

**Minutes of the Meeting of the Advisory Committee (AC) meeting held on
18.12.2023**

Agenda No. 1

File No. 8-05/2018-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 Indian Institute of Spices Research (IISR) for extension of lease for non-forestry use of 94.98 ha of forest land for setting up of experimental farm Peruvannamuzhy Range in Kozhikode District in Kerala (Online proposal no. FP/KL/Others/16622/2015) regarding.

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (AC). Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Nodal Officer (FCA) Government of Kerala was not present in the meeting, However, the Nodal Office (FCA) govt. of Kerala vide their letter dated 12.12.2023 has sought exemption to attend the meeting. The DDGF (Central) Regional Office, Bengaluru was present in the meeting during the discussion of the above proposal.
4. The Advisory Committee (AC) after thorough deliberation and discussion observed that the proposal was considered in the Advisory Committee meeting held on 14.11.2023 and in that meeting the Committee decided that the nodal officer (FCA) Govt. of Kerala shall present the required justification with regard to the following:
 - i. Under which rules the State Govt. has granted annual lease till 2012, and why this may not be considered a violation of FC Act, 1980.
 - ii. What are provisions which allows the exemption of CA and NPV in the instant case as recommended and requested by the State Govt.
 - iii. Why the construction of new structures was allowed without renewal of lease and approval under FC Act 1980 as being noted in the analysis of historical imagery available on Google Earth for the years 25.11.2002 to 09.09.2018.
 - iv. The inordinate delay in seeking approval by the State Govt. requires proper justification w.r.t. the instant proposal.
 - v. Further, as the area falls in the Malabar WLS and the State govt. has requested that required wildlife clearance from NBWL may be exempted and also the specific comments/recommendation of the CWLW, Kerala State is not on record. In this regard the CWLW, Kerala State shall present the details of the instant proposal and the grounds on which such an exemption may be granted under the provisions of the WL (Protection) Act.
5. The above decision of the Advisory Committee was communicated to the State Government and several request were also made through e-mail and

other communication mode to calling the Nodal Officer (FCA) government of Kerala for presenting their case before the AC. However, the Nodal Office (FCA) govt. of Kerala vide their letter dated 12.12.2023 has informed that the information sought by the Ministry vide letter dated 28.11.2023 has been forwarded to the User Agency for urgent report. Since progress to reply is ongoing, it has been requested to exempt his office from attending the 14th Advisory Committee meeting scheduled on 18.12.2023.

6. As the area is already in use and the State is not serious for regularisation of this violation. Taking into account this situation the Committee considered this proposal and noted that:
 - i. The present proposal is for extension of lease of 94.98 ha. for setting up of experimental farm at Peruvannamuzhy Range in Kozhikode District by Indian Institute of Spices Research (IISR). The Legal Status of the proposed forest land is Reserved Forest.
 - ii. The Govt. of Kerala was handed over the forest land of 94.08 ha in 1976 to the then Central Plantation Crops Research Institute, Kasargod on lease for a period of 25 years for various research activities on spices vide order no. G.O.(Ms)No.366/75/AD dated 08/12/1975 of Kerala Government as per the agreement executed on 02.08.1976. This site is located in Pannikkottur Reserve Forest. The lease agreement was for 101.173 hectares, but on actual measurement, 94.08 ha was handed over to the User agency. Out of this 94.08-hectare, 0.437 ha has been retained by the Forest department for management purpose.
 - iii. The proposed area of 94.08 ha. of forest land is a part of Pannikottur Reserve Forest which was notified as Reserved Forest vide notification Agri F(B)4-63626/58 and it falls in Survey No. 568 of Chembanada Village of Koyilandi Taluk. The above said 94.08 ha. of forest land was leased to IISR in the year 1975 for establishing experimental farm. The initial lease period was for 25 years w.e.f. 02.08.1976 and which expired on 2001. Thereafter the user agency has submitted proposal for the extent of lease for a further period of 99 years and also submitted the application in online mode in Form A accompanied with the essential details.
 - iv. In past the State Govt. submitted the instant proposal on 02.04.2002 and after examination of the proposal the Ministry vide its letter dt 09.07.2002 requested the State Government to submit information / documents regarding (i) Cost benefit analysis; (ii) Detailed lay out plan for buildings & roads with justification; (iii) Copy of the earlier lease deed; and (iv) Enumeration list of trees of forest species if any found / grown over the years in the area. After a lapse of 13 years, the State Government vide its letter No. FC1-38786/2001 dated 18.05.2015 submitted certain details to RO Bangalore and the same were forwarded to this Ministry by the Regional Office, Bangalore vide its letter dated 25th June, 2015.
 - v. The issue was examined in the Ministry and it was observed that it is very old case. In the meantime, the procedure for granting of approvals under the Forest (Conservation) Act, 1980 has undergone various modifications and changes and, accordingly, Ministry vide its letter no. 8-82/2002-FC dated 17.07.2015 informed the State

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Government to submit the submit fresh proposal in this regard and DGPS map of the area and all formats as per the Forest (Conservation) Rules, 2003 amended in 2014 so that it can be further examined in the Ministry. Accordingly, the State Govt. again submitted the proposal in 2017.

- vi. The State Govt. has requested to requested for exemption of CA stating that forest land was transferred prior to the enactment of Forest (Conservation) Act, 1980 and the present proposal is for the renewal of lease. It was noted by AC that as per Para 2.4 (iv) of handbook of guidelines issued by this Ministry in 2019 (enclosed as Annexure) and as per the guideline dt 21.03.2023 the CA land is applicable in the instant project.
- vii. The State Govt. has requested for exemption of NPV stating that forest land was transferred prior to the enactment of Forest (Conservation) Act, 1980 and the present proposal is for the renewal of lease. It was noted by the AC that the Hon'ble Supreme Court vide order dt 04.08.2006 in IA Nos 1413,1414,1454 in IA No. 1413, 1426, 1428, 1440, 1439, 1441, 1444-1445, 1459 and 1460 in WP no 202 of 1995 stated that :-
..... x) All proposals for grant of F.C. Act clearances and T.W.Ps. in respect of mining leases shall be placed before the F.A.C. Where the F.A.C., by order recommends the grant of a clearance or a T.W.P. the M.O.E.F. shall, within a period of four weeks from the date of such order, issue orders for the grant of clearance on the usual terms, including those relating to payment of N.P.V. Provided where a T.W.P. is being granted, it shall only be for a period not exceeding one year and upon payment of N.P.V. for the already broken up area;
.....xv) The T.W.P. shall become effective only after the payment towards the N.F.V. for the already broken up area is deposited by the user agency.....
- viii. It was noted that there is no specific direction wrt the exemption on NPV in the instant case, and the instant case may be considered as fresh proposal wherein NPV is applicable with prevalent rates.
- ix. The AC observed that the C: B ratio submitted is not as per the prescribed format as per this Ministry's handbook of guidelines issued in 2019.
- x. The AC also noted that the Ministry vide its letter dated 22.06.2019 sought the below mentioned justification from the State Govt.; -
'It is mentioned by the State Government that the area of 94.08 ha. of forest land is a part of Pannikottur Reserve Forest which was notified as Reserved Forest vide notification Agri F(B)4-63626/58 and it falls in Survey No. 568 of Chembanada Village of Koyilandi Taluk. The above said 94.08 ha. of forest land was leased to IISR in the year 1975 for establishing experimental farm. The initial lease period was for 25 years w.e.f 02.08.1976 and which expired on 2001. It may clarify why the prior approval under Forest (Conservation) Act, 1980, for renewal of forest clearance was obtained before its expiry in year 2001 with justification'.

In this regard no comments were received from the State Govt.

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- xi. AC also noted that annual renewal of lease was granted by the State govt. till 2012, however, there was no valid approval under FCA, 1980.
- xii. AC noted that the part of the proposed area for diversion is falling in the Malabar WLS and for accordingly, due approval from NBWL is required. However, the State Govt. has requested for exemption and also the comments of the CWLW are not submitted w.r.t. the applicability of the required approval from NBWL.
- xiii. The proposed forest land is being used for the following by IISR as per record:

Area utilization at ICAR-IISR Experimental Farm, Peruvannamuzhi		
Sl. No	Particulars	Approximate Area (Ha)
1.	Residential Area	0.50
2.	Farm offices and other infrastructures (includes the buildings and surroundings of Farm office)	1.50
3.	Farm ponds/ water harvesting structures	0.50
4.	Spice processing units, drying yards, solar tunnel, boiling units etc.	1.00
5.	Farm roads	1.50
6.	Area under elephant trench, compound wall and solar fence	3.00
7.	Area under nursery sheds for spice experiments, planting material production purposes	3.50
8.	Area under meteorological observatory	0.50
9.	National Active germplasm site for Black Pepper, ginger, turmeric, garcinia, clove, allspice, cinnamon, vanilla	15.0
10.	Evaluating Black pepper hybrid progenies, promising lines, DUS and other trials on nutmeg etc.	15.0
11.	Experimental and seed multiplication of Ginger and turmeric	5.00
12.	Area reserved for annual planting of ginger and turmeric on rotation basis	8.00
13.	Biodiversity conservation area (outside the trench)	15.0
14.	Coconut/ areca nut based cropping system	5.00
15.	KVK office buildings, Farmers hostel, nursery, hatchery and demo plots	2.50
16.	Area under other fruit trees	3.00
17.	Area marked for forest station	0.50
18.	Un-cultivable patches (Rocks, wet lands)	8.00
19.	Area under various forest trees/ shade trees	4.00
	Total	0.0

- xiv. After the analysis of the lease documents DSS analysis and other related information as provided by the State in the proposal, the committee noted that some non-forestry activities have been carried out post 1980. Therefore, the User Agency has violated the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

Therefore, the provisions of the Para 1.21 (i) (b) and Para 1.21 (ii) (a) shall be applicable in this case.

- xv. Further, the site inspection report done by the Forest Department shows that 94.08 ha leased out forest land is surrounded by dense evergreen/ moist deciduous forests/ abandoned teak and Mahogany Plantations of Pannikottur Reserve Forests. The adjoining forest area is part of Malabar Wildlife Sanctuary. These forests support diverse flora and fauna. Destruction of crops by Wild Elephants/ Wild boar/Deer's is very common in this area. The farm authorities constructed Elephant Proof Trench (EPT) around the farm in the year 2014 to protect the crop from the attack of wild animals. Doing so approximately an extent of 15 ha was not used in the recent past for any activities has been excluded from the above 94.08 ha. Hence the total area within the Elephant Proof Trench and used for various activities by farm authorities is only about 78.08 ha. The above 15 ha land is under natural growth and devoid of any cultivation and experimental plots. Hence the lease can be extended for an extent of 79.08 ha land only the farm authorities have constructed Elephant Proof Trench to protect the crops over 79.08 ha. The remaining 15 ha. was not used in the past for any other activities and kept as green.
 - xvi. As noted and recommended by the RO Bengaluru, 93.643 ha area which is required and may be considered for renewal/ diversion can be considered, as 0.437 ha area has been retained by the Kerala Forest Department for management purposes. Further, the area which has been stated as green cover and not in use shall be kept as green area i.e. 15.0 ha.
 - xvii. As the proposed area is part of the Malabar Wildlife Sanctuary and is being used in non-forestry use pre 1980, the State Govt. has requested for exemption from payment of NPV, CA and also the exemption form Wildlife Clearance under Wildlife (Protection) Act, 1972 from SCNBWL. In this regard the Committee noted that there are no provisions under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Wildlife (Protection) Act, 1972 for exempting the proposal for payment of NPV, CA and Wildlife Clearance under Wildlife (Protection) Act, 1972 from SCNBWL.
7. **Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bengaluru the Advisory Committee recommended the proposal for granting the 'in-principle' approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Indian Institute of Spices Research (IISR) for extension of lease for non-forestry use of **93.643** ha of forest land for setting up of experimental farm Peruvannamuzhy Range in Kozhikode District in Kerala subject to the general, standard and following specific conditions:
- i. *No exemption shall be provided for payment of NPV and CA;*
 - ii. *The Regional Office/State Government shall take action against the person's responsible for violation under section 3A/3B of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.*
 - iii. *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 five (5) times the NPV plus 12 percent simple interest till the deposit is made for the area wherein the non-forestry activities / construction activities were undertaken by the User Agency after expiry of initial lease period.

- iv. *The State Government shall ensure that the User Agency will obtain required Wildlife Clearance under Wildlife (Protection) Act, 1972 from SCNBWL.*
- v. *The State Government shall ensure that the area under green cover shall remain unchanged and there is no land use change.*

Agenda No. 2

File No. 8-63/2011-FC (Vol-I)

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Odisha Coal & Power Ltd (OCPL) for non-forestry use of 342.870 ha of forest land for development of Dip Side Manoharpur Coal Mining Project in Sundargarh District of Sundargarh Forest Division, Odisha (Online Proposal no. FP/OR/MIN/37631/2018) (F. No. File No. 8-63/2011-FC (Vol-I))

1. The above proposal was considered by the Advisory Committee in its meeting held on 18.12.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), 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 for their examination and analysis. Committee was also apprised of the relevant provisions of the Act, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - i. The proposal was earlier considered by the Advisory Committee in its meeting held on 14.11.2023 and after considering the various facts related to the proposal, the Committee made the following recommendation:

“...the mining operations will start in the Kanhupahad RF (10.52 Ha) block after 12th year of commencement of mining operation and mining in the Hunadarkhola RF block comprising an area of 166.06 ha will commence after 25th years of mining operations. Further, the committee has also observed that huge patch of the forest land i.e. 51.64 ha will be used for dumping which is a non-site specific activity and cannot be considered on forest land. In view of the non-usage of forest land for so long time and proposed non-site-specific activities in the instant proposal on the proposed forest land for diversion, the Committee recommended that the instant proposal cannot be acceded to in its present proposition...”

