

**Minutes of the Meeting of the Advisory Committee (AC) meeting held on
17.01.2024**

Agenda No. 1

File No. 8-41/2017-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 South Eastern Coalfield Limited for non-forestry use of additional 94.293 ha revenue forest land of Gevra OC expansion project of Coal Mining in Korba District of Chhattisgarh (Online proposal No. FP/CG/MIN/41389/2019)

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 17.01.2024. 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 IGF (Central) 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. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. Government of Chhattisgarh vide their letter no. 5-41/2023/10-2 dated 13.10.2023 a fresh proposal for seeking prior approval of the Central Government Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - ii. The proposed area is 94.293 ha which falls under Katghora Forest Division in Korba District of Chhattisgarh.
 - iii. The proposed forest area is a revenue forest with a canopy density of 0.3 (Eco Class V) and 610 trees have been proposed to be felled.

- iv. The total area of the mining lease is 4781.798 ha. out of which 1110.705 ha is forest land.
- v. The Ministry has already accorded approval for the diversion of 1016.421 ha forest land falling in the lease area in five stages. The detail of approvals obtained by the User Agency in the past is as under:

Sl. No.	Area Diverted (Ha)	File no.	Date of Stage-I approval	Date of Stage-II approval
1	100.898	8-33/2005-FC	20-10-2006	5-05-2008
2	564.885	8-79/2006-FC	20-10-2006	20-04-2015
3	192.046	8-77/2006-FC	20-10-2006	20-04-2015
4	46.198	8-81/2006-FC	20-10-2006	20-04-2015
5	112.385	8-41/2017-FC	20-10-2006	21-06-2022
Total	1016.412			
	94.293	Present proposal for enhanced production of 70 MTPA		
Grand Total	1110.705			

- vi. The User Agency has proposed to enhance production of coal from the Gevra mine from existing level of 52.5 MTPA to 70 MTPA. Earlier, the User Agency has been accorded approval by the Central Government on 03.06.2009 (IA Division) for enhancing their production level of Gevra Mine from 25 MTPA to 35 MTPA. Subsequently, the User Agency has been accorded approval for production level of 52.5 MTPA by the MoEF&CC. So far, the user Agency has realized the production level of 52.5 MTPA, During the current phase of enhancement of production to 70 MTPA, the User Agency needs an additional area of 597.312 ha which includes 94.293 ha of Revenue Forest land. The representative of the User Agency have also informed that currently 951.481 MT of mineable reserve are available in the Gevra lease area of 4781.798 ha (as on 01.04.2023) Given the production level of 70 MTPA the life of the mine is 14 years.
- vii. The mining plan of this mine is approved by the Coal India Ltd. Board on 05.03.2016.

- viii. The proposed area is for expansion of the existing mine. The state /sub-office Raipur has informed that the User Agency has reclaimed 504.8 ha biologically while an area of 1323.583 ha is under technical reclamation.
- ix. The UA has proposed CA on double degraded forest land as per the provisions contained in the old rules. As per the information provided by the State Government the project involves forest land as well as non-forest land. The legal status of the User Agency is Central PSU. Due to the presence of the non-forest land in the project the exemption for providing CA on double the degraded forest land cannot be considered in this proposal. As per the provisions of rule (13) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, Rules, 2023, non-forest land equal to the extent of the forest land being proposed for diversion is required for the purpose of compensatory afforestation.
- x. Component wise breakup of the forest area proposed for diversion is as under:

S. No.	Component	Forest land (ha)
i.	Mining Quarry	94.168
ii.	Mine Infrastructure	0.125
iii.	External OB Dump	0
iv.	Other (Safety Zone etc.)	0
Total		94.293

- xi. The Committee noted that out of the total forest area proposed for diversion in the instant proposal, 0.125 ha is for the construction of rapid landing system which is a part of the main mining activity and the remaining area will be used for mining quarry.
- xii. The sub-office Raipur in SIR has informed that the DCF concerned in Part-II has certified that no violation of the Forest (Conservation) Act, 1980 have been committed by the User Agency. The Revenue Forest land in question is under the control of the Revenue Department. During the inspection it was observed that substantial portion of the proposed land is under encroachment. Buildings, roads, market.

Government structures like schools. Anganwadi are existing in the area. It has been noted that the Revenue land is being encroached by the encroachers in gradual process and is even being put to unauthorized commercial use by them.

- xiii. The Committee noted that the large portion of the proposed area has been encroached and habitation has got well-developed over a period of time. The State/User agency has to ensure the evacuation of the area and displacement/rehabilitation of people as per extant rules.
- xiv. The Committee noted that the catchment area treatment plan has been prepared through Chhattisgarh Council of Science and Technology (CCOST) for the Mine lease area of 4781.798 ha which includes 94.293 ha. The recommendation in the Report is as below:

Recommendations in CAT Plan	Status of Compliance as on Sept 2023	Remarks
Area Proposed for Phase Wise Plantation: 670.49	106.332 Ha	As per the final report, based on the soil erosion intensity, the sub-watersheds of Gevra OCP were assigned priority for erosion control measures. As per the prioritization zone, activities have been undertaken especially in Ahiran. Lilagar & Hasdeo watersheds. Cost: approx. ₹49.13 Crore. considering the plantation year & complete subsequent maintenance for 4 years.
Gap Plantation: 56.11 Ha	Completed	
Intensive Plantation: 9.46 Ha.	Completed	
Steep Slope Stability Measures Carpeting: 62.42 Ha	52.14 Ha	
Check Dam 7 nos	52.14 Ha	
Nala Bunds/ Boulder Checks 11 nos.	The proposed structures will be implemented through State Forest Department. The total cost of the project is ₹84,47,900/ and the amount has been deposited in	
Vegetative bunds 13 nos.		

