited (SECL) under the Shahdol District of Madhya Pradesh State with general, standard and the following specific conditions:
- i. As per the recommendations of the Regional Office Bhopal, the entire CA area proposed over degraded forest land may not be suitable for plantation in view of rocky outcrops etc. The suitable degraded forest land shall be provided for compensatory afforestation accordingly. Further, keeping in view the small requirement of the area and the fact that many reclaimed non forest areas would be available with the user agency, state may also explore the possibility of providing such areas for CA as accredited compensatory afforestation(ACA) area.

- ii. The State Government shall ensure the compliance of conditions stipulated in the earlier approval dated 16.07.2019 for diversion of 76.840 Ha. of forest land and submit the status of compliance duly verified by the Regional Office Bhopal.
- iii. The State Government shall submit the copy of NoC from the Water Resource Department for diversion of Jamuna Nalla that is falling inside the land proposed for diversion. The State/user agency shall ensure the implementation of mitigation measures proposed in this regard.

Agenda No. 23

Online No. FP/MH/ROAD/45644/2020

Subject: Proposal seeking ex-facto approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 18.18 ha of Forest land in favour of Public Work division, Nanded for AU-108-Two lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved Shoulder in Nanded District under HAM SH-261 of Km 000/000 to Km 48/700 and AU-109 Two lanning of Mudkhed-Gadga-Khandgaon-Mukhed-Savargaon (BK)-Jamb to district Border road with paved shoulder in Nanded district in the state of Maharashtra - regarding.

1. The agenda item was considered by the Advisory Committee (AC) in its meeting held 02.12.2025. The corresponding agenda note may be seen at 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 to the AC. 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 letter no. FLD-2022/CR-216/F-10 dated 15.11.2022 submitted the proposal to the Regional Office, Nagpur seeking prior approval of the Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 18.18 ha of Forest land in favour of Public Work division, Nanded for AU-108-Two lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved Shoulder in Nanded District under HAM SH-261 of Km 000/000 to Km 48/700 and AU-109 Two lanning of Mudkhed-Gadga-Khandgaon-Mukhed-Savargaon (BK)-Jamb to district Border road with paved shoulder in Nanded district in the state of Maharashtra.

- ii. The State Government informed that proposal is for diversion of forest land in 30-meter ROW for AU-108 Two Lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved shoulder in Nanded District under HAM. SH-261 Km. 0/00 To 48/700 and AU-109 Two Lanning of Mudkhed-Gadga-Khandgaon-Mukhed-Savargaon (Bk.)-Jamb to District Border Road with paved shoulder in Nanded District SH-261 Km. 48/700 To 97/951. The complete proposal involves the area of 18.18 Ha of Reserve Forest land and 262.47 Ha of non forest land. The proposal involves the violation of 0.403716 Ha, which was done in the year 2019.
- iii. The proposal involves the felling of 4688 number of trees. Further, 18.18 Ha of reserve forest land proposed for diversion have canopy density of 0.4 of Eco class III.
- iv. The State Government submitted that the proposed area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
- v. The State Government further submitted that no rare/ endangered/ unique species of flora and fauna found in the area proposed for diversion. Further, no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area proposed for diversion.
- vi. The land use plan of the proposal is as under:

Sl. No.	Component	Forest Land (in Ha.)	Non Forest Land (in Ha.)
1.	Road	18.18	262.47

- vii. The Compensatory afforestation has been proposed over 18.18 ha Non-Forest Land at Survey /Gut No. 70, Village-Gundawal, Range-Mahur, Taluka-Mahur, District-Nanded in a single patch. The DFO, Nanded has submitted the CA suitability certificate. Also, as per DSS analysis, the State Government has proposed CA over the Non-forest land comprising an area of 18.18 Ha.
- viii. The Regional Office Nagpur in its Site Inspection Report submitted that CA land is rocky and hilly with very less soil depth. The plantation may not have a good survival. However, the local DCF has raised successful plantations on similar landscapes. The State Government may submit a detailed plan of action to ensure good survival. If not, another land can be identified.
- ix. As per the violation report submitted by the DCF, Nanded Forest Division, the violation is reported over an area of 0.403716 Ha for which Primary Offence Report (POR) 01/20019-20 dated 29.09.2019, 01/20019-20 dated 28.09.2019, 03/20019-20 dated 28.09.2019, 02/2020 dated 22.04.2020 is booked against the responsible User

Agency/ contractor officers & Charge sheet will be filed in due course of time in court. Forest Officers i.e. Round Officer Manatha & Beat Guards Sawargaon & Nimgaon have been charge sheeted.