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- ii. The State Government vide their letter dated 28.11.2023 forwarded a reply dated 27.11.2023 of the user agency requesting the Ministry to consider the proposal for grant of 'in-principle' approval.
- iii. The Chief Secretary of the State Government, vide his letter dated 16.11.2023 *inter-alia* informed the following:
 - (a) Coal produced from this mine is currently being supplied to Unit 3 & 4 (2 x 560 MW) Plants through environmental friendly MGR System awaiting commissioning of Unit 5 & 6 in OPGC. Manoharpur Mine reached its Peak Rated Capacity (PRC) of 8.0 Million Te during FY 22-23.
 - (b) After detailed exploration of the 2nd block the Dip-Side Manoharpur Coal block, both the coal blocks were integrated into one mine, as per the direction of Ministry of Coal for 16.0 Million Te per Annum Peak Rated Capacity to cater to the combined coal requirement of Unit 3,4,5 & 6 (4 x 660 MW) of OPGC throughout the Plant life.
 - (c) As per the revised Mine Plan and allotment agreement with Ministry of Coal, the integrated mine is supposed to produce 10.0 Million te coal during FY 23-24 reaching peak rated capacity of 16.0 Million te per annum in FY 25-26. Activities pertaining to commissioning of Unit 5 & 6 Units have been taken up by Govt. of Odisha for operationalizing it in FY 25-26 so as to sync with Mine Peak Rated Capacity.
 - (d) Proposal for environment clearance for enhanced production capacity from integrated mines has also been recommended by the Expert Appraisal Committee and processing of the same is put on hold for want of 'in-principle' approval.
 - (e) The end use plant caters to almost 30 % of energy requirement of the State and commissioning of its Units 5 and 6 (2 x 660 MW) is connected with peak rated capacity of mine.
 - (f) Manoharpur Coal Mine of OCPL has consistently bagged 5-Star Ratings from Ministry of Coal for its compliant workings and OCPL would undertake to comply with any upcoming conditions imposed by MoEFCC in this regard.
- iv. The Committee, after examining the request received from the State, observed that area proposed for dumping constitutes approximately 15% of the total forest area and is interspersed between the non-forest area, therefore, it may not be possible to avoid or minimise the forest area for dumping.
- v. The Committee further observed that two nala named Garia nalla and Lapani nalla flows in the proposed site. Nodal Officer (FCA), Odisha informed the Committee that approval for the diversion of these nala has already been obtained by the user agency.
- vi. The Committee further noted that evacuation of minerals has been proposed through MGR system for which necessary approval under the Van 9Sanrakshan Evam Samvardhan) Adhiniyam has already been obtained by the user agency. Therefore, there will be no additional road traffic loads due to the proposed project.

4. **Decision of the Advisory Committee:** After thorough deliberation and discussion with Nodal Officer (FCA), Odisha and DDGF (Central), RO Bhubaneswar, the Advisory Committee observed that the proposal is crucial for the energy needs of the State and the user agency has proposed appropriate measures to minimise the impact of project on the surrounding forests. Accordingly, the Advisory Committee decided to recommend the proposal for grant of 'in-principle' approval subject to fulfilment of general, standard and following additional conditions:
- (i) The evacuation of ore from the integration mines will be undertaken by the user agency through MGR system and road transport will not be used for the evacuation of the mineral from the integrated mines.
 - (ii) The State Government shall submit the NoC/permission of the State Water Resource Department for diversion of two nallah viz. Garia nallah and Lapani nalla located in the project area.
 - (iii) The State Govt. shall carry out study on impact of mining on hydrology, modification of natural drainage, diversion and channelling of the existing rivers/water courses flowing through the ML and adjoining the lease/project and impact on the existing users and impacts of mining operation on thereon and submit the report along with the compliance of 'in-principle' approval.
 - (iv) As many water bodies (mostly village ponds) likely to be affected from the project, the user agency shall prepare a Soil and Moisture Conservation Plan with special emphasis on creating water harvesting structure in the forest area located within 10 Km periphery along the lease boundary.
 - (v) Rehabilitation and Resettlement Plan of the project affected peoples shall be submitted along with the compliance of 'in-principle' approval.
 - (vi) As the mining operation in the Kanhupahad RF (10.52 Ha) block and Hunadarkhola (166.06 Ha) RF block will start after 12th year and 25th years, respectively, after the commencement of mining, the vegetation in these blocks shall be kept intact by the user agency protection. A Management Plan for the protection of these areas shall be prepared and implemented at the project cost by the user agency in consultation with the State Forest Department. A copy of the said Plan shall be submitted along with the compliance of 'in-principle' approval.
 - (vii) The State Government, if applicable, shall realize the revised cost of implementation of the Regional Wildlife Management and Site-Specific Wildlife Management Plan from the user agency due to increase in wage rates and cost escalation.
 - (viii) The State Government shall ensure that compliance of 'in-principle' dated 22.10.2021 approval granted by the MoEF&CC, New Delhi for 15.701 ha of forest land to Manohar Coal Block by the Ministry shall be submitted for obtaining 'final' approval of the Central Government at the earliest without further delay.

Agenda No. 3

File No. 8-09/2023-FC

Sub: Request for the consent to provide land for compensatory afforestation in other state as per the Guidelines of MoEF&CC vide reference no. 16837

dated 21-08-2023 in respect of Bhaskarpara Coal Mine, Proposal no. FP/CG/MIN/149564/2021.

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (AC). Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Nodal Officer (FCA) Government of Chhattisgarh and the IGF sub-office Raipur and DDGF (Central) Regional Office, Bengaluru (holding additional charge RO Nagpur) was present in the meeting during the discussion of the above proposal.
4. Advisory Committee after thorough deliberation and discussion observed that:
 - i. The Government of Chhattisgarh vide their letter No. 10F (Cons) 110/2016/6193/F&E dated 13.03.2023 submitted a proposal for seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 in favour of M/s Prakash Industries Pvt. Ltd. for non-forestry use of 515.581 ha (201.806 ha for Underground mining) of forest land for Coal mining in Bhaskarpara Coal block under Surajpur District of Chhattisgarh State.
 - ii. The Ministry vide letter dated 21.08.2023 has granted '*in-principle*' approval in the instant proposal.
 - iii. The mining is Open cast as well as underground in the proposed forest land. Out of 515.581 ha proposed forest land only 313.775 ha is carried out by open cast method. Therefore, following CA lands (313.775 ha) which were submitted by the State Govt. along with in the original proposal and same accepted by the Competent authority in the Ministry are as given below:
 - a. 313.775 ha (PF 71.163 ha. + Govt. Revenue Forest 242.612 ha.) The CA land measuring 316.062 ha has been proposed in three districts; namely, Balrampur area- 97.99 ha (Private land), Rajnandgaon area- 56.248 ha (private land), and Janjgir-Champa- 161.094 ha (Govt. revenue land).
 - iv. The User Agency vide letter No. PIL/BSP/BCM/2023-24/227 dated 24.11.2023 has informed that:
 - a. Bhaskarpara Coal Mine have been allocated to then vide Vesting Order No. NA/145/5/2021-NA on 18-11-2021 at Bhaiyathan, District: Surajpur (C.G.) for a total area of 932.00 ha. Out of 932.00 Ha land, 515.581 ha is Forest & Revenue Forest land in which 313.775 Ha. is proposed for Open Cast Mining (All Right), and remaining 201.806 Ha, land is proposed for underground mining (Mining Right).
 - b. The Ministry vide letter dated 21.08.2023 has granted '*in-principle*' approval in the instant proposal.
 - c. In accordance with Stage-I Forest Clearance condition no. (ii), against 313.775 ha. forest land, they have transferred 136.69 ha. land as details given herein i.e. 56.248 ha. Pvt. Land in villages Amgaon, Jamgaon and Khadi (under Khairagarh forest

division of Chhattisgarh state) and 50.030 ha. of private land in village Savni and 30.414 ha pvt. land in village Dumarkholi (under Balrampur Forest Division of CG state) for which Gazette Notifications for declaring these lands as Reserve Forest, are in process with the State Govt. The remaining land of 177.083 ha. which was identified and proposed for transfer to Forest Deptt. for Compensatory Afforestation purpose, could not be transferred due to unavoidable reasons and in lieu of this land they have tried best to find out alternative lands in the state of Chhattisgarh but could not find suitable land because Chhattisgarh is tribal rich state and majority of the lands pertains to tribals so they could not arrange General Category land to form a patch of even 20 ha. private land which can be transferred to Forest Department for CA purpose. The quantum of the remaining land proposed for transfer to CA purpose is also too high for which suitable Private land is not available in the state of Chhattisgarh as per norms of Forest Dept.

- d. After searching private land in whole of the Chhattisgarh state, they approached to the Competent authorities to give the NOC to them to arrange and transfer Pvt. land for CA purpose in other state i.e. neighbouring state of Madhya Pradesh in accordance with clause no. 4 (vi) of MoEF & CC guidelines no. 167837 Dated 21-08-2023. The Competent Authorities were kind enough to grant NOC vide letter no. Bhu-Prabandh/Khanij/331-306/2593 dated 22-11-2023 to arrange the land in the state of Madhya Pradesh for CA purpose for the forest land diversion proposal of Bhaskarpara Coal Mine for which Stage-I Forest Clearance has been granted by MoEF&CC.
- e. Since the State Government of Chhattisgarh has granted NOC to arrange Pvt. land for CA purpose in the state of MP. The details of identified private lands in the state of Madhya Pradesh for CA purpose are as below: -

Sl. No.	Name of Village where land is located	District	Forest Division	Total Area of Private land (Ha.)
	Ghusiya Mall	Dindori	Dindori	139.900
	Deorikhurd/Marwari Mall	Dindori	Dindori	42.320
Total				182.220

- f. The UA has informed that since the proposed land seems suitable for CA, therefore it has been requested to grant consent to provide CA land in the state of Madhya Pradesh in lieu of the Forest land being diverted for Non-Forestry use in the state of Chhattisgarh and also direct RO, MOEF & CC, Bhopal (M.P.) to inspect the land at an early date.
- g. It has also been requested to grant the permission to deposit Compensatory amount in CAMPA account of MP for the proposed land.
- h. The provisions given in point number 4(vi) of the guidelines dated 21.08.2023 issued by the Government of India, Ministry of Environment, Forest and Climate Change, New Delhi are as

follows:-

"In case where due to scarcity of land and/or account of any other valid reason, it is not possible to raise compensatory afforestation in the same State/UT where diversion of forest land is proposed, the Ministry, in public interest, may allow, on case to case basis, compensatory afforestation in other state/Uts.

- v. Further, the Committee noted that the Government of Chhattisgarh has provided NOC to given the CA land in the neighbouring state i.e. in Madhya Pradesh vide letter dated 22.11.2023 and it has been mentioned in the NOC that: पत्र क्रमांक भू-प्रबंध / खनिज/331-306/2449 दिनांक 19.10.2023 से द्वारा आपको प्रकरण में वैकल्पिक वृक्षारोपण हेतु छत्तीसगढ़ राज्य में ही निजी भूमि खोजकर उपलब्ध कराने हेतु लेख किया गया था। उपरोक्त के अनुक्रम में आपके द्वारा अपने पत्र क्रमांक/पी.आई.एल./बिला/सी.ए/ 2023-24/196 दिनांक 12.10.2023 द्वारा अवगत कराया गया है कि छत्तीसगढ़ राज्य में भूमि की विस्तृत खोज की गयी परन्तु वांछित भूमि उपलब्ध नहीं हो पायी है। आपके द्वारा खोज की गयी भूमि का विवरण देते हुए संदर्भित पत्र-4 में वर्णित भूमि में से कोई भी खण्ड (Patch) नहीं बन पा रहा है तथा उक्त भूमि भारत सरकार एवं राज्य शासन के दिशा निर्देशानुसार वृक्षारोपण हेतु उपयुक्त नहीं है का उल्लेख करते हुए भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली द्वारा जारी दिशा निर्देश के बिन्दु क्रमांक 4(vi) "In cases, where due to scarcity of land and/or on account of any other valid reason, it is not possible to raise compensatory afforestation in the same State/UT where diversion of forest land is proposed, the Ministry, in public interest, may allow, on case to case basis, compensatory afforestation in other State/UTs." में दिये गये प्रावधानुसार समीपस्थ राज्य मध्यप्रदेश में क्षतिपूर्ति वृक्षारोपण हेतु निजी भूमि कय कर उपलब्ध कराने बाबत अनापत्ति प्रमाण पत्र प्रदान करने हेतु अनुरोध किया गया है। अतः उक्त के अनुक्रम में भारत सरकार पर्यावरण, वन एवं जलवायु परिवर्तन मन्त्रालय, नई दिल्ली के द्वारा जारी दिशा निर्देश दिनांक 21.08.2023 में दिये गये प्रावधान अनुसार छत्तीसगढ़ समीपस्थ राज्य मध्यप्रदेश में क्षतिपूर्ति वृक्षारोपण हेतु भूमि उपलब्ध कराने हेतु सहमति दी जाती है।
- vi. Further, the Committee noted that the UA vide letter no. PIL/BSP/BCM/ 2023-24/242 dated 12.12.2023 has informed that the land identified as mentioned above could not be provided due to internal disputes between the farmers involved for sale of this land, the land could not be purchased & mutated. The best efforts have been made by the User Agency to convince the farmers to resolve the issue but could not get success to get the land mutated in the favour of UA. Due to the disputes between the farmers, the proposed land is fragmented & suitable patch for CA purpose is not formed due to which the User Agency have no other option but to leave this land and have started searching other suitable land for CA purpose. Once UA identify the land, the same shall be provided to the Ministry along with DGPS

maps, details of land, Revenue maps and KML files. Since the land proposed vide UA letter ref no. PIL/BSP/BCM/2023-24/227 dated 24.11.2023 could not be purchased & mutated, the UA has requested to withdraw their proposal for granting consent to mutate & transfer 182.220 Ha. Land for CA purpose and also requested to withdraw the proposal from the Agenda of AC which is scheduled to be held on 18 December 2023.

- vii. The above facts were noted by the Committee and observed that since the Ministry has already issued guidelines for compensatory afforestation land vide letter dated 21.08.2023 and accordingly the UA may provide the details of CA land.

5. **Decision of the Advisory Committee:** After thorough deliberation and discussion with IGF Sub Office Raipur and DDGF (Central), RO Bengaluru (holding additional charge RO Nagpur) and Nodal officer (FCA), Govt. of Chhattisgarh, the Advisory Committee observed that User Agency and State Government shall comply with the stipulated conditions of the Stage-I approval. Further, in case there is any change in CA land, the same shall be in compliance of the guidelines issued by this Ministry vide letter dated 21.08.2023 and the State Govt. shall inform the same along with required KML files, site suitability certificate, detailed CA scheme and required documents (Transfer and Mutation and notification of NFL into RF/PF) w.r.t. the identified CA land to this Ministry prior to or with the submission of compliance report w.r.t. the stipulated conditions of the 'in-principle' approval dated 21.08.2023.

Agenda No. 4

File No. 8-23/2017-FC

Subject: 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. Solar Industries India Ltd for re-alignment and additional construction for production and storage of explosive products from 87.97 ha forest land, already diverted for the expansion of Explosives Manufacturing Unit at Chakdoh, Taluka Katol, District Nagpur in the Maharashtra State – regarding.