	CAMPA on dt: 08.11.2021.
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- xv. The Committee noted that the mineral reserve of 951.481 MT of coal will be mined over a period of 14 years. This coal will be supplied to thermal power plants and other miscellaneous consumers to meet the demand of coal in the country. Beside this, the project will also provide direct and indirect employment opportunities to the local people. The project will also enhance the economic development of the region. With commencement of the project, primary and secondary employment opportunities are expected to improve in the region. It is also expected that additional people will get employment hence job opportunities for the local people as well as immigrants from nearby areas would increase with the mining activity.
- xvi. The IGF (Central) sub office Raipur has informed that the area has very poor vegetation density, and large portion of the area has habitation, roads Government buildings, market and other structures. It has been informed that SECL will undertake extensive plantation for greening the surrounding area in consultation with the local villagers in addition to mandatory CA. The area after mining will also be reclaimed and it will have compact forest. In the beginning 610 trees will be sacrificed, but more than 1,00,000 trees will be planted in its place and entire area will be greened. Further, these 610 trees will be felled over a period of time and there will be hardly any impact.
- xvii. The IGF (Centra) sub-office Raipur has also informed that as the area is contiguous to the mining areas and is sandwiched between mining and habitation. There is no wildlife in the proposed area. However, Wild Life conservation plan has been prepared through State Forest Research & Training Institute (SFRTI), Raipur. The plan will be implemented through State Forest Department. An amount of ₹10,08,92,517/- has been deposited in CAMPA on dt: 31.05.2022 for its implementation; The Committee has noted that the pace of implementation of the said plan is poor, and the same needs to be expedited.

xviii. The area has been inspected by the IGF (Central) sub-Office Raipur and in the SIR following has been suggested:

- i. Biological reclamation should be done keeping in mind the seral stages of the species. Monoculture of species should be avoided. Attempts should be made to develop multi-storied forest with ground flora. Species like Sal may be promoted with special nursery to augment the supply sources.
- ii. Mined out forest area already reclaimed by the User Agency, should be handed over back to the State Forest Department for management and control. The UA should prepare a land surrender schedule for surrender of the mined out and biologically reclaimed forest land in accordance with the existing mine plan irrespective of progressive mine closure plan and submit a surrender schedule.
- iii. It is essential to preserve the top-soil for better growth of plants in the Over Burden(OB) dumps/reclaimed area. This is essential especially for growing Sal plants.
- iv. The user agency should undertake comprehensive greening in the surrounding villages with indigenous tree species.
- v. Safety zone of 7.5 m width around the mine lease boundary should be completed in time-bound manner as per the specifications.

5. Decision of the Advisory Committee: The Committee after detailed discussion and deliberation with the DDGF (Central), RO Bengaluru (Holding additional charge of RO Nagpur), IGF (Central), sub-office Raipur and Nodal Officer (FCA), Government of Chhattisgarh and after going through the facts of the proposal, the 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 M/s South Eastern Coalfield Limited for non-forestry use of additional 94.293 ha revenue forest land of Gevra OC expansion project of Coal Mining in Korba District of Chhattisgarh subject to the general, standard and following specific conditions:

- i. As per the provisions of rule (13) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, the Compensatory Afforestation shall be carried over non-forest land equal in extent to the forest area proposed. The State shall submit relevant documents/certificates/maps/KML file for suitable non-forest land so identified. The suitable non-forest land for the compensatory afforestation shall be identified as per the extant guidelines on the matter and approval for the same will be taken from the Ministry before going for notification as forest under Indian Forest Act or other relevant Act.
- ii. A Wildlife management with small cats as one of the focus areas shall be prepared and got approved from the Chief Wildlife Warden. The wildlife plan for the small cats will be subset of the integrated wildlife plan for which money has been deposited and work has to be started. The additional funds required for the 'small cat' plan shall be deposited by the User Agency and State will start the work of wildlife conservation without further delay.
- iii. The State Government shall ensure the preparation of R&R plan and its implementation shall be done in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR, 2013) and the R&R plan will be shown to Ministry at the time of the compliance of the Stage-I;
- iv. The biological reclamation shall be done keeping in mind the seral stages of the species. Monoculture of species should be avoided. Attempts should be made to develop multi-storeyed forest with ground flora. Species like Sal may be promoted with special nursery to augment the supply sources;
- v. Mined out forest areas which are already reclaimed by the User Agency, shall be handed over back to the State Forest Department for management and control. The UA shall prepare a land surrender schedule for surrender of the mined out and biologically reclaimed forest land;
- vi. The UA shall undertake extensive greening programme in the surrounding area and improve its environmental and ecological health.