- x. The proposal was placed before the REC in its meeting held on 23.08.2023 and the committee after detailed discussion and examination of the proposal and recommendation of State Government the Committee decided to approve the proposal under Section- 2 of the Forest (Conservation) Act, 1980 and recommend to forward to the MoEF&CC, New Delhi, subject to fulfilment of general, standard and following additional conditions:
 - a) Action against violation shall be taken by the State Government as per the provisions under Para 1.21, Chapter-I of the Handbook of the FCA, 1980 published on 28.03.2019.
 - b) The trees having bird nests shall not be felled without written permission from the DCF concern both in forest as well as non-forest land.
 - xi. The Regional Office has recommended the Proposal subject to the following conditions:
 - a) The CA land is rocky and hilly with very less soil depth. The plantation may not have a good survival. However, the local DCF has raised successful plantations on similar landscapes. The State Government may submit a detailed plan of action to ensure good survival. If not, another land can be identified.
 - b) The State Forest Department may initiate inquiry under section 3A and 3B against the work order issued by the concerned Executive Engineer.
 - xii. The Committee observed that as per the DSS analysis, some pre-plantation work is visible in the Gut No 406, Village – Sawargaon and Gut No-128, Village - Pimpalgaon Tanda which have been proposed for diversion. In this regard, the State Government has submitted that the plantation area is out of the proposed area for diversion.
 - xiii. The Committee further observed, the violation is reported over an area of 0.403716 Ha for which Primary Offence Report (POR) 01/20019-20 dated 29.09.2019, 01/20019-20 dated 28.09.2019, 03/20019-20 dated 28.09.2019, 02/2020 dated 22.04.2020 is booked against the responsible User Agency/ contractor officers & Charge sheet will be filed in due course of time in court. Forest Officers i.e. Round Officer Manatha & Beat Guards Sawargaon & Nimgaon have been charge sheeted. The copies of PoR and Charge sheet filled against the forest officers is not found attached with the reply submitted by State Govt.
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 '**recommended**' the Stage-1/In-principle approval for non-forestry use of 18.18 ha of Forest land in favour of Public

Work division, Nanded for AU-108-Two lanning of District Boundary to Chuncha-Manatha-Barad-Mudkhed Road with paved Shoulder in Nanded District under HAM SH-261 of Km 000/000 to Km 48/700 and AU-109 Two lanning of Mudkhed-Gadga-Khandgaon-Mukhed-Savargaon (BK)-Jamb to district Border road with paved shoulder in Nanded district in the state of Maharashtra with general, standard and the following specific conditions:

- i. As the soil depth in the non-forest land proposed for compensatory afforestation is less and the terrain is hilly and rocky, the area may not be suitable for afforestation. Accordingly, additional suitable degraded forest land, double in extent to the area found unsuitable for plantation, shall be identified for undertaking the plantation work. The State Government shall submit details of the identified DFL, including Maps/KML files, site suitability certificate, and the Compensatory Afforestation scheme, prior to Stage-II approval.
- ii. 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.
- iii. 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 issued;
- iv. Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be initiated by State Forest department, as applicable.

Agenda No. 25

Proposal No: FP/MH/HYD/153240/2022

Subject: Proposal for seeking prior approval of the Central Government under Section 2 (i) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of JSW Energy PSP Two Limited for non-forestry use of 243.74 ha. (Shahapur Division 181.45 ha and West Nasik Division 62.29 Ha) of forest land (reserved forest, protected forest and private forest) for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra (Online proposal No. FP/MH/HYD/153240/2022)– reg.