1. The above agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (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 Nodal Officer (FCA) Government of Maharashtra and DDGF (Central) Regional Office, Bengaluru (holding additional charge RO Nagpur) and DFO Nagpur was present in the meeting during the discussion of the above proposal.

4. Earlier, the agenda was considered by the AC in its meeting held on 14.11.2023 wherein the Advisory Committee directed the Nodal Officer (FCA), Government of Maharashtra along with the DFO Nagpur shall give a detailed presentation before the Advisory Committee, in its next meeting with particular reference to the following:
 - i. The approval has been sought for change in location of the buildings which have been already constructed over 3.87 ha area within the originally approved construction area of 4.73 ha. The justification for shifting the location without intimation/ approval of Central Government shall be submitted.
 - ii. The construction of buildings/built up area is non-site specific activity. The State Govt. shall therefore explore the possibility of using Non-forest land for the same. In case the use of forest land is unavoidable, the justification for the same shall be submitted.
5. While deliberating on the proposal, AC observed that:
 - i. Originally the Government of Maharashtra vide their letter No. FLD-3415/CR-185/F-10 dated 16.12.2016 submitted the proposal for diversion of 87.97 ha of forests land for the Expansion of Explosives Manufacturing Unit at Mouza Chakdoh, Tal. Katol, District Nagpur, Maharashtra under Section 2 (ii) of Forest (Conservation) Act, 1980.
 - ii. The said proposal was considered by the FAC in its meeting held on 16.05.2017 wherein the proposal was recommended for Stage-I approval.
 - iii. Thereafter with the approval of the competent authority, the Ministry vide letter dated 25.07.2017 issued Stage-I approval for the said proposal. The State Government vide their letter dated 17.09.2018 submitted compliance of conditions stipulated in the Stage-I approval. Further the Ministry vide letter dated 17.12.2018 issued Stage-II approval for the said proposal.
 - iv. Thereafter based on the request of State Government vide their letter dated 05.03.2019 additional conditions were stipulated in Stage-II approval as communicated vide Ministry letter dated 20.05.2019.
 - v. It is imperative to mention that as per the recommendations of FAC the Ministry while issuing Stage-I approval and Stage-II approval imposed specific condition as under:
The State Govt. shall ensure that the non-forestry activity shall be undertaken only in 4.73 ha and rest of the area being diverted shall be maintained as green cover by planting plants in the area, at the cost of user agency and no non- forestry activity except fencing and watch tower shall be allowed over such land.
 - vi. The Government of Maharashtra vide their letter No. FLD-3415/C.R.185/F-10 dated 17.03.2023 forwarded a proposal for re-alignment and additional construction for production and storage of explosive products from 87.97 ha forest land, already diverted in favour of M/s. Solar Industries India Ltd. for the expansion of Explosives Manufacturing Unit at Chakdoh, Taluka Katol, District Nagpur in the Maharashtra State.
 - vii. This proposal is submitted for following two activities: -
 - a. Approval for the realignment of civil work layout of buildings and roads and to the revised actual built up area of already

- constructed 3.87 ha as per revised layout plan and utilization of balance 0.86 ha to be utilized for paved pathways for human movement along existing roads, as against originally approved 4.73 ha.
- b. Approval for additional built up area of 5.25 ha and layout thereof involving change of "Outer Safety Zone" status of 6 ha to "Inner Safety Zone" status along with security fencing as per Defence requirements to accommodate partially, the additional built up area within the boundaries of already diverted forest land of 87.97 ha, as per the revised layout plan. The boundaries and area of originally diverted forest area of 87.97 ha will remain unchanged.
- viii. The User agency has completed the construction work of 3.8712 ha out of 4.73 ha originally approved layout plan. Balance area 0.86 ha is planned to be utilized for laying paved pathways along the already constructed roads for human movement.
- ix. Further it has been informed that the new products being planned, an additional built up area of 5.25 ha is required for construction, for which 6 ha of land (from already diverted 87.97 ha. forest area) out of 29.65 ha. as shown in outer safety Zone in original layout plan is proposed for realignment.
- x. The State Government mentioned that the User Agency will comply with relevant condition of the approving authority, if any, for carrying out Afforestation against the 1800 Nos. of trees to be cut as indicated in the said proposal.
- xi. The Advisory Committee observed that few buildings have been slightly shifted from its originally approved locations mainly due to adverse foundation conditions and the plant was completed by slightly shifting those buildings (about 25 meters) and roads at few points from its originally approved location. However, the constructions are within the area proposed for said land use.
- xii. Further the proposed additional built up area of plant buildings, godowns & internal roads totalling to 5.25 ha is proposed within the already diverted land of 87.97 ha.
- xiii. The Committee observed that the project also involves non-forest land (NFL), and therefore the possibility of using the NFL for the additional constructions needs to be explored.
- xiv. As per decision taken in AC meeting held on 14.11.2023, Nodal Officer (FCA), Maharashtra along with DFO Nagpur was present in the meeting and presented the proposal before the committee and informed that there was only slight deviation in layout plan proposed by the User Agency in two places. The deviation was due to topography of the land and the constructions are within the area proposed for said land use.
- xv. The Nodal Officer(FCA) further submitted that the additional land required for construction is within the originally approved green belt/safety zone and no additional forest area is required to be diverted.
- xvi. The justification submitted by the APCCF & Nodal Officer (FCA), for slight shift in the alignment/ of components within the originally approved construction area of 4.73 ha. was considered by the

Committee and it was observed that the slight shift was within the area proposed for construction. However, the committee observed that the proposal was initially approved with a specific condition that *the non-forestry activity shall be undertaken only in 4.73 ha and rest of the area being diverted shall be maintained as green cover by planting plants in the area, at the cost of user agency and no non- forestry activity except fencing and watch tower shall be allowed over such land. The state and the user Agency should therefore explore and plan additional expansion on non-forest land.*

6. Decision of the Advisory Committee: The Committee after detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer (FCA), Government of Maharashtra and after going through the facts of the proposal the Committee recommended that:

- a. The proposal for re-alignment/slight shifting in the locations of buildings/roads within the originally approved construction area of 4.73 ha. be approved.
- b. The proposal for diversion of forest land was initially approved with a specific condition that the non-forestry activity shall be undertaken only in 4.73 ha and rest of the area being diverted shall be maintained as green cover. Keeping, this in view the proposal seeking additional area for construction activities for production and storage of explosive products within already diverted 87.97 ha forest land cannot be acceded to and the same be rejected.

Agenda No. 5

File No. 8-28/2022-FC

Subject: 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 Water Resources Department, Nandurbar, Govt. of Maharashtra, for non-forestry use of 73.94 ha of forest land for construction of Kareghat Minor Irrigation Tank at Kareghat, Tal. Nawapur, District Nandurbar in the State of Maharashtra (Online No. FP/MH/IRRIG/61238/2020)- regarding.

1. The above agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (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 Nodal Officer (FCA) Government of Maharashtra and DDGF (Central) Regional Office, Bengaluru (holding additional charge RO Nagpur) was present in the meeting during the discussion of the above proposal.
4. Earlier, the agenda was considered by the AC in its meeting held on 29.11.2023 wherein the Advisory Committee deferred the proposal for diversion of 73.94 ha forest land for construction of Kareghat Minor Irrigation Tank and decided that:

- i. In order to understand the impact of the project in the areas downstream and to ensure that the requirement of forest land is unavoidable and bare minimum, the Regional Office, Nagpur shall carryout a site inspection of the area and submit a detailed report.
5. The above decision of the Committee was communicated to RO, Nagpur and State Government of Maharashtra vide Ministry letter dated 12.12.2023.
6. While deliberating on the proposal, AC observed that:
 - i. The Government of Maharashtra vide their letter No. FLD-2022/CR-01/F-10 dated 12.09.2022 (received on PARIVESH portal on dated 17.10.2022) 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 73.94 ha forest land for construction of Kareghat Minor Irrigation Tank at Kareghat, Tal. Nawapur, District Nandurbar in the State of Maharashtra.
 - ii. The proposal was considered by the Advisory Committee in its meeting held on 17.07.2023 wherein the Committee deferred the proposal for diversion of 73.94 ha forest land for construction of Kareghat Minor Irrigation Tank and sought the following details:
 - a. The details about the command area, irrigation potential, present cropping pattern, total population of the villages to be benefitted and the likely impact of the project on cropping pattern in future is essential for evaluating the socio-economic benefits of the project. The State shall submit a detailed report on these aspects.
 - b. The project which is for irrigation purposes will increase the yield potential of the area and have an impact on Cost Benefit ratio as well. The state shall take the same into account and submit a revised cost benefit analysis on the prescribed format.
 - c. Since the proposed area is bordering the State of Gujarat, and the project may have impact on the areas downstream, therefore the State of Maharashtra shall seek the comments/NOC from the state of Gujarat in this regard.
 - iii. Accordingly, the said recommendation of the Advisory Committee was communicated to the State Govt. vide Ministry letter dated 09.08.2023.
 - iv. In this reference, the State Government vide their letter dated 10.11.2023 (uploaded on PARIVESH portal on dated 16.11.2023) submitted the information.
 - v. The State Government mentioned that as per the detailed project report containing, the details of command area, irrigation potential, present cropping pattern, total population of villages to be benefitted and likely impact of the project on cropping pattern it has been reported that the Gross Command Area is 1114.30 ha, Irrigable Command Area is 679 ha and Irrigation Potential is 910.00 ha and the present cropping intensity of this project is 125 % which includes two seasonal crops of 20%, Kharif crop of 50% and Rabi crop of 55 % and the project will benefit 4 tribal villages of Navapur Taluka of District Nandurbar with total population 5220 will be benefitted, Moreover, the project will also serve the Drinking water purpose.

- vi. The State Government mentioned that after the execution of the project, the existing cropping pattern will change. Some new cash crops will be introduced in certain areas, while some crops will increase their yield potential. Therefore, while calculating the cost- benefit analysis, user agency considered both, the increased benefit of the new cropping pattern and compared it with the benefit of the existing cropping pattern. Hence, revision in the cost- benefit analysis is not required. The copy of the existing cropping pattern and the cropping pattern after the completion of the project has been submitted.
 - vii. The State Government mentioned that the water is a State Subject (entry 17 of List II (State List) which says water supplies, irrigation and canals, drainage and embankments, water storage and water power subjects to the provisions of entry 56 of List I (Union List) as per the Article 246, The Schedule of the Indian Constitution, Moreover, the Kareghat Minor Irrigation Project is proposed to be constructed across Supadi Nalla near village Kareghat Tal-Navapur, Dist. Nandurbar in the State of Maharashtra. Though, the proposed site is bordering the State of Gujarat but the comments/NOC from the State of Gujarat is not required owing to the additional following reasons:
 - a. Entire submergence area of the project i.e. 73.94 ha. falls within the administrative boundaries of Maharashtra State.
 - b. The gross command area of the project covers approx. 1200 ha. area and located D/S (Down-stream Side), all of which falls within Maharashtra State.
 - c. The catchment of Supadi Nalla is not intercepted by any other major or medium water resource project on upstream.
 - d. The water availability for the project has been considered from the local Nalla (Supadi) which is a small tributary of Tapi River as per Integrated State Water Plan for Tapi Basin, Maharashtra State.
 - e. All the activities as per approved CAT plan are proposed to be implemented by the Maharashtra State.
 - f. NOC is required for inter-State rivers and river valleys project as per entry 56 of List I (Union List), Article 246, 7th Schedule of the Indian Constitution whereas Instant project is proposed to be executed over local Nalla. Hence, NOC is not required.
7. The Regional Office, Nagpur carried out Site Inspection and submitted Site Inspection Report wherein apart from other observations/shortfalls it has been mentioned that:
- i. KML of CA land shows encroachment.
 - ii. Kareghat is included in Eco Sensitive Areas.
 - iii. Onsite inspection it was found that the submergence area of Gujarat also comes into picture (Sadadvel Range, Vyara Division, Gujarat). So the proposal also involves the forest areas of Gujarat State. In this regards ExEn NMPDU Nandurbar has requested the NOC from DCF Vyara (Gujarat) on 06.09.2023 for which DCF Vyara has replied on 06.10.2023 to apply for competent authority.

- iv. Tree marking was done in 2017. From visual observations number of trees are significantly more than the marked.
 - v. The nearest sanctuary is Purna Wild Sanctuary North Dangs division Gujarat. The verification for 10 km radius is needed. Eco Sensitive Zone is also need to be verified.
 - vi. The UA is not aware about the Drinking Water Plan.
 - vii. As per the UA, three villages around 5220 people would get benefit from the project for irrigation. The back water is located approximately within 15 km from the Ukai Backwaters. So it is needed to consider the feasibility options, if possible.
 - viii. The User Agency has informed that they have proposed approximately 1.6 Km of Saddle dam with the flow channel to divert the water of the streams. The alternatives of the saddle dam need to be examined from the point of view of creation of ecological barrier in the continuity of forest, water regime and also the movement of wildlife.
8. The Committee observed that the issue of involvement of the forest areas of Gujarat was pointed out in the DSS analysis to which the state replied that the project area is within the state of Maharashtra only. However, the involvement of the forest areas of Gujarat as mentioned in the SIR makes it necessary to seek the permission/NOC from the state of Gujarat.
9. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), RO, Bengaluru (holding additional charge of RO Nagpur), Nodal Officer (FCA), Government of Maharashtra and after going through the facts of the proposal, observed that the project proposal has ambiguities, the proposal is incomplete and not based on actual ground situation. Keeping this in view the committee decided that the proposal cannot be accepted in its present proposition and recommended to reject the proposal. The Committee further recommended that the User agency would be at liberty to submit a de-novo proposal which is complete in all respects.

Agenda No. 6

File No. 8-26/2015-FC (Vol)

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 Northern Coalfield Limited for non-forestry use of 229.348 ha of forest land in compartment No. RF-272, 273 & 274 of Waidhan Range for the extension of Nigahi Open-cast Coal Mining Project under Singrauli Forest Division, Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/140863/2021) - regarding.

1. The above agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (AC). The Committee was

also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.

3. DDGF (Central) Regional Office, Bhopal and the Nodal Officer (FCA) Government of Madhya was present in the meeting during the discussion of the above proposal.