Mixed plantation of local species should be encouraged. The User Agency shall maintain nursery of local species and fruit trees and distribute to locals every year as an additional means to enrich vegetation;

- vii. The top-soil shall be preserved for better growth of plants in the OB dumps/reclaimed areas;

Agenda No. 2

File No. 8-08/2018-FC (Pt)

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 South Eastern Coalfields Limited for no-forestry use of additional 43.942 ha of forest land of Kusmunda OC Expansion project for Coal Mining in Korba district of Chhattisgarh– reg. (Online proposal No. FP/CG/MIN/41604/2019)

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 17.01.2024. 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 IGF (Central) 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. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. Government of Chhattisgarh vide their letter no. F-5-20/2023/10-2 dated 16.08.2023 submitted a fresh proposal seeking prior approval of

the Central Government Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

- ii. The proposed area is 43.942 ha which falls under Katghora Forest Division in Korba District of Chhattisgarh.
- iii. The proposed forest area is revenue forest land with a canopy density of 0.4 (Eco Class V) and 1449 number of trees have been proposed to be felled, out of which 829 are above 60 cm girth and 620 are below 60cm girth.
- iv. The area is contiguous to the ongoing mines and is sandwiched between mining areas and habitation. Part-II submitted along with the proposal also mentions that there is no wildlife in the area. Further, the Revenue Forest land proposed for diversion is under severe biotic pressure of agricultural land & settlements.
- v. The Wild Life conservation & Avifaunal Management plan has been prepared including instant proposal by Wildlife Expert. The Plan has been approved by PCCF (Wildlife & Biodiversity Conservation), Forest Department, Raipur vide office order No./Wildlife/Mngmt-619/159, Naya Raipur Dated 17.05.23. The Wild Life conservation plan will be implemented through State Forest Department. An amount of ₹6,19,50,000/- has been deposited by the User Agency in CAMPA on dt: 31.10.2022 & 14.08.2023 for its implementation for a ten-year period (2022 to 2032).
- vi. No work in violation of the Adhiniyam, 1980 has been carried out by the user agency. However, in the SIR the IGF (Central) sub-officer Raipur has informed that during the inspection it has been observed that most of the area of Revenue Forest land proposed for diversion is under encroachment. Agricultural fields were observed in the area proposed for diversion. It was also observed that some part of private power plant was encroaching some revenue forest land in Sonpuri village. In the SIR it has been informed that encroachment in Revenue Land will be subsequently removed after survey & distribution of compensation. Some Industrial infrastructure was observed in analysis of the kml file of Revenue Forest Land of Gevra village. During site inspection, it was clarified by the User Agency that industrial structure observed is

located in the adjacent 402.966 Ha Revenue Forest Land, and the anomaly observed is due to shifting of KML file. A stabilized external dump is located in this patch. Settlements exist in about 30 to 40 % of the patch, which are to be removed.

- vii. Purpose wise breakup of area required for the project is given as under: The detail of proposed land use of Kusmunda Mine is as under:

S. N.	Purpose	Forest land (Ha)		Non-Forest land (Ha)	Total Land (in ha)
		Previous Proposal	Instant Proposal		
1	Area to be excavated	54.00	21.439	1524.561	1600.00
2	Storage for Top soil	0.00	0.00	3.00	3.00
3	Overburden/Dumps	3.00	0.00	322.00	325.00
4	Mineral storage	0.00	0.00	0.00	0.00
5	Infrastructure (W/Shop, Admin. Building)	59.461	0.00	240.539	300.00
6	Roads	0.00	0.00	10.00	10.00
7	Green Belt	0.00	0.00	10.00	10.00
8	Rehabilitation Site (outside mine)	49.00	0.00	81.00	130
9	Colony (outside mine)	30.00	0.00	10.25	40.25
10	Safety Zone	10.50	22.45	120.05	153
11	Other specific (future mining)	0.00	0.053	420.64	420.693
	TOTAL	205.961	43.942	2742.04	2991.943

- viii. The total forest land in the lease area is 249.903 and Non-forest land is 2742.04 ha.
- ix. Proposal is expected to generated 4130 permanent employments and 500 temporary employments.
- x. The Committee noted that the mining plan has been approved by the Coal India Limited vide letter dated 12.08.2016. A copy of approved Mining Plan has been submitted along with the proposal. As per Mining Plan reserve of 1005.40 MTPA have been proposed through Opencast Mining.

- xi. The User Agency has been accorded post-facto *in-principle* / Stage-I FC approval by the MoEF&CC on 26.04.2018 for diversion/regularisation of 402.966 ha Revenue Forest Land which includes 205.961 ha of Kusmunda Mine & 197.005 ha of Laxman Mine. The Production from Laxman Mine has stopped its operations from 31.03.2013 & will be subsequently merged with Gevra Mine. Subsequently, the User Agency has been accorded approval for enhancing production level of Kusmunda Mine from 40 MTPA to 50 MTPA (Normative)/ 62.50 MTPA (Peak) in a Mine Leasehold Area of 1655.825 Ha by MoEF&CC on 10.01.2020 (IA Division). So far, the user Agency has realized the peak production level of 43.051 MTPA in FY 2022-23.
- xii. During the current phase of enhancement of Mine Leasehold Area to 2991.943 ha, the User Agency needs an additional area of 1359.99 ha which includes 43.942 ha of Revenue Forest land. Out of the total 43.942 ha of Revenue Forest land, the part land of Revenue Forest land shall be used for mining (21.439 ha) & part of the Revenue Forest land shall be used for safety zone & afforestation purposes (22.503 ha).
- xiii. The Committee noted that currently 670.19 MT of mineable reserve are available in the Kusmunda lease area of 2991.943 ha (as on 01.04.2023) Given the peak production level of 62.50 MTPA the life of the mine is 14 years.
- xiv. The Ministry vide letter no. F. No. 8-08/2018-FC dated 26th April, 2018 has granted Stage-I approval for diversion of 402.966 ha (which includes 205.961 ha of Revenue Forest Land of Kusmunda OCP + 197.005 ha of Revenue Forest Land of Laxman OCP) for mining of coal in favour of SECL in Korba District of Chhattisgarh.
- xv. The compliance report of the above Stage-I approval is under consideration in the Ministry and it has been noticed by the Committee that in the Stage-I approval dated 26.04.2018 a condition regarding notification of reclaimed revenue forest land was stipulated which read as: "*Since the reclaimed forest land is revenue forest, the state government should notify the area as protected forest under Indian*