1. The above stated agenda item was considered by the AC in its meeting held on 02.12.2025. The corresponding agenda note may be seen at 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 to the AC. 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 letter No. FLD-1225/CR-101/F-10 dated 05.08.2025 submitted the above-mentioned proposal for seeking prior approval of the Central Government under Section 2 (i) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of JSW Energy PSP Two Limited for non-forestry use of 243.74 ha. (Shahapur Division 181.45 ha and West Nasik Division 62.29 Ha) of forest land (reserved Forest, Protected Forest and Private Forest) for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra.
- ii. The State Government submitted that the Bhavali Pumped Storage Project (PSP) is a greenfield hydroelectric project designed to provide reliable, renewable, and cost-effective power, contributing to energy security and grid stability, particularly during peak demand periods. The PSP operates by circulating the same volume of water between upper and lower reservoirs during each cycle of pumping and generation. The site was initially identified by the Government of Maharashtra, which signed a Memorandum of Understanding with JSW on 14.09.2021 for facilitating a Hydro Energy Project in Thane & Nashik districts under the existing policy framework. JSW Energy PSP Two Limited has initiated the project seeking approval under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The proposed PSP will utilise 274.92 ha of land, of which 243.74 ha is forest land and 31.08 ha is private land.
- iii. The legal status of the forest land involved in the proposal is as under:

S. No.	Division	Forest Land (ha.)	Legal Status
1	Shahapur	97.92	Reserved Forest
2	Shahapur	9.68	Protected Forest
3	Shahapur	73.85	Private Forest
4	West Nashik(Nashik)	62.29	Reserved Forest
Total		243.74	

- iv. The Shahapur Division have the canopy density of 0.2 for 73.85 Ha and 0.6 for 107.6 Ha of Eco Class I. The West Nashik Division have density 0.5 of Eco Class I. Further, the instant proposal involves the felling of 69100 number of trees.
- v. State Govt. reported that the Project does not warrant displacement of any human habitation and therefore resettlement and rehabilitation plan is not required for this project.
- vi. The State Government has submitted that the User Agency has proposed a site specific CAT plan which will be executed to ensure forest area is protected from erosion.
- vii. The presence of animals such as leopards, hyena, wolf, jackal, hares, wild boar, porcupine and birds such as bee eater, grey hornbill, sunbirds is observed in this area.
- viii. The proposed area for diversion does not form part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. However, Government of Maharashtra has declared Gut.

No. 42 of Village Jamunde, Teshil- Igatpuri, District- Nashik as part of Igatpuri Conservation Reserve as per notification dated 22.11.2022.

- ix. The State Government further submitted that the proposal does not involve the violation of the Adhiniyam, 1980. Further, no protected archaeological/ heritage site/defense establishment or any other important monuments is located in the area.

- x. The land use plan of the project is as under:

Sl. No.	Component	Forest Land (in Ha)	Non forest land (in Ha.)
1	TRT (Underground)	4.2	0
2	Cable & Ventilation	0.084	0
3	Upper Dam & Reservoir	58.42	29.15
4	Lower Dam & Reservoir	81.1	0
5	Working Space	4.8	0
6	Pothead Yard	0	0
7	Fire Fighting Tank	0	0
8	Saddle Dam	0.11	0
9	ADIT/ MAT (Underground)	0.99	0
10	Approach Road to Upper Dam	0.77	1.93
11	Service Corridor	2.874	0
12	HRT (Underground)	6.68	0
13	Power House (Undergorund)	2	0
14	Approach Road to Lower Dam	39.162	0
15	TRC	1.64	0
16	Dumping Area & Job facilities-1	18.335	0
17	Dumping Area & Job facilities-2	22.575	0
	Total	243.74	31.08

- xi. The Compensatory Afforestation proposed over 245.735 ha. non-forest land in Gut No. 71 to 75, 91 to 98, 101 to 104, 113, 114 at Village- Choravane, Taluka- Khed, District- Ratnagiri in a single patch. Further, the State Government submitted that the area is at moderate slopes with dense tree growth and covered by bushes and climbers with 0.5 density. The area is included in the proposed Eco-Sensitive Zone of Western Ghat of Maharashtra. The land is acceptable for compensatory afforestation as per the guidelines issued by Government of India, dated 21/08/2023.