4. While deliberating on the proposal, AC observed that:

i. The Government of Madhya Pradesh, vide their letter No. F-1/840/2023/10-11/2189 dated 26.05.2023 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 229.348 ha forest land in compartment No. RF-272, 273 & 274 of Waidhan Range for the extension of Nigahi Open-cast Coal Mining Project by M/s Northern Coalfield Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State.

ii. The Component wise breakup of the proposed forest land is as under:

Sr. No.	Particulars	Area (in Ha.)
1	Safety Zone	2.36
2	Power/Transmission Line/ Sub-station	10.00
3	Excavation Area (Temporary infrastructure, Workshop, rest shelter, conveyors, Diesel filling unit and garland drains)	194.988
4	Haul Road (Temporary & Kaccha Road, Coal Transport Road)	22.00
	Total	229.348
Post Mining Forest land Breakup		
1	Safety Zone	2.36
2	Mine coal excavation area (Backfilled and plantation)	226.988
	Total	229.348

iii. Total area of Mining Lease is 3582.723 ha, out of which 3018.40 Ha has already been acquired for Nigahi OCP (22.50 MTPA), whereas 564.323 ha land is additionally required for the expansion project.

iv. Brief details of the land involved in Nigahi OCP are as follows:

Type of Land	Status of Land	Area (ha.)
Forest Land (including Revenue Forest)	Diverted	1551.776
	Under diversion	229.348
	Sub Total (a)	1781.124
Non Forest Land Total	Acquired	1466.624
	Under Acquisition	334.975
	Sub Total (b)	1801.599
Grand Total (a+b)		3582.723

v. The total forest land diverted for the project is 1551.776 which also includes 271.113 ha forest area acquired by NCL and Forest Clearance has been obtained by Amlohri OCP, which is adjoining mine of the same company i.e. NCL and was leading mine before the commencement of Nigahi OCP. Now, the above 271.113 ha forest land is being used by Nigahi OCP for operational purposes.

- vi. The State has informed that the land for Nigahi Project has been acquired under Coal Bearing (Acquisition and Development) Act, 1957. Since the land has been acquired under CBA Act, 1957, wherein land is vested into coal companies under Section-11 of the said Act grant absolute ownership of land or the rights in and over the land, free from all encumbrances in the coal company. In addition to this, no agreement for mining lease is required to be executed.
- vii. It has been informed by the State that the Nigahi OCP is an ongoing project proposed for further expansion. The entire proposed 229.348 Ha Forest Area is Coal Bearing Area and it is a site-specific project, where location of the project cannot be changed. Also, the proposed area is surrounded by Amlohri OCP in West, Block-B OCP in Northwest, Jayant OCP in East and existing Nigahi OCP (22.50 MTPA) in South. Therefore, no additional land is available in the vicinity of the proposed diversion, apart from the proposed land.
- viii. The State has submitted that the fresh diversion of 229.348 Ha is mandatory on account of the following reasons: (a) Nigahi OCP is an ongoing project proposed for further expansion. Entire proposed 229.348 ha Forest Area is Coal Bearing Area and it is a site-specific project. (b) Proposed 564.323 Ha area contains 229.348 ha Forest Land and 334.975 Ha Non- Forest Land in parallel. Nigahi OCP has been designed to operate at a strike length of 3.9 km, thereby diversion of 229.348 ha Forest Land is mandatory for operation of Nigahi OCP. (c) The proposed area is surrounded by Amlohri OCP in West, Block-B OCP in Northwest, Jayant OCP in East and existing Nigahi OCP (22.50 MTPA) in South. Therefore, no additional land is available in the vicinity of the proposed diversion, apart from the proposed land.
- ix. Further, it has been mentioned that the mining is being done in stage wise operations, as per the approved mining plan and Environment Clearance granted to Nigahi OCP, where coal extraction is being done as per EC capacity and mine life. Out of total diverted Forest Land in the leasehold of Nigahi OCP, only 282.812 Ha Forest Land is left unbroken. However, this is to submit that for Forest Conservation point of view, clear felling of trees from the already diverted Forest Land is being done in phases, as per the actual requirement. This is to further undertake that clear felling of the trees from the proposed 229.348 ha Forest Land will also be undertaken in a phased manner and Forest Land will be broken, as per the actual requirement.
- x. That clear felling of the trees from the proposed 229.348 ha forest Land will also be undertaken in a phased manner and Forest Land will be broken, as per the actual requirement. Requirement of proposed 229.348 Ha Forest Land is for 25.00 MTPA Nigahi Expansion Project, for which Environment Clearance is under process. In order to fulfil the increasing energy demand of power grade coal, EC 25.00 MTPA is required to be obtained during the FY 2023-24 (after grant of Stage- I FC). As per Mining Plan 25.00 MTPA, involvement of above proposed 229.348 ha Forest Land is expected within 2-3 years. As per the existing lease area of 3018.40 Ha of Nigahi OCP, almost all of the already acquired non-forest land has been utilised. In the proposed

expansion total 564.323 Ha land is required, out of which 334.975 Ha is non-forest land.

- xi. Regarding the maintenance of safety zone, the State has informed that adjoining mines to Nigahi OCP are Amlohri and Jayant mines of the same company, i.e., Northern Coalfields Limited. In case of adjoining mine, if safety zone is maintained from both sides of the mine, coal face will be exposed from both the sides. At exposed coal face, Exothermic Reaction will take place within Incubation Period of about 5-6 months, which will lead to coal fire and destroying of the Safety Zone. Therefore, safety zone couldn't be maintained in between the adjoining mines.
- xii. It has been submitted that the entire proposed forest land of 229.348 ha is coal bearing area and no additional land is required for coal evacuation. The entire produce (25.00 MTPA coal) of the mine is planned to be evacuated through CHP's, which are located in the mining lease. Nigahi Project is linked to Vindyanchal Super Thermal Power Plant (VSTPP, NTPC), Singrauli through existing MGR (Marry-Go-Round). Nigahi OCP is also connected to other consumers through rail connectivity.
- xiii. State has informed that the total Quarry Area for Nigahi Expansion OCP is 2146.170 Ha. At the post mining stage, 1755.9333 Ha area will be backfilled and remaining 390.2367 Ha area will be converted into a water body of approximate depth of 40 m. There is no external dumping in the expansion project and as on date, External OB dump Area is 418.0000 Ha. Therefore, at the end of mine life, total reclaimed OB dump area will be 2173.9333 Ha. At the post mining stage, Internal (Backfilled) and External OB dump Area will be reclaimed Technically and Biologically.
- xiv. There is no wildlife sanctuary, National park, Tiger reserve and Tiger reserve is located within 10 KM buffer distance from the forest patches proposed for diversion. However, the State Govt. in Part-II form has mentioned that as per working plan of this division the applied area comes inside the elephant corridor.
- xv. It has been submitted by the user agency that an Integrated Wildlife Management Plan for the Singrauli Region, has been prepared by Indian Institute of Forest Management (IIFM). An amount of Rs. 21.34 Crore has been deposited in CAMPA account by M/s NCL. Above Wildlife Management Plan has been prepared for an area of 31,200.00 Ha (covering additional area within 5 km radius), which covers all the 10 mines of NCL (including 3582.723 Ha leasehold area of Nigahi OCP).
- xvi. Satellite imagery shows that the construction of a building has been carried out after the year 2018 within the proposed forest land for diversion. In this regard the state has submitted that the said encroachment has been done by the local people and necessary action against the encroachment will be taken as per the provisions of Indian Forest Act, 1927.
- xvii. Out of total 229 Ha (DSS calculated) forest area of instant project, 42 ha of land is characterized with Very Dense Forest, 144 ha of land is characterized with Moderately Dense Forest and 43 ha. of land as

- Open forest in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019. The Forest Types involved are: 5B/C1 c Dry Peninsular Sal Forest: 189 ha, 5B/C2 Northern Dry Mixed Deciduous Forest: 31 Ha and Non-Forest: 10 ha
- xviii. The area was observed to be covered with very good vegetation of density 0.4 to 0.6. The trees were mostly middle aged with good regeneration of *Diospyros melanoxylon*, *Lagerstroemia parviflora* and *Butea monosperma*.
 - xix. There are two seasonal streams flowing through the area proposed for diversion. One stream is flowing from west towards East and then towards north. The other seasonal stream is flowing from South to north. There was no water found in the first stream at the time of SIR. The NCL authorities informed during SIR that the first stream which is flowing from west to east and then to north, would be diverted and the diverted stream would be passing through the proposed area for diversion along the northern boundary and would be joined with the same stream in the mid of the northern boundary. The second stream which is flowing from south towards north would be consumed in the mining and no diversion for the same would be required. The necessary approval for the same has been obtained from WRD department.
 - xx. The safety zone of 7.5 m width would be along the northern and eastern boundary of the proposed diversion area as shown in the KML file. The total area of safety zone is 5.32 ha, out of which 2.36 ha is in the proposed forest diversion area and the rest is in non-forest area. Total undisturbed area would be about 126.331 ha (excluding safety zone area) to cater for the passage of the diverted stream and for other statutory requirements.
 - xxi. The Compensatory Afforestation has been proposed over degraded forest land. The proposal was being processed as per the Forest(Conservation)Rules,2003, however, keeping in view the provisions of Van (Sanrakshan Evam Samvardhan) Rules,2023, the user agency has to provide non-forest land for the purpose of compensatory afforestation.

5. Decision of the Advisory Committee: The Committee after detailed discussion and deliberation with the DDGF RO, Bhopal, Nodal Officer (FCA), Government of Madhya Pradesh, recommended the proposal for Stage-1/ 'in principle' approval, subject to general, standard and the following specific conditions:

- i. The User agency shall provide suitable non-forest land equivalent to the forest land proposed to be diverted for the purpose of compensatory Afforestation. The said land shall be transferred and mutated in the name of the forest department and notified as protected forest under the provisions of Indian Forest Act,1927 or the State specific laws.
- ii. The revised CA scheme along with all relevant certificates and documents/maps shall be submitted.
- iii. The seasonal nala flowing from west to east and then to north, is proposed to be diverted. In this regard a green belt of minimum 50 meters on both sides of the diverted nala shall be maintained.

- iv. The Integrated Wildlife Management plan shall be examined by the Chief Wildlife Warden and in case additional mitigation measures after the proposed diversion are required then the same shall be incorporated in the plan. The additional cost (if any) shall be deposited by the user agency.

Agenda No. 7

File No. 8-16/2019-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 Chhindwara Plus Developers Ltd. for non-forestry use of 80.737 ha of forest land (8.33 ha. Forest land & 72.407 Revenue Forest land) for establishment of Special Economic Zone (SEZ) in Chhindwara Dist. of MP State (Online No. FP/MP/Others/27128/2017) – regarding.

1. The above agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by Member Secretary before the Advisory Committee (AC). The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. DDGF (Central) Regional Office, Bhopal and the Nodal Officer (FCA) Government of Madhya was present in the meeting during the discussion of the above proposal.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F-5/867/2019/10-11/1109 dated 22.04.2019 has submitted a proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 on the above mentioned subject.
 - ii. The above proposal was considered in FAC meeting held on 26.09.2019 wherein after thorough deliberation & discussion with Nodal Officer (FCA) of the State, recommended the proposal for '*in-principle*' approval with General, standard and following specific conditions: -
 - (i) Norms and guidelines followed in similar proposals shall be applicable in the instant case.
 - iii. While the recommendations of the FAC were being examined, the competent authority in the Ministry asked for the detail of remedial action plan suggested for CA. In response to above observation, it was mentioned that the instant proposal has been recommended by the FAC with specific condition i.e. guidelines followed in similar proposals shall be applicable in the instant case". Further, Ministry in past had approved '*in-principle*' approval for the diversion of 1576.81 ha. of forest land in favour of Adani ports and Special Economic Zone limited (SEZ) vide letter F.No.8-04/2016-FC dated 16th November, 2018 wherein condition No. (xix) reads that CA shall be done over double the non-forest land. Hence, the said norms are also applicable in the instant proposal.

- iv. Thereafter with the approval of competent authority the proposal has been accorded Stage-I approval by the Ministry vide letter dated 11.02.2020 subject to specific condition i.e.
 Condition no. (ii): *Norms and guidelines followed in similar proposals shall be applicable in the instant case.*
- v. The Government of Madhya Pradesh vide their letter No. F-5/867/2019/10-11/908 dated 14.03.2022 submitted a report on compliance of conditions stipulated in the Stage-I approval dated 11.02.2020 and requested this Ministry to accord Stage-II/Final approval for diversion of the said forest land.
- vi. On examination of the same, certain shortfalls has been reported and same was communicated to the State Government vide Ministry letter dated 29.03.2022. In this reference, the Government of Madhya Pradesh vide their letter dated 10.05.2022 has submitted the information. On examination of the same, it has been found that the complete information/ documents has not been submitted and the same was communicated to the State Government vide Ministry letter dated 23.05.2022.
- vii. In this reference, the Government of Madhya Pradesh vide their letter dated 23.06.2022 forwarded a request of user agency for relaxation of conditions laid down by the FAC for carrying out the CA on NFL double the extent of land being diverted.
- viii. The matter was examined in the Ministry and the Ministry vide letter dated 27.7.2022 provided the clarification to the State Government and also requested the State Government to submit complete compliance of conditions stipulated in Stage-I approval as sought vide letter dated 23.05.2022.
- ix. Thereafter representations dated 22.08.2022 and 05.09.2022 was received in the Ministry from the User Agency i.e. M/s Chhindwara Plus Developers Limited regarding relaxation of conditions laid down by the FAC for carrying out the CA on NFL double the extent of land being diverted for making SEZ on forest land.
- x. The matter was re-examined in the Ministry and with the approval of DGF&SS, the Ministry vide letter dated 06.10.2022 informed the User Agency i.e. M/s Chhindwara Plus Developers Limited that the Ministry has already provided the clarification vide letter dated 27.07.2022.
- xi. Further a letter dated 06.01.2023 of Additional Secretary, Government of Madhya Pradesh was received in the Ministry with a request to place the matter before FAC for relaxation of the condition, with a justification that the Gujarat State has issued a notification to charge CA on NFL double in extent of the land diverted in case of Industrial projects, whereas no such notification has been issued by the State of Madhya Pradesh.
- xii. In this regard, the Ministry vide letter dated 23.01.2023 informed the Government of Madhya Pradesh that necessary clarification has already been provided vide letter dated 27.07.2022 and requested to submit the complete compliance of the conditions stipulated in the Stage-I approval as sought vide Ministry letter dated 23.05.2022.
- xiii. Further a request dated 05.12.2023 has been received from the User Agency i.e. M/s Chhindwara Plus Developers Limited seeking a relaxation of the condition to provide non-forest land double in the extent to the forest area proposed for diversion.