Forest Act or State Forest Act/rules. No further change in the schedule for surrendering of forest land should be allowed.” Keeping this condition in view, the Ministry vide letter dated 08.01.2024 has asked the compliance of this condition from the State Govt. The Govt. of Chhattisgarh vide letter dated 16.01.2024 has informed that the land is revenue land which is to be returned back to the revenue department and cannot be notified as reserve forest.

- xvi. The Committee held detailed discussion on this issue and informed the Nodal Officer (FCA) Govt. of Chhattisgarh, that the reclaimed area is to be notified as Protected Forest as per the conditions of Stage-1 approval. The Committee asked the Nodal Officer (FCA) Govt. of Chhattisgarh to comply with this condition. The Nodal Officer (FCA) Govt. of Chhattisgarh agreed that they will be notify the said area as per the condition of the State-I approval of the linked project and submit the compliance report of the stage-1 approval.
- xvii. The UA has proposed CA on degraded forest land as per the provisions contained in old rules. As per the information provided by the State Government, the project involves forest land as well as non-forest land. Due to the presence of the non-forest land in the project the exemption for accepting CA on degraded forest land shall not be applicable in this proposal. As per the provisions contained in Rule (13) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, Rules, 2023, non-forest land equal in the extent to the forest land proposed for diversion is required for the purpose of compensatory afforestation.
- xviii. The IGF (Central) sub-officer Raipur has mentioned in his SIR that the rehabilitation of PAPs is proposed in 10 villages. Total 6712 families will be affected in the project. It was also informed that rehabilitation, as per Government of Chhattisgarh's R&R policy is already going on in lieu of private/tenancy land, being acquired by the User Agency for the enhancement of their production. However, given the fact that most of the area is under encroachment, it was mentioned by the User Agency that encroachment in Revenue Land under will be subsequently removed after survey & distribution of compensation. An exercise would be undertaken by them to assess the eligible claimant if any and

if the need be eligible claimant will be rehabilitated as per the R&R policy of the State Government of Chhattisgarh.

- xix. The proposed area is for expansion of the existing mine. The state /sub-office Raipur has informed that the User Agency has reclaimed 363.581 ha biologically while an area of 709.821 ha is under technical reclamation.
- xx. The catchment area treatment plan has been prepared through Chhattisgarh Council of Science & Technology (CCOST) in FY 2020-21 for the Mine lease area of 2991.943 ha which includes 43.942 Ha with a view to arrest silt and augment in-filtration of rainwater and also to improve the perennial water regime in the region. The recommendations in the Report have been studied by the Forest Department & a Detailed Catchment Treatment Plan implementation report based on CGCOST recommendations has been prepared by the State Forest Department in FY 2022-23 for construction of 7546 nos. of micro level structures at a total cost of ₹2.27 Crores only. The Catchment Treatment Plan will be implemented through State Forest Department. An amount of ₹2,27,42,100/- has been deposited by the User Agency in CAMPA on 18.10.2022 for its implementation.
- xxi. Cost benefit Ratio – 1:30 as on 06.11.2023 (Based on Current NPV, CA & Labor Wages rate).
- xxii. The Committee noted that the mineral reserve of 1005.40 MT (Balance Reserves are 670.19 MT as on 01.04.2023) of coal is to be mined over a period of 24 years (Balance Life of Mine is 14 years as on 01.04.2023). This coal will be supplied to thermal power plants and other miscellaneous consumers to meet the demand of coal in the country. Beside this, the project will also provide 4130 nos. of direct and about 16400 nos. of indirect employment opportunities to the local people. The project will also enhance the economic development of the region. The project activities will directly or indirectly improve physical infrastructure (like road and rail network, bridges, telecommunication), social infrastructure (like educational facilities, medical facilities, women and child welfare facilities, water supply and sanitary facilities, banking facilities, training and skill development facilities, employment

opportunities), Central and state Exchequer, helps Nation in Energy self-sufficiency, Green cover and Water reserves.