- xii. The State Government has submitted the Compensatory Afforestation Scheme for 30.00 ha. and scheme for crop improvement programme for an area of 215.7350 ha.

- xiii. The DFO West Nasik recommended that in the case of land that were allotted prior to 1980, lying in the project area, the user agency shall not utilize/acquire said land parcel without a separate/ additional diversion proposal.

- xiv. The State Government has recommended that the said forest land may be allowed to be diverted under Section-2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF) and Addl. PCCF & Nodal Officer, Nagpur along with the following condition:
 - a. User Agency shall obtain wildlife clearance and/or ensure compliance of mitigation measures, if required or suggested by the PCCF (Wildlife).
 - b. User Agency shall submit NOC of the Private landholders of the proposed land along with Stage-I compliance and compensate them as per prevalent Acts and Rules in this regard.
 - c. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval.
- xv. The Regional Office has recommended the Proposal subject to the following conditions:
 - a. Implement the site-specific Wildlife and Biodiversity Management Plan approved by CWLW at the project cost.
 - b. Obtain prior approval from the Igatpuri Conservation Reserve Management Committee before initiating non-forestry activities.
 - c. As 20 hectares of the land provided as NFL is a sloping patch and unsuitable for plantation, the CA scheme shall be revised to carry out plantation in degraded forest areas at double the required extent, at the User Agency's cost, in accordance with the VSS Rules, 2023.
 - d. Dump muck at designated sites with proper gradient; undertake plantation and re-grassing over the dumps at the UA's cost.
 - e. Implement the Catchment Area Treatment Plan at project cost; State Government to form a monitoring committee.
 - f. Implement controlled blasting mitigation measures as suggested by CSIR-Central Institute of Mining and Fuel Research; blasting material must not be stored in the forest area.
- xvi. The Committee observed that the PCCF (WL) vide letter dated 13.10.2025 requested the GoM to establish a Management Committee for the Igatpuri Conservation Reserve, but the decision of the Management Committee is yet to be issued from Government level. Accordingly, the approval from conservation reserve management committee is yet to be obtained.
- xvii. The Committee observed that the User Agency has submitted an undertaking that permission will be obtained from the Dam Safety Authority, if required, after Stage-I approval, for the proposal involving diversion of forest land for construction of the Bhavali Pumped Storage Project (1500 MW) located in Nashik and Thane District in the State of Maharashtra.
- xviii. The Committee observed that the user agency has submitted that the project is being implemented under a Power Purchase Agreement (PPA) with the Government of Maharashtra, under which the State will supply pumping power, and the generated power will be returned to the State. The power evacuation plan is under review and will be approved