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- xiv. The advisory committee observed that the condition stipulating CA on NFL double in extent of the forest area proposed for diversion has been stipulated after due deliberation in the Ministry. Moreover, keeping in view the non-site specific nature of the proposed activities, there does not seem to be any justification to relax the said condition at this stage.

5. Decision of the Advisory Committee: The Committee after detailed discussion and deliberation with the DDGF RO, Bhopal, Nodal Officer (FCA), Government of Madhya Pradesh, and after going through the facts of proposal observed that the condition proposing CA on NFL double in extent of the forest area proposed for diversion has been stipulated after due deliberation in the Ministry. Moreover, keeping in view the non-site specific nature of the proposed activities, there does not seem to be any justification to relax the said condition at this stage. Accordingly, the committee did not agree to relax the condition of '*in-principle*' approval in the instant case.

Agenda No.8

File No. 9-HRC093/2020-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 Manav Rachna International Institute of Research and Studies for non-forestry use of 13.684 ha. of forest land (closed under section 4 & 5 of PLPA 1900) for construction of Rachna International Institute of Research and Studies along Badkhal-Surajkund road, R/side, under Forest division and District Faridabad, Haryana (Online Proposal No. FP/HR/SCH/41500/2019).

1. The agenda item was considered by the AC in its meeting held on 18.12.2023. 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 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 proposal was submitted by Regional Office, Chandigarh with a request to take the proposal to the Advisory Committee. Since the proposal pertains to RO, Chandigarh and to be dealt at the level of REC, therefore details of the proposals were to be presented by the DDGF(C)/RO, Chandigarh before the committee.
4. Therefore, the Dy. IGF (Central), RO, Chandigarh and Nodal Office (FCA), Government of Haryana attended the meeting.
5. The Advisory Committee (AC) after thorough deliberation and discussion observed that:
 - i. The Government of Haryana vide their letter dated 27.02.2020 forwarded a fresh proposal to the RO, Chandigarh to obtain prior approval of the Central Government, in terms of the Section-2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 13.684 ha. of forest land (closed under section 4 & 5 of PLPA 1900) for

construction of Rachna International Institute of Research and Studies along Badkhal-Surajkund road, R/side, under Forest division and District Faridabad, in the State of Haryana.

- ii. The State Government has recommended the proposal stating that in supplementary report in IA No. 828 with IA No. 833, 834-835 and related IA's regarding use of area notified under Section 4 and/or 5 of PLPA 1900, afforestation done under the Aravalli Project and/or other Plan/Non-plan schemes, the CEC observed as under: -
 "The CEC is of the view that recommendations made in respect of mining in the above areas are equally applicable to activities such as colonization, construction of farm houses, etc. It is therefore recommended that the areas notified under Section 4 and/or 5 of the PLP Act including the areas for which the notifications have expired, areas planted under the Aravalli afforestation project and other Plan/Non-plan schemes of the Central/State Government may also be treated as prohibited zone for colonization, construction of farm houses and other construction activities. Such activities in the prohibited zone should be permissible only if found to be in public interest and after obtaining permission from the Hon'ble Court".
- iii. This is a proposal *ex-post facto* approval for construction of Manav Rachna International Institute of Research and Studies which falls under section 4 & 5 of PLPA.
- iv. The legal status of the forest land proposed for diversion (13.684 ha) is PLPA 1900 land.
- v. As the proposal envisages access and construction of institute, there is no other alternative is possible for the project avoiding forest land.
- vi. The proposed alignment is not passing through any National Park, Wildlife Sanctuary, Elephant /Tiger Reserve.
- vii. The requirement of land is unavoidable and barest minimum.
- viii. Violation of Forest (Conservation) Act,1980 is there as per DFO's site inspection report.
- ix. No rare/endangered/vulnerable and endemic species of flora and fauna have been found/ recorded in the area.
- x. No sacred grove or very old growth trees/forests exists on the site and the forest land proposed for diversion is not having any socio-cultural/religious value.
- xi. There is no Protected Archaeological/Heritage site/Defence establishment in the proposed area for diversion.
- xii. The Committee was informed that the above proposal was placed before the 46th Regional Empowered Committee (REC) held on 11.01.2022 for consideration and the REC noted that *"the above proposal was discussed in 38th REC meeting held on 15.04.2021 wherein it has brought to its knowledge that the institute was constructed in the year 1991 on the land closed under section 4&5 of PLPA 1900 and is being managed by a trust on 'Not for Profit' basis and is providing educational services to all in the society irrespective of caste, creed and religion. The institute has taken up various public utility services for the benefit of the society, on the basis of which the Department of Income tax, Government of India has accorded exemption certificates under section 12AA and under section 80G*

indicating it to be 'Not for Profit'. The REC wanted to know from the State Government whether Forest (Conservation) Act, 1980 was applicable in this case or not and whether the judgment dated 12.12.1996 of Hon'ble Supreme Court in T.N Godavarman Thirumulpad vs. UOI & Others is applicable in this case.

- xiii. Accordingly, RO Chandigarh raised EDS on 27.04.2021 seeking State Government's opinion on applicability of FC Act, 1980.
- xiv. The State Government through the PCCF submitted their reply on 06.01.2022 stating that the user agency has undertaken non-forestry activity in the said parcel of land without prior approval under Section-2 of Forest (Conservation) Act, 1980 and has therefore violated the provisions of the FCA, 1980. During the deliberations, it was noted that the user has encroached over additional forest area involving 0.19 ha and directed the State Government to remove the encroachment. After detailed discussion and taking into account the submission of the CF, South Gurgaon circle, the REC decided to refer the proposal to the CEC in view of its direction dated 07.08.2009 as per CEC Report dated 15.01.2009 in IA no. 1468 & 2138-2139 in IA no.891-892 and directed the State Government to provide in the meantime following information as under:
 - a) Equivalent non-forest land for CA to be identified and mutated in favour of State Forest Department;
 - b) Encroached forest area (i.e. 0.19 ha) should be cleared and plantation to be done on same site.
- xv. The Committee was also informed that the State Government has not provided the compliance regarding the encroached forest land of 0.19 Ha, as directed by the REC. Further, the communication from the CEC as requested is still pending.
- xvi. However, the Government of Haryana vide letter dated 17.11.2023 submitted/uploaded information asked by the RO Chandigarh vide letter dated 01.11.2023. Examination of the same revealed that requisite information was not submitted by the State Government, instead of detailed Offence Report, list of defaulting User Agencies has been submitted.
- xvii. As per the DFO part-II the user agency has constructed the institute building without prior approval of the Central Government. Further, owner of the Institute is responsible of this violation of FCA, 1980. The Forest Offence Report (FOR) has been issued against the violators.
- xviii. The RO Chandigarh has sought clarification / advice regarding diversion of forest land notified under section 4 & 5 of Punjab Land Preservation Act (PLPA), 1900 from CEC vide letter dated 26.04.2023. The communication from the CEC as requested, still pending.
- xix. Hon'ble Supreme Court has issued order regarding PLPA, 1900 CIVIL APPEAL NO. 10294 OF 2013 on 21.07.2022. The operative part of the said order is given below:
 - a. Thus, we hold that the lands covered by the special orders issued under Section 4 of PLPA have all the trappings of forest lands within the meaning of Section 2 of the 1980 Forest Act and, therefore, the State Government or competent authority cannot permit its use for non-forest activities without the prior

approval of the Central Government with effect from 25th October 1980. Prior permission of the Central Government is the quintessence to allow any change of user of forest or so to say deemed forest land. We may add here that even during the subsistence of the special orders under Section 4 of PLPA, with the approval of the Central Government, the State or a competent authority can grant permission for non-forest use. If such non-forest use is permitted in accordance with Section 2 of the 1980 Forest Act, to that extent, the restrictions imposed by the special orders under Section 4 of PLPA will not apply in view of the language used in the opening part of Section 2 of the 1980 Forest Act. We also clarify that only because there is a notification issued under Section 3 of PLPA, the land which is subject matter of such notification, will not ipso facto become a forest land within the meaning of the 1980 Forest Act.

- b. Therefore, the lands covered by the special orders dated 18th August 1992 issued under Section 4 of PLPA will be governed by the orders passed by this Court in the Petition for Special Leave to Appeal (Civil) Nos.7220-7221 of 2017. Hence, all the concerned authorities shall take action to remove the remaining illegal structures standing on land covered by the special orders and used for non-forest activities on the said lands erected after 25th October 1980, without prior approval of the Central Government, and further to restore status quo ante including to undertake reforestation/afforestation programmes in right earnest. As far as the lands covered by special orders under Section 5 are concerned, we are not making any adjudication. Therefore, the authorities will have to decide the status of the lands covered by the said orders under Section 5 on case to case basis.
 - c. To avoid any prejudice to the affected persons, we direct that before the action of removal of the illegal structures and/or action of stopping non-forest activities is taken in respect of the lands covered by the special orders dated 18th August 1992 issued under Section 4 of PLPA, the concerned competent authority shall afford an opportunity of being heard to the affected persons and conclude such proceedings finally not later than three months from today and submit compliance report in that regard within the same time.
6. AC observed that since the proposal is a matter of ex-post facto approval, the proposal was examined at the Ministry in view of the Hon'ble Courts' orders. The proposal also involves a reported violation.
 7. AC deliberated the course of action in the matter referred, it was deliberated that keeping in view the recommendation of the State Govt. and observations of REC in its referred meetings it is clear that the institution is for education and research purpose and is a not for profit institute. Moreover, the construction of the institute was started in the year 1991 with proper sanctions from competent authority on the land closed under section 4 & 5 of PLPA 1900. It is clear from the referred orders of the Hon'ble Court that the order dated 18.08.1992 that all the concerned authorities shall take action to

remove the remaining illegal structures standing on land covered by the special orders and used for non-forest activities on the said lands erected after 25th October 1980, without prior approval of the Central Government, and further to restore status quo ante including to undertake reforestation/afforestation programmes in right earnest.

8. It is therefore that the UA has applied for the ex-post facto approval of the central Govt. under FCA, 1980 and now Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980. Since the Hon'ble Supreme Court vide its order dated 22.07.2022 has further clarified that lands notified under PLPA, 1900 will attract the provisions of FCA, 1980 and now Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980. In addition, it is a fact that now the construction/institute is already existing and being used.
9. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DIGF (Central), RO, Chandigarh, Nodal Officer (FCA), Government of Haryana and after going through the facts and the related Hon'ble Court decisions and clarifications/ response received from the CEC in past with regard to similar matters and the points mentioned above recommended the proposal for ex-post facto approval and in principle approval with standard and general conditions and with the following specific condition:

- (a) Reported encroached forest area (i.e. 0.19 ha) by the user agency shall be cleared and plantation to be done on same site at the cost of user agency.

Further, it was opined that this is a policy issue and an appropriate guideline/clarification in the matter needs to issue by the Ministry. Accordingly, the matter was deliberated as an additional policy issue and is referred in the Agenda 10; Policy issue 2, wherein detailed recommendations were made by the AC are stated for dealing the instant case and similar cases.

Agenda No.9

Proposal No. FP/JK/ROAD/419300/2023

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 PWD Sub Division Majalta Jammu and Kashmir for non-forestry use of 0.06 ha of forest land for construction of road from tasuatalab to kuddal via kothri length 3.0 km, under nabardpwd (r&b) division Udhampur, district Udhampur Jammu and Kashmir in favour of PWD Sub Division Majalta Jammu and Kashmir (FP/JK/ROAD/419300/2023).

1. The agenda item was considered by the AC in its meeting held on 18.12.2023. 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 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 Dy. IGF (Central), RO, Chandigarh was present during the discussion of the proposal.

4. The Advisory Committee (AC) after thorough deliberation and discussion observed that:
- i. The Govt. of Jammu & Kashmir vide File No FST-Land0FC/988/2023-02-Forest Department dt. 27.07.2023 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.06 ha of forest land for construction of road from Tasua Talab to Kuddal Via Kothri Length 3.0 km, under NABARD PWD(R&B) Division Udhampur, district Udhampur Jammu and Kashmir in favour of PWD Sub Division Majalta, Jammu and Kashmir.
 - ii. The project is for construction of road from Tasua Talab to Kuddal via Kothari has been proposed under NABARD RIDF-XXIII and is being executed by PWD (R&B) Division, Udhampur. Some stretch of this road i.e. km 1* RD-0/0 to Km 1st RD 0/100 passes through forest area. The said road from Malt to Galoit Part 1 takes off from Km 8th PMGSY road which is connection to Galoit The road passes through the village Kuddal Kothari covering population of more than 10000 souls and also serves as circular road/alternate road to Tehsil HQ Panchari & Mounгри.
 - iii. Proposed forest land for diversion falls under Raisi district of Jammu and Kashmir and area is 0.06 ha.
 - iv. No Protected Area/ Tiger Reserve/Tiger Corridor is located within 10 Km radius of proposed forest land.
 - v. This road connects two assembly segments namely Udhampur & Reasi and acts as a life line for the vast area. As the area is backward & lack of all modern amenities and will boost/ enhance the living standard of the public of the area by constructing good road.
 - vi. Forest area cannot be avoided as the alignment proposed is the only feasible alignment providing vital connectivity to the hamlets. Hence, the diversion of the forest area land is the only choice to construct the road.
 - vii. The Range officer vide letter dt. 23.06.2023 addressed to DFO, Udhampur has submitted the following details in respect of the violation:
 - a. That during the intervening night of 19.03.2023 one JCB has trespassed by a way of land breaking in forest area (38x4 mtr) and damaging fencing of Closure 100 rft and also 19 saplings of different species in compartment no. 59/P located at Tasua Talab, to make the way and entered the state/ private land for execution of work of proposed road from Tasua Talab to Kuddal via kotli. The work has been taken up by PWD (R&B) Sub-Division Lander and was being executed through the contractor namely Shri D.N Thappa proprietor of M/S Dearka Construction Co.
 - b. That on receipt of preliminary report from the field staff, a report in this regard was submitted and vide letter no.977-79 dt: 27/03/2023, the AEE PWD (R&B) Sub-Divison Lander was requested for a joint verification between the officials of PWD Sub-Division Lander and forest officials for the actual assessment of damage on the spot.

- c. During joint inspection by the field staff of Block Chai-Lodhra and representative of PWD (R&B) the actual damage assessed was as under:

1.	Land Breaking	38x4 mtr	152 sqmtr (.0152 ha)
2.	Damage to fencing of closure of comptt. No. 59/P (5+2 criss cross with every pole concrete)	100 rft	
3.	Damage to saplings of different species	19 No.	