- xxiii. The Hasdeo river is flowing near the proposed forest patches for which the embankment has been proposed by the State Govt. In this regard the comments of the Water Resource Department have been sought by the User Agency. However, the same is awaited. The UA has given an undertaking that they shall abide by the condition as will be imposed by the Water Resource Department, Govt. of Chhattisgarh for conservation of the Hasdeo River. The Committee also observed that the State has informed that the Hasdeo River is flowing about 500 meter away from the mining area. However, it was observed that some portion of the River is very near to the mining lease boundary, therefore the State Government shall ensure to protect the river and the UA shall abide by the conditions that will be imposed by the Water Resource Department.
- xxiv. Further, the Committee noted that a canal is flowing inside the mining lease and the area in between the canal and the river will act as a buffer zone and needs to be protected. Further adequate protection measures will be required for the safety of the canal as well.
- xxv. The Committee noted that the coal evacuation plan is not included in the proposed forest land. The concerned DFO after the inspecting the area on 08.01.2023 found that the coal transportation will be through already proposed 402.966 ha revenue forest land for which Stage-1 approval has been accorded earlier. It has been informed that the said area is in use before 12.12.1996. The committee observed that the Stage-1 approval for the diversion of 402.966 ha forest land was accorded in the year 2018 and the issue of violation in this area has already been considered. However, it is important that the stage-II approval in the case should be obtained expeditiously.
- xxvi. The Committee noted that an integrated Wildlife management with specific focus on small cats needs to be prepared.
- xxvii. The Committee also noted that the area has been inspected by the IGF (Central) sub-Office Raipur and in the SIR following has been suggested:

- i. Safety zone should be completed earliest encompassing all the diverted area in the mining lease.
- ii. Mined out area already reclaimed by the User Agency should be handed over back to the State Forest Department.
- iii. The user agency should undertake extensive plantation schemes in the surrounding area and improve its environmental and ecological health. Mixed plantation of local species should be encouraged; species like Sal, Bija should be preferred despite its slow growth. User Agency should maintain nursery of local species and fruit trees and distribute to locals every year as an additional means to enrich vegetation.

5. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DIGF (Central), RO Bengaluru (Holding additional charge of RO Nagpur), IGF (Central), sub-office Raipur and Nodal Officer (FCA), Government of Chhattisgarh and after going through the facts of the proposal, the 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 M/s South Eastern Coalfield Limited for no-forestry use of additional 43.942 ha of forest land of Kusmunda OC Expansion project for Coal Mining in Korba district of Chhattisgarh subject to the general, standard and following specific conditions:

- i. This proposal shall not be granted Stage-II approval till the State/UA obtains the Stage-II approval in respect of the diversion of 402.966 ha (which includes 205.961 ha of Revenue Forest Land of Kusmunda OCP + 197.005 ha of Revenue Forest Land of Laxman OCP) for mining of coal in favour of SECL in Korba District of Chhattisgarh for which Stage-I approval was accorded vide letter dated 26th April, 2018.
- ii. As per the provisions of rule (13) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, the Compensatory Afforestation shall be carried over non-forest land equal in extent to the forest area proposed. The State shall submit relevant documents/certificates/maps/KML file

for suitable non-forest land so identified. The suitable non-forest land for the compensatory afforestation shall be identified as per the extant guidelines on the matter and approval for the same will be taken from the Ministry before going for notification as forest under Indian Forest Act or other relevant Act.

- iii. A Wildlife management with small cats as one of the focus areas shall be prepared and got approved from the Chief Wildlife Warden. The wildlife plan for the small cats will be subset of the integrated wildlife plan for which money has been deposited and work has to started. The additional funds required for the 'small cat' plan shall be deposited by the User Agency and State will start the work of wildlife conservation without further delay.
- viii. The State Government shall ensure the preparation of R&R plan and its implementation shall be done in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR, 2013) and the R&R plan will be shown to Ministry at the time of the compliance of the Stage-I;
- iv. The UA shall undertake extensive greening programme in the surrounding area and improve its environmental and ecological health. Mixed plantation of local species should be encouraged; User Agency shall maintain nursery of local species and fruit trees and distribute to locals every year as an additional means to enrich vegetation;
- v. The biological reclamation shall be done keeping in mind the seral stages of the species. Monoculture of species should be avoided. Attempts should be made to develop multi-storeyed forest with ground flora. Species like Sal may be promoted with special nursery to augment the supply sources;
- vi. Mined out forest areas which are already reclaimed by the User Agency, shall be handed over back to the State Forest Department for management and control. The UA shall prepare a land surrender schedule for surrender of the mined out and biologically reclaimed forest land;

- vii. The State Government shall ensure that the Catchment Treatment Plan will be implemented through State Forest Department. An amount of ₹2,27,42,100/- has been deposited by the User Agency in CAMPA on 18.10.2022 for its implementation.
- viii. The UA shall abide by the conditions as will be imposed by the Water Resource Department, Govt. of Chhattisgarh for conservation of the Hasdeo River.
- ix. Keeping in view the fact that a canal is passing through the mining lease, the User Agency shall obtain the NOC from the concerned department. The protection measures for the canal shall be taken as per the recommendations of the said agency.
- x. The area in between the canal and the river, towards the right side of the canal will be maintained as a buffer zone for the river and no mining shall be carried out in this area.

Agenda No. 3

File No. 8-78/2006-FC (pt.)