- by the State Government based on ongoing load flow analysis. Accordingly, if any additional forest land will be required for power evacuation plan, a separate forest diversion proposal will be submitted.
- xix. The Committee observed that the Regional Office in its Site Inspection report submitted that the CA has been identified over an area of 245.735 ha in Choravane Village, Tal. Khed, Dist. Ratnagiri. Out of 245.735 Ha, 20 ha are rocky and unsuitable for plantation. Plantation will be done in degraded areas at double the extent, at User Agency's cost, as per VSS Rules, 2023.
 - xx. The DFO Nasik in his recommendations submitted that the project involves construction of tunnel work, which may require stability studies from national level institutions.
 - xxi. The Committee observed that there are many non-site specific activities such as Dumping Area & Job facilities proposed on forest land which require shifting to non-forest land. Further, huge area i.e. 39.162 Ha is proposed for the approach road which also require rationalization.
 - xxii. The Committee observed that both the reservoirs are being constructed afresh. Further, there is no water source in the vicinity and the reservoir is proposed to be filled with rain water. The feasibility of filling the huge reservoir with rain water and maintaining the water level throughout needs justification. The site specificity of the project is also required to be examined in detail.
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 want of following information:
- i. Both the reservoirs are being constructed afresh. Further, there is no water source in the vicinity and the lower reservoir is proposed to be filled with rain water. Keeping above in view the site specificity of the project is not established. The site specificity of the project is therefore required to be examined in detail and state shall explore to locate the project over non-forest land.
 - ii. An area of 40.91 ha forest land is proposed to be used for muck dumping and job facilities which are not site specific and may be shifted over non-forest land.
 - iii. The feasibility of filling the huge reservoir with rain water and maintaining the water level throughout the year needs justification. A detailed report shall be submitted in this regard.
 - iv. As per the recommendations of Regional Office, 20 ha NFL proposed for CA is unsuitable for plantation. Accordingly CA scheme shall be revised to carry out plantation in degraded forest areas at double the extent of unsuitable area. The improvement plan is required for the remaining non forest area where canopy density is more than 0.4. The detail of identified DFL along with KML files shall be submitted.
 - v. The DFO Nasik in his recommendations submitted that the project involves construction of tunnel work, which may require stability studies

from national level institutions. The details/report in this regard shall be submitted.

- vi. The DFO West Nasik has recommended that in case of land that were allotted prior to 1980, lying in the project area, the user agency shall not utilize/acquire said land parcel without a separate/ additional diversion proposal. The state/user agency has not provided any appropriate justification in this regard. A detailed justification along with a list of such areas involved in the project shall be submitted.
- vii. The state has informed that 13.814 ha area has been excluded as these patches do not fall within the working area. Since these patches are interspersed in-between the working area, the state shall provide the justification for their exclusion and the plan for the protection of these patches.

Agenda No. 39

Policy Agenda No. 1

Sub: Incorporation of Right-of-Way (RoW) Requirements as per Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Amendment Regulations, 2025 in Van (Samrakshan Evam Samvardhan) Adhiniyam, 1980, and the Van (Samrakshan Evam Samvardhan) Rules, 2023 - reg.

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 02.12.2025. The DDGF (Central), from various Regional Offices, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations in the matter noted the following:
 - (i) The Central Electricity Authority has requested to incorporate the Right-of-Way (RoW) requirements as specified in Central Electricity Authority (Technical Standards for Construction of Electrical Plants and Electric Lines) Amendment Regulations, 2025 in the Consolidated Guidelines of the MoEF&CC. As per the provisions of amended Technical Standards, the RoW in the forest areas has been reduced due to technological intervention. The RoW prescribed in the amended Technical Standards and those referred in the matrix communicated by the Central Electricity Authority, appears to be at variance for certain configuration of power lines which needs deliberations with the Central Electricity Authority.
 - (ii) The M/s Power Grid Corporation vide their letter dated 10.11.2025 has also requested to clarify the RoW corresponding to 800 kv transmission lines proposed in the forest area in light of the following:
 - (a) The Guidelines prescribing the Right of Way (RoW) for transmission lines were issued by the Ministry on 05.05.2014, in consultation with the Central Electricity Authority. In these guidelines, the RoW for 800 KV transmission lines in forest areas was prescribed as 69 meters.
 - (b) The guidelines dated 05.05.2014 were subsequently subsumed in the Handbook of the Forest (Conservation) Act, 1980 issued on 28.03.2019. However, the RoW pertaining to 800 KV transmission lines was

inadvertently omitted from the Handbook due to a typographical error. The Consolidated Guidelines issued by the Ministry on 29.12.2023 retained the provisions incorporated in the 2019 Guidelines, and consequently, the RoW for 800 KV transmission lines was again not included.