- viii. The User agency has also given the CA land on degraded forest land having extent 0.14 ha. The CA site has been proposed in Galiote Badhota, Beat: Badhota, Block: Chailodhra, Udhampur Division.
- ix. The RO Chandigarh carried out site inspection on 04.12.2023. The following observations have been made during the site inspection: -
- There is already a kachcha road at the proposed site. A plantation closure is located along this kachcha road. No construction work was observed during the site visit. The proposed site (road) has been blocked by the forest department.
 - The saplings planted in the closure have been damaged due to the removal of the boulders and the widening of kacha path by UA. The UA has widened this kachcha path for trespassing of the JCB and other machineries and damaged 19 saplings planted in the closure, including the 38 x 4 mtr.=152 Sq. mtr. (0.0152 ha.) forest area and 100 rft of fencing.
 - The closure has a very well-generated plantation of Deodar and Chir Pine species, which was planted under CAMPA Strip plantation with 1800 of rft fencing during 2019-2020. The slope of the proposed forest land is very sharp-edged and will damage the plantation of closure during the construction of the road. Alternate private land devoid of plantation is available near the proposed forest area, which may be used for road construction. Moreover, it was observed during the site visit that the uploaded list of tree felling is exaggerated, and the actual number of trees proposed to be felled is less than 60, including 04 mature trees of Chir.
 - Hence, the UA may explore to minimize the requirement of forest land and project may be considered with the penalty as per provisions of para 1.21 of the Handbook of the Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines and Clarifications), 2019.
5. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DIGF (Central), RO, Chandigarh and after going through the facts of the proposal, the Committee recommended the proposal for ex-post facto approval and granting 'in-principle' approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of PWD Sub Division Majalta Jammu and Kashmir for non-forestry use of 0.06 ha of forest land for construction of road from tasuatalab to kuddal via kothri length 3.0 km, under NABARD PWD (R&B) division Udhampur, district Udhampur Jammu and Kashmir in favour of PWD Sub Division Majalta Jammu and Kashmir 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 five (5) times the NPV plus 12 percent simple interest till the deposit is made.
- ii. Action against the officers responsible for violation of Forest (Conservation) Act, 1980 shall be taken under 3(A)/ 3(B) and report for the same shall be submitted to the Ministry along with Stage- I compliance report.

Agenda No. 10

Policy Issue No. 1

File No. FC-11/224/2019-FC

Subject: Clarification sought by the Regional Office, Bangalore (i) on the rate of interest to be levied for the delayed payment of NPV and since when it has to be realized, and (ii)-Notification of non-forest land for compensatory afforestation as PF/RF prior to the Stage-II approval (F. No. 11/224/2019-FC)

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 18.12.2023. DDG, Regional Office, Bangalore 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 examination of the matter, observed as under:
 - (i) Issues were referred in respect of a proposal involving diversion of 10.117 ha of forest land for renewal of a lease granted to Shikshana Prasarak Samithi, Siddapur for Mahatma Gandhi Centenary College. In-principle approval to the said renewal proposal was granted by the Regional Office on 23.07.2008.
 - (ii) The compliance of 'In-principle approval was submitted on 4.02.2019 by the State, after the stipulate period of 5 years. As the original lease period was expired on 3.09.2004 and the user agency has been using the said land without the prior approval under the FC Act, 1980 the State Government recommended to levy on user agency, the penal NPV and interest for delayed payment of NPV.
 - (iii) As there was no existing policy decision for delayed NPV payment, the Regional Office referred the matter to the MoEF&CC for a policy decision along with clarification on notification of non-forest land as PF/RF before Final approval in respect of proposals which were given Stage-I approval prior to 28.03.2019 i.e. date of issue of Handbook of Forest (Conservation) Act, 1980.
 - (iv) Matter was earlier considered by the Forest Advisory Committee in its meeting held on 28.11.2019 and the Committee made the following recommendations:
 - (a) user agency shall deposit penal NPV @ 20 per cent of forest land per ha for each year of violation from the date of actual diversion i.e. from the date of expiry of original lease period with maximum up to five times the NPV plus 12 per cent simple interest till the deposit is made

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- (b) MoEF&CC may clarify that the provisions related to declaration of RF /PF prior to Stage II approval shall be applicable on all such proposal to which Stage I approval has been accorded on or after 28.03.19.
- (v) During the further deliberations in the matter, it was desired that additional information viz. present status of land use and reasons for delay in submission of compliance report may be sought from the Regional Office.
- (vi) The Regional Office submitted the reply to the observation of the Ministry as under:
- (a) The forest land leased to the agency has been fully utilized for the purpose it was granted. It is also stated that the institution run by the Samithi is a Government aided and Charitable Education Trust.
- (b) Regarding delay in payment of NPV is concerned, User Agency has stated that they were under the impression that the leased land of 10.117 ha was disforested before it was handed to Samithi on lease basis and the Samithi was not in a position to bear the huge amount of NPV levied by the Department. It is also mentioned that they had sought exemption for payment of NPV from the State Forest Department and it took long course of correspondence between State Forest Department and State Government and that all statutory payment has been done by the User Agency through e-payment portal to CAMPA account on 23.07.2018.
- (vii) Additional detail furnished by the Regional Office has been submitted for consideration of the Advisory Committee in light of its decision made earlier in the matter.
4. **Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bengaluru, the Advisory Committee reiterated its decision taken in its meeting as under:
- (i) The user agency shall deposit penal NPV @ 20 per cent of forest land per ha for each year of violation from the date of actual diversion i.e. from the date of expiry of original lease period with maximum up to five times the NPV plus 12 per cent simple interest till the deposit is made
- (ii) As evident from the forwarding letter dated 28.03.2019 annexed with the Handbook of Forest (Conservation) Act, 1980, the provisions of guidelines will be applicable prospectively.

Policy Issue No. 2:**File No. FC-11/115/2021-FC-Part (1)**

Sub: Processing of the proposals involving non-forestry use of lands closed under Punjab Lands Preservation Act, 1900 and clarification on the applicability of the provisions of the Van Sanrkshan Evam Samvardhan) Adhiniyam, 1980 on such lands

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 18.12.2023. DIGF, Regional Office, Chandigarh also attended the meeting.

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2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after examination of the matter, observed as under:
 - (i) The Regional Office, Chandigarh forwarded a list of proposals pertaining to PLPA lands seeking clarification on the applicability of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in these lands after the notification of the Forest (Conservation) Amendment Act, 2023.
 - (ii) The Central Government has amended the erstwhile Forest (Conservation) Act, 1980 by enacting the Forest (Conservation) Amendment Act, 2023. The amendment has been enforced w.e.f. 1st December, 2023. The provisions of the Forest (Conservation) Amendment Act, 2023 inter-alia provides that

‘1A. (1) The following land shall be covered under the provisions of this Act, namely: —

(b) the land that is not covered under clause (a), but has been recorded in Government record as forest, as on or after the 25th October, 1980: Provided that the provisions of this clause shall not apply to such land, which has been changed from forest use to use for non-forest purpose on or before the 12th December, 1996 in pursuance of an order, issued by any authority authorised by a State Government or an Union territory Administration in that behalf.
 - (iii) Subsequent to enactment of the Forest (Conservation) Amendment Act, 2023, the Van (Sanrakshan Evam Samvardhan) Rules, 2023 have been notified by the Ministry on 29.11.2023 wherein sub-rule (7) of rule 16 provides the following:

(7) The proposals on forest land under litigation or sub-judice on account of an issue pertaining to the Indian Forest Act, 1927 (16 of 1927), local forest Act or Adhiniyam will be dealt as per the orders of the Courts or Tribunals passed in such cases and the date of applicability of the Adhiniyam in such lands shall be in accordance with the direction, if any, passed by the Courts or Tribunals.
 - (iv) Hon'ble Supreme Court in its order dated 21.07.2022 while deciding the applicability of the Adhiniyam in the PLPA lands, has inter-alia directed as under:

“64. Thus, we hold that the lands covered by the special orders issued under Section 4 of PLPA have all the trappings of forest lands within the meaning of Section 2 of the 1980 Forest Act and, therefore, the State Government or competent authority cannot permit its use for non-forest activities without the prior approval of the Central Government with effect from 25th October 1980. Prior permission of the Central Government is the quintessence to allow any change of user of forest or so to say deemed forest land. We may add here that even during the subsistence of the special orders under Section 4 of PLPA, with the approval of the Central Government, the State or a competent authority can grant permission for non-forest use. If such non-forest use is permitted in accordance with Section 2 of the 1980 Forest Act, to that extent, the restrictions imposed by the special orders under Section 4 of PLPA will not apply in view of the language used in the opening part of Section 2 of the 1980 Forest Act. We also clarify that only because there is a notification issued under Section 3 of PLPA, the land which is subject matter of such

notification, will not ipso facto become a forest land within the meaning of the 1980 Forest Act."

".....Therefore, the lands covered by the special orders dated 18th August 1992 issued under Section 4 of PLPA will be governed by the orders passed by this Court in the Petition for Special Leave to Appeal (Civil) Nos.7220-7221 of 2017. Hence, all the concerned authorities shall take action to remove the remaining illegal structures standing on land covered by the special orders and used for non-forest activities on the said lands erected after 25th October 1980, without prior approval of the Central Government, and further to restore status quo ante including to undertake reforestation/afforestation programmes in right earnest. As far as the lands covered by special orders under Section 5 are concerned, we are not making any adjudication. Therefore, the authorities will have to decide the status of the lands covered by the said orders under Section 5 on case-to-case basis."

- (v) The Committee further observed that the amendment in the erstwhile Act has been carried out to broaden the scope of the Act from the forest conservation to management of forest. Provisions of the Amendment Act will strengthen the forest management by improving its health, productivity and flow of ecosystem goods and services besides promoting community participation. That better management of forest will provide better refuge to the wildlife and livelihood opportunities to the local communities besides adding to mitigate the impact of climate change and conservation of forests by enhancing the carbon stock of forests.
- (vi) In larger public and national security interests, certain exemptions have been considered in the Amendment Act, however, exemption considered under the Act do not circumvent the provisions of various rulings passed by the Hon'ble Supreme Court with regards to the applicability of the Adhiniyam in various lands. Exemption of certain revenue forest lands which have been put to non-forestry use before 12.12.1996 is one such exemption which will benefit the general public to use the revenue forest land which were already put to non-forestry use with the approval of the competent authority in the State.
- (vii) Lands notified under section 4 and 5 of the PLPA are not covered by the proviso provided by way of proviso to clause (b) of section 1A of the Adhiniyam as the said proviso provides exemption only to lands recorded as forests in government records while the lands covered under PLPA are closed for conservation purposes and are not recorded as forest. These lands are treated as forests in accordance with the directions of Hon'ble Supreme Court.
- (viii) The Committee further observed that exemption considered under clause (b) of section 1A are in respect of recorded forest lands while the lands covered by the orders passed under Sections 4 are to be treated as forests lands for the purpose of sub section (1) of section 2 of the Adhiniyam. Therefore, provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam will remain applicable in the PLPA lands.
- (ix) The Committee further observed that as in most of such cases, the non-forestry use has already been taken place, the ex-post facto approval for such

proposals should be considered at the MoEF&CC level. Such proposals should be submitted to the MoEF&CC, New Delhi for the prior approval of the Central Government under the Adhiniyam.

4. Decision of the Advisory Committee: After thorough deliberation and discussion with DIGF, Chandigarh & Official of the Forest Conservation Division, the Advisory Committee recommended that in light of provisions of Van (Sanrakshan Evam Samvardhan) Rules, 2023 and directions contained in the Hon'ble Supreme Court order dated 21.07.2022 passed in the matter of Narinder Singh and Other vs. Union of India and Others, the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam will be applicable in the lands covered under section 4 of the PLP Act, lands covered under court cases, as referred above; and proposal relating to non-forestry activities, already undertaken in such lands, shall be submitted to the MoEF&CC, New Delhi by the States/Union territory concerned for ex-post facto approval which shall be considered by the MoEF&CC in the following manner:

- (i) Cases where non-forestry use has been done prior to 25.10.1980, with the approval of the competent authority, needs not be referred to the Central Government for prior approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. However, Details of all projects falling under this category along with copies of relevant supporting documents be submitted to MoEF&CC within next 120 days.
- (ii) Proposals related to lands where the approval/sanction by the competent authority for the project has been granted by the competent authority in conformity with the applicable land and/or housing laws and/or master/development plan of the said area either before or after issuance of special order under Section 4—of the PLPA but prior to Hon'ble Supreme Court's order dated 18.03.2004 (when for the first time PLPA lands were directed to be treated as forest for the purposes of FC Act) shall be considered for ex-post facto approval subject to payment of normal NPV and compensatory afforestation and other relevant conditions.
- (iii) Proposal where the approval/sanction by the competent authority for the project has been granted by the competent authority in conformity with the applicable land and/or housing laws and/or master/development plan of the said land after the Hon'ble Supreme Court's order dated 18.03.2004 (when for the first time PLPA lands were directed to be treated as forest for the purposes of FC Act) shall be considered for ex-post facto approval subject to payment of normal NPV, compensatory afforestation, penal NPV, penal CA and other relevant conditions.
- (iv) The MoEF&CC, New Delhi will examine such proposals on case to case basis and ex-post facto approval wherever considered, shall be subject payment of Net Present Value and Compensatory Afforestation or penal compensatory levies, as mentioned under clause (ii) & (iii) above.
- (v) In cases, the lands covered under section 4 of the PLP Act but located within the Protected Areas such as National Park, Wildlife Sanctuaries and Tiger Corridor, prior approval of the Standing Committee of the NBWL, as applicable, in accordance with the relevant provisions of the Wild Life (Protection) Act, 1972 and relevant guidelines issued

thereunder, shall be obtained before submission of the proposal for ex-post facto approval of the Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

- (vi) In cases where any part of the project area falls in any notified eco sensitive zone, the proposal under the Van Sanrakshan Evam Samvardhan Adhiniyam shall be submitted/considered only after excluding such part and such part of the project land falling in notified ESZ shall be used strictly in accordance with the notification of such eco sensitive zone.

Additional Agenda No. 1

File No. 8-31/1999-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 Jayaswal Neco Industries Limited for non-forestry use of remaining 101.25 ha of forest land (Originally applied area for 192.25 ha) out of which 91.00 ha was approved for Iron Ore mining located in village Chhote Donger, District Narayanpur State Chhattisgarh - reg.