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 South Eastern Coalfield Limited for non-forestry use 0.093 ha of forest land for Dipka Opencast Coal Mining Projects Korba in Katghora Forest Division in Korba District of Chhattisgarh (FP/CG/MIN/26692/2012)

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 17.01.2024. 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 IGF (Central) 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. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:

- i. Government of Chhattisgarh vide their letter no. 5-04/2007/10-2 dated 29.03.2023 a fresh proposal for seeking prior approval of the Central Government Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
- ii. The proposed area is 0.093 ha which falls under Katghora Forest Division in Korba District of Chhattisgarh.
- iii. The proposed forest area is revenue forest with a canopy density of the 0.2 (Eco Class III) and no tree has been proposed to be felled.
- iv. The Committee noted that the total area of the mining lease is 1999.386 ha. Out of which 409.149 ha is forest land.
- v. The User Agency has proposed to enhance production of coal from the Dipka mine from existing level of 37.5 MTPA to 40 MTPA. Earlier, the User Agency has been accorded approval by the Central Government on 03.06.2009 (IA Division) for enhancing their production level of Dipka Mine from 20 MTPA to 25 MTPA. Subsequently, the User Agency has been accorded approval for production level of 25 MTPA to 30 MTPA by the MoEF&CC on 12.02.2013. Also, the User Agency has been accorded approval for production level of 30MTPA to 35 MTPA by the MoEF & CC on 20.02.2018 and 35 MTPA to 37.5 MTPA on 05.09.2022. So far, the user Agency has achieved the production level of 35 MTPA and has targeted for 40MTPA. During the current phase of enhancement of production to 40 MTPA, the User Agency needs an additional area of 0.093 ha of Revenue Forest land. The proposal for 0.093 Ha of Revenue Forest land is already submitted by the User Agency for obtaining prior approval of the Central Government under the Forest (Conservation) Act, 1980. Currently 132.781 MT of mineable reserve are available in the Dipka lease area of 1999.293 ha (as on 01.04.2023) given the production level of 37.5 MTPA the life of the mine is 4 years.
- vi. Detail of approvals for diversion of forest land obtained by the User Agency in the past is given as under:

S. No.	Area Diverted (Ha)	FC Division's File No.	Date of Stage-I Approval	Date of Stage-II approval
1	206.638 Ha	F.No. 8-80/2006-FC	20/0/2006	1-
2	33.84 Ha	F.No. 8-8/2006-FC	03/03/2011	1-
3	133.707 Ha	F.No. 8-78/2006-FC	20/0/2006	1-31/01/2022
4	15.159 Ha	Diverted in favour of NTPC (FC dated 20-06-2004)		20/06/2004
5	16.794 Ha	F.No. 8C/6/591/98/FCW/78	-	11/01/2001
6	2.918 Ha	[F. No.8B/115/2001-FCW/869, 03-04-2002 (Diverted in favour of STCIL)	-	03/04/2002
	409.056 Ha			
7	0.093 Ha	FC Reg No. 2013/028	-	-
Grand Total	409.149 Ha			

- vii. The proposed area is for expansion of the existing mine. The state /sub-office Raipur has informed that the User Agency has reclaimed 331.92 ha biologically while an area of 427.26 ha has been reclaimed technically.
- viii. The UA has proposed Compensatory Afforestation over 1.0 ha orange forest land. Committee observed that as per the provisions of existing rules CA over orange forest land which is not in possession of the forest department can be accepted. Though the area proposed for diversion is less than 1 ha, however the said diversion cannot be considered as a standalone diversion. Keeping in view the fact that the area is for expansion of existing mine for which forest land diversion has taken place in the past as well, the proposed forest area is not a stand-alone area and accordingly the area for compensatory afforestation needs to be provided.
- ix. A Catchment area treatments plan within 3 Km from Mining lease boundary was prepared through COCOST Raipur in the year 2020. (₹7.16 lakh), and for Implementation of the Catchment Area Treatment Plan, a detailed project report having a total project cost of ₹253.640

Lakhs has been prepared by State Forest Department. Also, it was informed that the payment of ₹53.64 lakhs was submitted to DFO, Katahora through DD on 2007-2023.

- x. The Committee noted that currently 132.781 MT of mineable reserve are available in the Dipka lease area of 1999 293 ha (as on 01.04.2023) Given the production level of 37.5 MIPA the life of the mine is 4 years. This coal will be supplied to thermal power plants and other miscellaneous consumers to meet the demand of coal in the country. Beside this, the project will also provide direct and indirect employment opportunities to the local people. The project will also enhance the economic development of the region. With commencement of the project, primary and secondary employment opportunities are expected to improve in the region. It is also expected that additional people will get employment hence job opportunities for the local people as well as immigrants from nearby areas would increase with the mining activity.
- xi. The area has been inspected by the IGF (Central) sub-office Raipur and following additional information has been suggested:
 - a. SECL should make proper planning and management of top-soil so that the better plantation growth is attained.
 - b. Plantation of species like Sal and other local species needs to given special emphasis. Steps should be taken up for soil conservation measures in the slopes and edges of dumps.
 - c. SECL should prepare schedule to hand over the reclaimed lands to the state Forest Department.