4. Decision of the Committee: The Committee, after deliberations in the matter recommended the following:
 - (i) The Right of Way (RoW) prescribed in the amended Technical Standards and that referred to in the matrix communicated by the Central Electricity Authority appear to be at variance for certain configurations of power lines. This matter requires deliberation with the Central Electricity Authority. Accordingly, representatives of the Authority may be invited to make a presentation before the Committee in its next meeting.
 - (ii) The RoW of 69 meters corresponding to 800 kV transmission lines, as was provided in the Guidelines issued by the Ministry on 05.05.2014 and inadvertently omitted in the Consolidated Guidelines issued on 28.03.20219 and 29.12.2023, may be incorporated into the Guidelines. A clarification in this regard may accordingly be issued by the Ministry.

Policy Agenda 2

Sub: Request from Ministry of Petroleum and Natural Gas for reclassification of petroleum exploration and production (E&P) activities to distinguish hydrocarbon exploration and production from Conventional Mining for the Purpose of Forest and Wildlife Clearances - reg.

The policy agenda was deferred due to paucity of time.

Policy Agenda 3

Sub: Review of the Guidelines specifying the terms and conditions for the assignment of forest land on lease (F. No. FC-11/56/2023-FC)

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 02.12.2025. The DDGF (Central), from various Regional Offices, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations in the matter noted that matter relates to assignment of forest land on lease noted the following:
 - (i) The assignment of forest land on lease was brought under the regulatory framework of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by carrying out amendment in 1988 wherein it was provided that prior approval of the Central Government is mandatory prior to assignment of forest land on lease to any private entity not owned, managed or controlled by the Government.
 - (ii) The said provisions of assignment of forest land on lease were further extended to Government entities by making amendment in section 2(1)(iii) of the Adhiniyam by the Forest (Conservation) Amendment Act, 2023.

- (iii) To implement the provisions of section 2(1)(iii) of the Adhiniyam, the Central Government has notified the guidelines on 29.11.2023 containing the terms and conditions for assignment of forest land on lease to implement the provisions of the section 2(1)(iii) of the Adhiniyam, wherein the following has been provided with the regards to raising of commercial plantations:
 - 12. The activities proposed to be undertaken by the Forest Department as per the prescriptions made in the working plan shall be continue to be implemented in the area to be considered for the assignment of lease.*
 - 13. Raising of plantations by the Government Department on the land recorded as forest in the Government records shall be considered as forestry activity and accordingly, provisions of the compensatory afforestation and Net Present Value shall not be applicable for such plantation activities.*
 - 14. Raising of commercial plantations of low rotation, including plantation of medicinal plants in the forest land shall be considered as non-forestry activities and in such cases prior approval of the Central Government under clause (iii) of sub-section (1) of section 2 shall be obtained and decision on such proposals will be undertaken by the Central Government on the merits of each case. Provisions of compensatory afforestation and Net Present Value shall be applicable in such cases.*
 - (iv) The guidelines notified by the Ministry on 29.11.2023 recognize plantations raised by Government Departments as forestry activities. However, the said guidelines do not provide any provision regarding plantations raised by non-governmental or other government entities in accordance with the prescriptions of the Working Plan/Management Plan, as mutually agreed between the States and such entities. The Ministry has recently received representations from various entities seeking permission to undertake afforestation in degraded landscapes, which may be managed and utilized in accordance with the prescriptions of the Working Plan/Management Plan.
 - (v) The provisions of paragraph 14 of the aforesaid guidelines restrict the States/UTs from raising plantations, afforestation, or low-rotation crops, and accordingly may hinder various restoration efforts undertaken by both the State and Central Governments. Such restrictions may also result in an increased dependence on imports of pulp, paper, and paperboard.
4. In light of the above provisions, the Committee further noted the following:
- (i) The Ministry has recently notified the revised methodology for calculating *Green Credit* (GSR 592(E), dated 29.08.2025) and the modalities (01.09.2025) to expand participation to both public and private entities in the restoration of forest land. As per the revised modalities, restoration activities shall be undertaken directly by such entities, and not by the State/UT Forest Departments.
 - (ii) Further, plantations proposed to be raised for various purposes, in accordance with the management prescriptions of the Working Plan/Management Plan, with the primary objective of restoring forest land, while also meeting the requirements on a sustainable basis, cannot be construed as entirely commercial or non-forestry activity.
 - (iii) Activities approved under the *Working Plan/Management Plan* are implemented by the Forest Department for maintaining the health, vigour,