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 18.12.2023. The corresponding details of the agenda 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 by 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 DDGF (Central), RO Bengaluru (holding additional charge of RO Nagpur), IGF (Central) Sub-office, Raipur and Nodal Officer (FCA), Government of Chhattisgarh was present in the meeting during the discussion of the above mentioned proposal.
4. The Advisory Committee (AC) after thorough deliberation and discussion observed that:
 - i. The then State Government of Madhya Pradesh, vide their letter no. F-5/69/98/10/3 dated 05.10.1998 (07.12.1998) submitted the proposal for non-forestry use of 192.50 ha of forest land in favour of M/s Jayaswal Neco Limited for iron ore mining in Naranpur District of Chhattisgarh.
 - ii. MoEF&CC, after examination of the said proposal, vide letter dated 11.08.2004 granted Stage-I approval for non-forestry use of 91.0 ha of forest land with a view to allow controlled and phase wise mining.
 - iii. Initially, proposal of the user agency, submitted by the then Government of Madhya Pradesh, was rejected by the Central Government on 30.11.1999 in view of the fact that Hon'ble Supreme Court has banned felling of green trees in Bastar pristine forest area, located deep inside the forest and involves felling of 2812 trees.
 - iv. Subsequently, the FAC in its meeting held on 12.10.2000 and 21.06.2004 considered the policy issue relating to grant of iron ore mining in Bastar District wherein the State Government was requested to inter-alia to submit a Mining plan for this area in consultation with

experts. Cluster approach should be adopted wherein only 200 to 300 ha of forest land should be opened up at a time. In accordance with the aforementioned facts, the FAC in its meeting held on 21.06.2004 recommended only 91.0 ha of forest land for 30 years out of 192.25 ha of forest applied for diversion with a view to allow mining in phase wise manner. Condition of Phased mining schedule was also included in the Stage-I approval dated 11.08.2004.

- v. Adverting to the schedule indicated in the Stage-I approval dated 11.08.2004, the State Government vide their letter dated 21.12.2006 submitted compliance report in respect inter-alia stating that User Agency has sought permission for mining only in respect of 35.74 ha of forest land. Ministry after considering the request of State Government granted approval (Stage-II) for non-forestry use of 35.74 ha of forest land on 18.01.2007.
- vi. The State Government vide their letter dated 28.04.2020, referred the request of the user agency to consider the balance area of 101.25 ha of forest land for prior approval of the Central Government under the Forest (Conservation) Act, 1980.
- vii. Proposal for Stage-II approval in respect of 55.26 ha (out of 91 ha) and Stage-I approval for balance area of 101.25 ha was placed before FAC in its meeting held on 28.10.2021.
- viii. FAC in view of the fact that after following due process of approval given under the Act, the MoEF&CC has already granted Stage-I approval over part of the total forests in the lease area and also justification submitted by the State Government for not able to do work on the diverted forest area of the State Government was considered plausible, FAC recommended the proposal for the Stage II approval for 55.260 ha (for which Stage I approval has been obtained 21.4.2004). The balance area of 101.25 ha will be considered on merit later on. Accordingly, Ministry vide its letter dated 01.02.2021 accorded Stage-II approval for diversion of 55.260 ha forest land.
- ix. FAC has not given any timeline for consideration of 101.25 ha for Stage-I approval. However, the Stage-1 approval dated 11.08.2004 makes it clear that the approvals in the instant case have been considered in a phase wise manner by the Ministry.
- x. Further, the State Government on 23.09.2022 requested to consider diversion of remaining 101.25 ha forest land (Originally applied area for 192.25 ha). However, it was observed that the State Government has not given any specific reason or justification as to why the remaining area be considered at this stage. Any change in the status of utilization of the 91.00 ha or change in the ground situation since 28.10.2021 when the proposal was considered by the FAC was also not given. The same were sought from the State Government vide Ministry's letter dated 03.11.2022. Further, Sub-Office Raipur was also requested to furnish their comments in this regard.
- xi. As per records the details of existing land use of the project area is as below:

S. No.	Particulars	Proposed Area (ha)	Diverted area (ha)	Remaining area
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1.	Mining	157.31	62.91	94.4
2.	Overburden	2.0	2.0	
3.	Waste Dump	8.0	8.0	
4.	Safety Zone	8.0	8.0	
5.	Others	2.0	2.0	
6.	Approach road	14.94	8.09	6.85
	Total	192.25	91.0	101.25

- xii. State Government vide letter on 15.06.2023 submitted the justification for need of the 101.25 ha and it was stated that: -
- The iron ore requirement of the company's existing steel plant is 3.64 MT per annum. As per the approved mining plan only 2.95 MT per annum of ROM can be produced. Out of which about 40 per cent subgrade will be generated. This subgrade iron ore after beneficiation in captive plant is being used in merchant washery district Balod Chhattisgarh situated on the way to captive steel plant. The graded product is obtained 75 percent. In this way, 2.65 MT per year iron ore will be available for use in the captive plant while the requirement of the plant is 3.64 MT per year. The company is still procuring iron ore from the open market to meet its requirement.
 - The mining is carried out in 91.00 ha of diverted land according to the approved mining plan. The iron ore reserves in the entire 192.25 ha area are 38.40 million tonnes and with the current mining capacity (2.95 million tonnes per year), the mine will run only for 13 years and after increasing the capacity (6 million tonnes) the mine will run for 06 years only. And if the remaining 101.25 ha area is not allotted, the iron ore reserves in the field will reduce and get exhausted in the coming years. Further, the company has not expanded the existing plant but has set up a new plant for which environment clearance and land acquisition have already been done. If there is no expansion, then the investment made for the upcoming projects will go in vain. Due to which the company will suffer huge loss.
 - This company is the only one big industry in the entire Narayanpur district so far. After the availability of the 101.25 ha area, the mining capacity will be increased, as a result of which the CMR in the area will be increased and there will be development and more employment will be received.
- xiii. Sub-Office, Raipur vide letter dated 06.07.2023 informed that: -
- The mining activity has been started after work permission from the forest department. After land clearance tree cutting was started in i.e. year 2019 in the forest land for the start of mining over 30.74 ha. The production of Iron ore started from the month of June 2021 and Production was to the tune of 8678 Tonnes. Further on 3rd July 2021, there was naxal attack happened resulting in the loss of a supervisor and machineries engaged in mining. Later, again mining started in the month of Oct. 2021. The first dispatch from that mine was in the same month. Continuing production from the month of December 2021, total

production in the year 2021-22 is 86,428 and in year 2022-23 is 11,46,098 Tonnes. In the current financial year 2023-24, the production of 1st quarter period i.e. from April 2023 to June 2023 is 6,12,995 tonnes

- b. The User Agency has started its operation quite late. As per the record. the agency has broken 52.811 ha area so far. Trees have been felled in the area being used for mining currently, in hauling path, screening area and one of the two proposed road. Remaining area has not been broken or disturbed so far.
- c. Yield of graded product is in tune of 75% and the Iron ore available for use at captive plant per annum is only in the tune of 2.65 MTPA against requirement of 3.64 MTPA. Hence the company is buying Iron Ore from open market to fulfil its requirement. If the mining capacity will be enhanced, it will result in more employment. revenue generation of State Govt. development in the region under CSR and other measures. This will also help promote more industries in the region. In way it will help to bring the local residents in main stream and assist in reducing/eliminating LWE activities in the area.
- xiv. AC took note of the reply submitted by the State Govt and Sub-Office Raipur as stated above. AC also observed that PCCF (Wildlife) vide letter dated 28.01.2020 mentioned that Schedule-I species like Leopard, Hyena, Bear, Gaur, and Indian Boa, etc. have been reported in the area and with a view to mitigate the impact of project on wildlife, a Wildlife Management Plan with financial provisions of ₹105 lakhs have been proposed to be implemented in the area.
- xv. AC observed that User Agency has started its operation quite late. As per the record. the agency has broken 52.811 ha area so far. Trees have been felled in the area being used for mining currently, in hauling path, screening area and one of the two proposed road. Remaining area has not been broken or disturbed so far.
- xvi. AC observed that the area proposed for diversion is having a good canopy density. Out of 101.25 ha of forest land proposed for diversion, 52 ha is very dense and 16 ha is medium dense forest as per DSS. AC observed that as per DSS report proposed area for diversion classified as Inviolable or in High Conservation Value (HCV) Zone based on Decision Rule 1 (due to Hydrological rule and presence of compact Very Dense Forest patch having area more than 1 sq. km) and Decision Rule 2 (Out of 13 Grids, 12 Grids are having score more than 70).
- xvii. AC also observed that the compliance report w.r.t. the Stage-II approval accorded by this Ministry vide letter dated 01.02.2021 for diversion of 55.260 ha forest land is not submitted by the State Govt.
- xviii. The above facts were placed before the Advisory Committee meeting held on 21.08.2023 wherein the Committee observed that the area sought for diversion in the instant proposal as per the DSS report is classified as Inviolable or High Conservation Value (HCV) Zone based on Decision Rule 1 (due to Hydrological rule and presence of compact Very Dense Forest patch having area more than 1 sq. km) and Decision Rule 2 (Out of 13 Grids, 12 Grids are having score more than

70). Further, out of the 91 ha area for which approval has been accorded the user agency has only broken 52.811 ha area so far. In view of the above, the AC decided that in view of the area being inviolate and is high conservation zone as per DSS analysis, the present proposal cannot be acceded to and therefore AC recommended to reject the instant proposal.

xix. Accordingly, the Ministry vide its letter dated 12.09.2023 *rejected* the proposal.

xx. As per the above decision of the Advisory Committee the User Agency submitted a detailed re-presentation to the ministry and after examination of the said re-presentation the same was forwarded to the State Government for their comments/views.

xxi. The comments /views of the State Government on the representation of UA was received and the AC noted the following submission made by the State Government:

a. दिनांक 09.10.2023 से प्रेषित प्रतिवेदन एवं अभिलेख अनुसार कंपनी को खनिपट्टा 192.25 हे. में स्वीकृत है जिसकी वैधता 20.06.2055 है, 192.25 है. क्षेत्र के लिये एन.पी.व्ही. की शेष राशि एवं वन्य जीव संरक्षण योजना की अनुमोदित राशि कैम्पा खाता में जमा कर दी गई है। सम्पूर्ण खनिपट्टा क्षेत्र का डी.जी.पी.एस. आवेदक द्वारा करा लिया गया है। वन अधिकार अधिनियम के तहत सम्पूर्ण क्षेत्र हेतु प्राधिकृत अधिकारी से प्रमाण पत्र प्राप्त कर लिया गया है। रकबा 91.00 है. के विरुद्ध वैकल्पिक वृक्षारोपण हेतु चयनित भूमि की अधिसूचना का प्रकाशन राजपत्र में राज्य शासन द्वारा किया जा चुका है तथा रकबा 101.25 है. शेष क्षेत्र के विरुद्ध वैकल्पिक वृक्षारोपण हेतु भूमि का चयन कर संबंधित वन मंडलाधिकारी से उपयुक्त प्रमाण पत्र प्राप्त कर लिया गया है। प्रकरण के संबंध में आवेदक संस्थान के प्रतिवेदन अनुसार बिन्दुवार टीप निम्नानुसार है:

(a) मेसर्स जायसवाल निको इंडस्ट्रीज लिमिटेड को खनिपट्टा छोटे डोंगर के वनभूमि रकबा 192.25 है. में स्वीकृत है। वन भूमि 192.25 है. का व्यपवर्तन प्रस्ताव 07.12.1998 को भारत सरकार को प्रेषित किया गया था। भारत सरकार द्वारा वन भूमि का व्यपवर्तन चरणबद्ध तरीके से किया गया, सैद्धांतिक स्वीकृति दिनांक 11.08.2004 को 91.00 है० की प्रदान की गई, जिसमें शेष क्षेत्र रकबा 101.35 है० बाद में विचार करने बाबत लेख किया गया, अंतिम स्वीकृति दो चरणों में क्रमशः रकबा 35.74 है. दिनांक 18.01.2007 को तथा रकबा 55.26 है. दिनांक 01.02.2022 प्रदान की गई। रकबा 192.25 है. वन भूमि में से रकबा 91.00 है. क्षेत्र का व्यपवर्तन की कार्यवाही आवेदक

संस्थान को किया जा चुका है। व्यपवर्तित क्षेत्र रकबा 91.00 है, में अधिरोपित शर्तों का अर्द्धवार्षिक पालन प्रतिवेदन कंपनी द्वारा अधिरोपित शर्त अनुसार प्रस्तुत किया जाता है। खनिष्ट्टा स्वीकृत क्षेत्र 192.25 हे दो भाग रकबा 91.00 हे. व्यपवर्तित क्षेत्र एवं 101.25 है. प्रस्तावित क्षेत्र एक दूसरे से लगे हुए है।

- (b) भारत सरकार के पत्र दिनांक 19.06.2008 में दिये गये निर्देश के अनुपालन में व्यपवर्तन हेतु शेष क्षेत्र रकबा 101.25 हे. हेतु NPV की राशि जमा करने के बाद से पत्र दिनांक 28.04.2020, 15.09.2021 एवं 15.06.2023 के माध्यम से भारत सरकार को सैद्धांतिक स्वीकृति जारी करने बाबत लेख किया गया है। वन सलाहकार समिति (एफ.ए. सी) ने अपने बैठकों में शेष क्षेत्र 101.25 हे. के संबंध में बाद में योग्यता के आधार पर विचार करने हेतु कहा गया था।
- (c) आवेदक के प्रतिवेदन अनुसार वर्तमान में व्यपवर्तित क्षेत्र रकबा 91.00 है. में से लगभग 60-65 प्रतिशत क्षेत्र में खनन कार्य किया जा रहा है। अनुमोदित खनन योजना के आवेदक संस्थान के प्रतिवेदन अनुसार उत्पादन क्षमता 2.95 मि. टन आर.ओ.एम. अयस्क है, जिससे उपयोग के लिये 2.65 मि. टन ग्रेडेड अयस्क प्राप्त होता है जबकि इनके इस्पात संयंत्र की लौह अयस्क की आवश्यकता प्रतिवर्ष 3.64 मि. टन है। अर्थात् इस्पात संयंत्र में लौह अयस्क की आवश्यकता की पूर्ति हेतु शेष लौह अयस्क बाहर मार्केट से क्रय करके प्राप्त करना होता है। लौह अयस्क की अनुपलब्धता के कारण से संयंत्र का आधुनिकीकरण एवं विस्तारिकरण का कार्य नहीं हो पा रहा है।
- (d) आवेदक के प्रतिवेदन अनुसार व्यपवर्तित क्षेत्र से उत्पादन आर्म्ड सिक्यूरिटी फोर्स की स्थापना के बाद से माह जून 2021 से लगातार निर्बाध गति से हो रहा है। उसके बावजूद संयंत्र की लौह अयस्क की आवश्यकता की पूर्ति नहीं हो पा रही है। संयंत्र के आधुनिकीकरण, विस्तारिकरण एवं लौह अयस्क की आवश्यकता की पूर्ति को ध्यान में रखते हुए खनन की उत्पादन क्षमता में विस्तारिकरण करने से व्यपवर्तित क्षेत्र की मौजूदा खदान आने वाले 5-6 वर्षों में समाप्त हो जायेगी।
- (e) आवेदक के प्रतिवेदन अनुसार सी.एस.आर योजना के तहत विकास के कई कार्य हुए हैं, खनन के आसपास के नक्सल