5. Decision of the Advisory Committee: The Committee after detailed discussion and deliberation with the DIGF (Central), RO Bengaluru (Holding additional charge of RO Nagpur), IGF (Central), sub-office Raipur and Nodal Officer (FCA), Government of Chhattisgarh and after going through the facts of the proposal, the 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 M/s South Eastern Coalfield Limited for non-forestry use of additional 0.093 ha revenue

forest land of Dipka Opencast Coal Mining Projects Korba in Katghora Forest Division in Korba District of Chhattisgarh subject to the general, standard and following specific conditions:

- i. The Compensatory Afforestation shall be raised over 1.0 ha of Orange forest land as proposed by the User Agency/State.
- ii. This proposal shall not be granted Stage-II approval till the State/UA obtains the Stage-II approval in case of the following diversion proposals of the user agency:
 - a. Diversion of 206.638 ha forest land accorded Stage-I approval vide letter dated 20.10.2006.
 - b. Diversion of 33.84 ha forest land accorded Stage-I approval vide letter dated 03.03.2011.
- iii. A Wildlife management plan with small cats as one of the focus areas shall be prepared and got approved from the Chief Wildlife Warden. The additional funds required for the same shall be deposited by the User Agency. The wildlife plan for small cat will be sub set of the integrated wildlife management plan prepared for this mine and adjoining mining areas and work of wildlife management will be immediately started if not done by the State and the status of the wildlife conservation in the area will also be submitted at the time of the compliance of Stage-I;
- iv. Mined out forest areas which are already reclaimed by the User Agency, shall be handed over back to the State Forest Department for management and control. The UA shall prepare a land surrender schedule for surrender of the mined out and biologically reclaimed forest land;
- v. The UA shall undertake extensive greening programme in the surrounding area and improve its environmental and ecological health. Mixed plantation of local species should be encouraged; User Agency shall maintain nursery of local species and fruit trees and distribute to locals every year as an additional means to enrich vegetation;

Agenda No. 4**File No. 8-33/2022-FC**

Subject: Diversion of 315.74 ha forest land under Forest (Conservation) Act, 1980 for Renovation of Asolamendha Irrigation Project in Division Bramhapuri, Central Chanda and Chandrapur Forest Division, Saoli, Mul and Pombhurna talukas of Chandrapur District in the State of Maharashtra (Online No. FP/MH/IRRIG/39591/2019) – regarding.

1. The agenda item was considered by the AC in its meeting held on 17.01.2024. 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. DGF (Central), RO, Nagpur and Nodal Office (FCA), Government of Maharashtra attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Maharashtra vide their letter No. FLD-2022/CR-291/F-10 dated 14.11.2022 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 315.74 ha forest land under Forest (Conservation) Act, 1980 for Renovation of Asolamendha Irrigation Project in Division Bramhapuri, Central Chanda and Chandrapur Forest Division, Saoli, Mul and Pombhurna talukas of Chandrapur District in the State of Maharashtra.
 - ii. The Asolamendha Irrigation Project is a medium irrigation project in the Chandrapur District which was completed in 1914. As the Asolamendha Project was constructed in British Era, at that time forest

land was acquired for submergence and Canal system as per Various Notifications of Forest Department. Now it is proposed to raise the height of existing Asolamendha Dam by 2.70 M.

- iii. The proposed diversion area is 315.74 ha and the density of vegetation is less than 0.5 in all division compartments having Eco-class 3.
- iv. The Nodal Officer, FCA, Government of Maharashtra informed that the present proposal is for irrigation purpose.
- v. As per the State Government, the forest area proposed for diversion does not fall under any wildlife sanctuary, Eco sensitive zone and Protected area. However, the CCF, Chandrapur in its site inspection report has mentioned that the area is important from wildlife point of view and also reported the presence and movement of Tiger & Leopard in the proposed forest land. The DCF Chandrapur in Part-II has also mentioned that wildlife habitat will be disturbed.
- vi. The PCCF (Wildlife), Nagpur vide office note no. 1556 dated 18.08.2023 has reported that the project requires wildlife clearance.
- vii. The CCF Chandrapur Circle, Chandrapur in his Site Inspection Report and online Part III mentioned that Wild life Clearance proposal was prepared and submitted to State Wild Life Board for approval. It is to be noted that out of 315.74 ha forest area proposed for diversion, 267.33 ha area has been moved for clearance from NBWL. The User agency has prepared the Wildlife Mitigation Measures plan for diversion of 315.74 Ha. As per the decision of the State Wild Life Board in its meeting held on 16/10/2023, a three members Committee under the Chairmanship of CCF, Chandrapur was constituted vide letter of the Principal Chief Conservator of Forest (Wild Life), Govt. of Maharashtra dated 23/10/2023. Three-member Committee visited the Asolamendha Project dated 28/10/2023 and gave suggestions in addition to the Wild Life Mitigation Plan submitted by User Agency. After submission of the report the Wild life proposal will be submitted to National Board for Wild Life for final Clearance.
- viii. The Nodal Officer (FCA), Government of Maharashtra informed the committee that the proposal is recommended in the 22nd meeting of

State Board of Wildlife held on 16.10.2023 for onward submission to the National Board for Wild Life.