and productivity of forests. In accordance with the prescriptions contained in the *Working Plan*, the sustainable yield or harvest, as required for silvicultural operations, is extracted from the forest and utilized for various commercial purposes. Following this principle, Forest Development Corporations have been allotted forests for their management and for the sale of sustainable harvests obtained therefrom, including timber and non-timber forest produce.

- (iv) Further, Section 2(1)(iii) of the *Adhiniyam* provides for the assignment of forest land on lease, i.e., forest land cannot be leased to any private or government entity without the prior approval of the Central Government. Plantations raised for the purpose of forest management, involving the use of silviculturally available sustainable harvests, are considered forestry activities. Accordingly, Forest Development Corporations are permitted to manage and harvest sustainable produce from such plantations raised in forests. Therefore, in cases where the State Government decides to raise such plantations within the broad framework of the *Working Plan*, the sustainable harvest to be used for various purposes may also be considered at par with plantations raised by Forest Development Corporations.
 - (v) Section 2(1)(iv) of the *Adhiniyam* stipulates that any forest land, or portion thereof, proposed for re-afforestation after clearing naturally grown trees shall require prior approval of the Central Government. Accordingly, plantations included within the broad framework of the *Working Plan* or *Management Plan*, and primarily intended to contribute to the restoration of forest landscapes, may also be incorporated in the *Working Plan*, which is approved under Section 2(1)(iv) of the *Adhiniyam*.
 - (vi) To permit such plantations, the State Government may devise its own *modus operandi*. With regard to the utilization of sustainable harvests, the concerned State Government may formulate a mechanism for sharing the revenue earned from such plantations, which may further be utilized for the rehabilitation and restoration of forest landscapes.
5. In light of the statutory provisions, past clarifications, and the recent notification of revised Green Credit Programme and modalities, the Committee opined that the existing guidelines dated 29.11.2023 require alignment with the evolving framework for restoration of forest land and utilization of silviculturally available sustainable harvest. Harmonization of these guidelines with the Green Credit Programme will ensure clarity in applicability to both government and non-government entities, facilitate wider participation in afforestation and restoration activities, and strengthen ecological sustainability while maintaining compliance with the Forest (Conservation) Act and its amendments.
6. **Decision of the Committee:** The Advisory Committee, after thorough deliberations with the DDGF (Central) of various Regional Officers and Nodal Officers of the States and in light of the relevant provisions of Van (Sanrakshan Evam Samvardhan) Rules, 2023 and recent notifications and guidelines issued by the Ministry recommended the following:
- (i) To align the provisions of the guidelines notified on 29.11.2023 with the evolving framework for restoration of forest land and utilization of silviculturally available sustainable harvest, the following proviso may be added to para 14 of the said guidelines:
Provided that where the State Government agrees to undertake assisted natural regeneration including afforestation/plantation, for purposes mutually

agreed between the States/UTs and Government or non-Government entities, such activities undertaken in accordance with the provisions of an approved Working Plan/Management Plan, applicable in such cases and under the supervision of the State Forest Department shall be deemed to constitute forestry activities. Consequently, the requirements of Compensatory Afforestation and payment of Net Present Value shall not be applicable to such activities. The State Government shall, however, be at liberty to devise an appropriate framework for the utilization of such plantations and for revenue sharing thereof, on a case-to-case basis.

Provided further that afforestation/plantations should be allowed by the State/UTs in accordance with a detailed DPR to be prepared in consonance with provisions of the Working Plan and approved by the competent authority specifying the detail viz. extent of area, species proposed for plantations, activities proposed, silviculturally available sustainable harvest for utilization, etc.

(Confirmed through E-mail)

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(non-official Member)

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Shri R. Raghu Prasad
Inspector General of Forests
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(Approved)

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