प्रभावित ग्रामीण लोगों को रोजगार प्राप्त हुआ है। उनकी सामाजिक एवं आर्थिक स्थिति में सुधार हुआ है। प्रत्यक्ष एवं अप्रत्यक्ष रूप से हजारों लोग लाभान्वित हुए हैं। यदि खनन कार्य 5-6 वर्षों में समाप्त हो जायेगा तो क्षेत्र के लोग बेरोजगार हो जायेगे। अतः शेष क्षेत्र 101.25 हे. की अति आवश्यकता है।

- (f) आवेदक के प्रतिवेदन अनुसार व्यपवर्तित क्षेत्र रकबा 91.00 हे. में व्यवस्थित एवं वैज्ञानिक तरीके से खनन कार्य करने हेतु रकबा 101.25 है. क्षेत्र का व्यपवर्तन करना आवश्यक है क्योंकि रकबा 91.00 हे. क्षेत्र में स्थित ओर बाडी-2 का कुछ क्षेत्र 101.25 है. के कुछ क्षेत्र में आता है, जिसे खनिज संरक्षण की दृष्टिकोण से खनन किया जाना आवश्यक है। इसके अतिरिक्त 101.25 है. क्षेत्र में ओर बाडी-3, 4 एवं 5 भी स्थित है, जिसे भी खनन किया जाना है।
- (g) आवेदक के प्रतिवेदन अनुसार खनिपट्टा क्षेत्र रकबा 192.25 हे० क्षेत्र में कंपनी को बेनीफिकेशन संयंत्र भी स्थापित करना है जिसके लिये सभी स्वीकृतियां प्राप्त हो चुकी है। इस हेतु भी शेष क्षेत्र रकबा 101.25 हे के व्यपवर्तन की आवश्यकता है।
- (h) आवेदक के प्रतिवेदन अनुसार कंपनी को खनिज नियमों के तहत शेष क्षेत्र रकबा 101.25 है० में विस्तृत पूर्वक्षण (Derailed Exploration) जी-1 स्तर का करना होगा, ताकि ओर बाडी-3, 4 एवं 5 में खनिज की वास्तविक मात्रा का आंकलन किया जा सके।
- (i) आवेदक के प्रतिवेदन अनुसार कंपनी को रकबा 101.25 है. क्षेत्र में खनन के लिये उपयोग में प्राप्त करने के पूर्व वन विभाग से सैद्धांतिक, अंतिम स्वीकृति एवं पर्यावरण विभाग से पर्यावरण स्वीकृति, संचालन सम्पत्ति आदि आवश्यक स्वीकृतियाँ प्राप्त करने में भी लगभग 3-4 वर्ष लग जायेंगे। खनन योजना का सक्षम प्राधिकारी से अनुमोदन में भी समय लगेगा।
- (j) आवेदक के प्रतिवेदन अनुसार यदि कंपनी को सम्पूर्ण क्षेत्र खनन हेतु उपलब्ध होगा तो राज्य सरकार से रायल्टी के रूप में राजस्व में वृद्धि होगी एवं डी एम एफ के रूप में प्राप्त राशि से खनन प्रभावित क्षेत्र का विकास होगा। संयंत्र के विस्तारिकरण एवं आधुनिकीकरण होने से हजारों लोगों के लिये रोजगार के नये अवसर मिलेंगे तथा शासन को कर के रूप में अधिक राजस्व प्राप्त होगा।

- b. आवेदक के प्रतिवेदन अनुसार यह कंपनी सम्पूर्ण नारायणपुर जिले में एकमात्र बड़ी उद्योग है। शेष क्षेत्र 101.25 हे में खनन होने से और अधिक लोगों का रोजगार प्राप्त होगा। सी एस आर योजना के तहत क्षेत्र सामाजिक एवं आर्थिक विकास होगा। इस क्षेत्र में अधिक उद्योगों को बढ़ावा देने से स्थानीय निवासियों को मुख्य धारा में जोड़ा जा सकेगा और वामपंथी उग्रवाद को खत्म करने की देशव्यापी मिशन में एक बड़ी सफलता होगी।

5. In view of the above submission the AC also noted the following:
- i. Part of the forest area has already given Stage-I (91.0 ha) and Stage-II for entire area was given in two phases (35.74+55.26 ha). UA sought Stage-I for the remaining area (101.25 ha). It is to be noted that when the proposal was initially dealt, it was decided the approval will be considered in phase wise manner. Condition of phased mining schedule was also included in the Stage-I approval dated 11.08.2004.
 - ii. It is to be further noted that the UA has originally applied for the entire area for 192.25 ha. including the currently sought area of 101.25 ha.
 - iii. Earlier as well, the State Government vide their letter dated 28.04.2020, referred the request of the user agency to consider the balance area of 101.25 ha of forest land for prior approval of the Central Government under the Forest (Conservation) Act, 1980. When the proposal for Stage-II approval in respect of 55.26 ha (out of 91 ha) and Stage-I approval for balance area of 101.25 ha was placed before FAC in its meeting held on 28.10.2021. FAC recommended the proposal for the Stage II approval for 55.260 ha (for which Stage I approval has been obtained 21.4.2004). The balance area of 101.25 ha will be considered on merit later on.
 - iv. The area 101.25 is contiguous to 91.0 ha for which the Stage-II has been given and mine is in operation. Mining Lease Agreement executed for entire 192.25 Ha with validity upto 20.06.2055 and the Environment Clearance is for 192.25 ha with revised production capacity of 2.95 MTPA with 1 MTPA Beneficiation Plant.
 - v. The UA took the permission of FC in part as a special case since the landscape was infested with Left Wing Extremism and now under control of law and order authorities due to presence of Para Military Forces as clarified by the UA and State and is now amenable for operations. It is stated that the main reason for the slow progress in the mine operation and seeking permission is the extant naxal activity. It is stated the company has taken deployment of the armed security forces on chargeable basis to safeguard the area for mining.
 - vi. The State of Chhatisgarh's comment also unravel the fact that the UA is having the modernization and expansion plan and captive production of iron and therefore the FC approval in the remaining forest area of the lease will give the venture profit and provide

- better employment opportunities, bringing change in socio-economic status of one of the remotest and backward districts.
- vii. It is stated by the UA and State Govt. that the area is crucial for the existing Integrated Steel Plant with 3.64 MTPA and future additional requirement of around 8.08 MTPA.
 - viii. This is also important to note that when the part of the forest land of the lease was given Stage-I initially, the system of DSS was not in place. The extant case has been met with the differential treatment in dealing the case and AC had recommended accordingly.
 - ix. State has reiterated that NPV for the entire area has been paid by the UA. Compensatory levy for the wildlife plan has also been paid. CA on NFL has been identified and FRA for the entire area has been provided. Further, the DGPS survey for entire 192.25 ha has been conducted.
 - x. The UA has given undertaking to duly abide by/comply with any additional condition to be imposed and will submit the appropriate affidavits towards the same as and when required.
6. The State Nodal Officer and IGF (C) Sub-Office Raipur also stated that the required area of 101.25 ha will also be required for operation/extraction of ore from the earlier diverted patches in the lease area as the strike length of ~808 m extends to parts of area sought for diversion in the instant case. Further, it was emphasized that the UA would be requiring an approach road for operations in the already diverted area which is included in the area now sought for diversion.
 7. The AC also noted that the instant proposal is from an LWE affected region and the proposal requires special consideration in view of the socio-economic conditions in the region.
 8. **Decision of the Advisory Committee:** After thorough deliberation and discussion with IGF Sub Office Raipur, DDGF (Central), RO Bengaluru (holding additional charge RO Nagpur) and Nodal officer (FCA), Govt. of Chhattisgarh, the Advisory Committee recommended the proposal for granting 'in-principle' approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Jayaswal Neco Industries Limited for non-forestry use of remaining 101.25 ha of forest land (Originally applied area for 192.25 ha) out of which 91.00 ha was approved) for Iron Ore mining located in village Chhote Donger, District Narayanpur State Chhattisgarh subject to the General, Standard and following specific conditions:
 - i. Based on the report of DFO Narayanpur for mine affected / dependent villages, a plan shall be prepared for development works of such villages in respect of education, health, sanitation and micro irrigation facilities and accordingly the same shall be implemented at the cost of the User Agency.
 - ii. As reported by the State Government, it was stated that due to the operations of the User Agency i.e. M/s Jayaswal Neco Industries Limited there is considerable improvement in the socio-economic condition of the locals in the vicinity of the project area and there are better employment opportunities being made available. In this

regard there shall be a socio-economic audit / study in the area at the cost of the User Agency to identify the impact of their project and the same shall be communicated to this Ministry.

- iii. The User Agency shall give an undertaking that they shall comply with the recommendations of the report of the above mentioned socio-economic audit / study.
- iv. The User Agency shall fence the entire lease area by chain link fencing at their cost.

Additional Agenda No. 2

Proposal No. FP/WB/IND/442054/2023

Sub: Proposal for ex-post facto approval for regularization of encroachment over 0.47 ha of forest land in favour of M/s Shyam Sel and Power Limited for expansion of existing Integrated Steel Plant in Durgapur Forest Division in West Bengal (Proposal No. FP/WB/IND/442054/2023) – reg.

1. The above proposal was considered by the Advisory Committee in its meeting held on 18.12.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. The 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 for their examination and analysis. Committee was also apprised of the relevant provisions of the Act, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - i. Extant proposal involves violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and accordingly, as per the provisions of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, it has been submitted to the MoEF&CC for ex-post facto approval under the Adhiniyam.
 - ii. Legal status of the forest land is Protected Forests
 - iii. Total area, including non-forest land, require for the expansion of Steel Plant is 8.47 ha, comprising of 8.0 ha of non-forest land and 0.47 ha of Protected Forest land.
 - iv. No felling of trees is involved in the project as the user agency has already undertaken construction in the said area of 0.47 ha.
 - v. The user agency has proposed compensatory afforestation over degraded forest land while the State Government in their recommendation recommended to raise CA over non-forest land five times the area used without prior approval under the Van (Sanrakshan Evam Samvardham) Adhiniyam, 1980.
 - vi. No protected area is located within 10 km of radius from the Integrated Steel Plant of the user agency. Important wildlife reported in the area include wild boar, Indian jackal, bengal fox, wolf, jungle cat, pangolin, porcupine, rock python, cobra, russell's viper etc. in the nearest forest

areas under this diversion proposal. The Nodal Officer has recommended preparation and implementation of a Wildlife Management Plan at the cost of user agency.

- vii. Proposed expansion of Integrated Steel Plant involves cost of Rs. 164.31 crores and is expected to generated 2,13,000 mandays of employment during construction phase and 3,00,000 mandays during the operation phase of the project.
 - viii. Environment clearance to the project has been granted by the Ministry on 16.11.2021.
 - ix. Detail of violation involved in the case is given as under:
The area encroached by the user agency was the area under encroachment was observed to be 8.73 acres (3.5329 ha). An FIR was lodged against the user agency on 22.04.2023. A case in the matter has been filed in the court of Chief Judicial Magistrate, Asanol.
The user agency in their justification has mentioned that they have acquired the adjacent non-forest land for their expansion project and for want of any demarcation of forest land, some construction was undertaken inadvertently in the forest land.
4. The Nodal Officer and the State Government recommended the proposal with the penal conditions.
 5. The Sub-Office of the Regional Office Bhubaneswar conducted the site inspection of the area on 23.11.2023 and observations made during the visit are as under:
The proposal involves violation of Adhiniyam. A big RCC construction done within the 0.47 ha. Construction of structure on forest land is incomplete condition. During visit, no ongoing construction activity was observed over the 0.47 ha forest land.
Balance 3.0629 ha (3.5329 ha – 0.47 ha) forest land is in possession of State Forest Department, and no infrastructure/construction was observed in the balance 3.0629 ha forest land. However, soil filling was done by the project proponent in some portion of the 3.0629 ha of encroached forest land and new plantation (Arjun, Akashmoni, Karanj etc) has been done as per the suggestion of the local forest Department.
The DDG, Bhubaneswar has recommended the proposal with penal conditions.
 6. **Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneshwar, the Advisory Committee observed that case pertains to encroachment in forest land and remedial and legal action including possession of encroached forest land has been taken by the Forest Department and the proposal for ex-post facto approval in respect of 0.47 ha has been submitted for prior approval of the Central Government. The Committee recommended the proposal for grant of '*in-principle*' approval subject to fulfilment of general, standard and following specific conditions:
 - i. The user agency shall pay the 5 times penal NPV plus 12% simple interest till the deposit is made by the user agency.
 - ii. The user agency shall provide penal compensatory afforestation i.e. non-forest land equivalent to five times the forest land being diverted for the purpose of CA.

- iii. UA should pay cost of NPV, penal NPV, CA, penal CA along with cost of maintenance for 10 years.
- iv. The user agency shall bear all costs of restoring the entire encroached forest land to fully stocked forest status (crown density>0.7).
- v. Appropriate Wildlife Conservation Plan should be prepared by the DFO Durgapur at the cost of user agency and a copy of the approved Plan shall be submitted along with the compliance of '*in-principle*' approval.
- vi. The State Government shall take action against the erring official failed to stop the encroachment of forest land.

(Confirmed through email)

Dr. Naveen Chandra Bisht
(non-official Member)

(Confirmed through email)

Shri S. D. Vora
(non-official Member)

(Confirmed through email)

Shri Manoj Pant
(non-official Member)

(Confirmed through email)

Dr. Mehraj A. Shaikh
Deputy Commissioner (NRM)
(Member)

(Confirmed through email)

Shri Bivash Ranjan
Additional Director General of Forests (WL)
(Member)

(Confirmed)

Shri S. P. Yadav
Additional Director General of Forests (FC)
(Member)

(Confirmed)

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

(Approved)

Shri C. P. Goyal
(Director General of Forests and Special Secretary)
(Chairperson)