- ix.** A total of 1,17,224 no. of trees of various species and girth class are standing in the area proposed for diversion. Further the Regional Office, Nagpur in its site inspection report mentions that total 7501 trees are to cut only for the renovation of canal network. The trees in the submergence area are to be retained, which will eventually die out
- x.** The present proposal of 315.74 ha forest land involves 71.99 ha reserved forest managed by Forest Development Corporation of Maharashtra Limited (FDCM). The "No Objection Certificate" for 71.99 ha reserved forest land managed by the Forest Development Corporation of Maharashtra Limited issued by the Managing Director, FDCM has been submitted.
- xi.** The total area of proposed CA land is 315.973 ha and the CA site has been given in a single patch on Non-forest land and located under the Yavatmal District of Maharashtra State.
- xii.** The shape of the proposed CA site as shown in the DGPS map & SOI map is at variance with the shape of CA site as shown in the KML file.
- xiii.** The Regional Office, Nagpur in its site inspection report mentions that the proposed CA is not contiguous with existing forest area and is surrounded by agricultural fields. On one side it is surrounded by the reservoir. Thus, it is not suitable vis-à-vis future management and flood situations of the reservoir. Further, DDGF(C) has recommended that the non-forest land identified for the compensatory afforestation is situated in the periphery of Bemla Reservoir in Yavatmal District. It is a single patch of 315.74 ha surrounded by agricultural fields and water body. It does not fit in the criteria laid down vide MoEF&CC's clarification dated 13/07/2022. Therefore, it needs to be heavily fenced to ensure its protection and survival from biotic pressure.
- xiv.** As per Site Inspection Report of CCF, Chandrapur two (2) villages namely Asola Chak and Savangi Dixit are being affected by the project. The State Govt. has uploaded only resettlement lay out plan, the State Govt. has not submitted the R&R plan as per the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

- xv.** The Advisory Committee observed that the details regarding overall impact/ benefits of the project to local people/villages needs to be examined in detail. 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.
- xvi.** The Committee also observed that area is important from wildlife point of view and presence and movement of Tiger & Leopard in proposed forest land has been reported by the State Govt. Keeping this in view it is important that the impact of the project on the wildlife and its habitat is considered beforehand.

5. Decision of the Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer, FCA, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Maharashtra, the Committee deferred the proposal for diversion of 315.74 ha forest land for Renovation of Asolamendha Irrigation Project and sought the following details:

- i. 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.
- ii. Keeping in view the significance of the area as a wildlife habitat, it is important that the impact of the project on the wildlife and its habitat is considered beforehand. Therefore, the proposal will be considered for approval only if the approval for the same is accorded by the Standing Committee of the National Board for Wildlife (SC-NBWL). The State Govt. shall submit a copy of the wildlife clearance.

- iii. The State shall explore the possibility of providing suitable non-forest land which is near to/contiguous to forest area for the purpose of Compensatory Afforestation.

Agenda No. 5

File No. 8-10/2023-FC

Subject: Diversion of 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria Forest Division) for Sahapur West Underground Coal Mine Project in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State (Online No. FP/MP/MIN/151378/2022) - regarding.

1. The agenda item was considered by the AC in its meeting held on 17.01.2024. 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. DGF (Central), RO, Bhopal and Nodal Office (FCA), Government of Madhya Pradesh attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F-1/839/2023/10-11/1182 dated 20.03.2023 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 80.59 ha forest land (15.549 ha Revenue forest land of Shahdol Range under South Shahdol Forest Division and 46.488 ha in RF-227 & PF-779 of Ghanghunti Range and 18.553 ha Revenue Forest Land under Umaria

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Forest Division) for Sahapur West Underground Coal Mine Project & surface use in favour of M/s Sarda Energy & Minerals Ltd. in Shahdol & Umaria Districts of Madhya Pradesh State.

- ii. The proposed diversion area is for underground coal mining project located in the Umaria and Shahdol Districts of Madhya Pradesh State and the density of vegetation ranges from 0.4 to 0.5 having Eco-class 3. The component wise details of area proposed earlier were as under:

Component wise breakup			
S.no	Component	Forest Land (ha.)	Non-Forest Land (ha.)
1	Topsoil dump	0	0.03
2	Infrastructure Area	0	5.378
3	Green Belt including Embankment	0	8.02
4	Settling Pond	0	0.2
5	UG Entry	0	0.3
6	Road	0.895	1.886
7	Undisturbed Area (Mining as per Scientific Study)	79.695	522.596
Total		80.59	538.41

- iii. The proposal is for underground coal mining involving both forest and non-forest land. The NFL involved is 538.41 ha.
- iv. The total forest land proposed for diversion is 80.590 ha out of which 0.895 ha was earlier proposed for surface utilisation and the surface rights in the proposed diversion area for 0.895 ha for laying of road were proposed wherein 547 no. of trees were marked to be felled for laying of road.
- v. The proposed area was inspected by the Dy. DGF, Regional Office, Bhopal and as per the site inspection report dated 21.12.2023 it has been mentioned that the laying of proposed road inside PF-779, in the longer run would cause a lot of dust pollution, noise pollution on the surrounding forest which would adversely affect the growth of regeneration and wildlife habitat. Also, as the movement of trucks would be round the clock, there would be more number of wildlife kills and in general disturbance to wildlife. Therefore, in the interest of conservation of the forest and wildlife therein, it is suggested to change

the alignment of the proposed road by keeping the road in northerly direction before entering in to revenue/protected forest and then taking a turn towards east through small portion of protected forest and joining the existing alignment. This would reduce the length of the road in forest area, resulting in lesser forest diversion, lesser felling of trees and lesser interference with wildlife habitat. Moreover, the suggested alignment would pass through old Eucalyptus plantation and will save the excellent regeneration of Sal forest. Therefore, in the light of above observation, the User Agency may be requested to change the alignment accordingly.

- vi. The State Government vide their letter dated 12.01.2024 has submitted that the user agency has informed that in a recent development South Eastern Central Railway, Bilaspur has started construction of a Railway Siding "Goods Shed" at Badhwabara Railway Station of SECR which is approximately 5 Km away from Sahapur West Coal Block. This upcoming Railway Siding will be more suitable for user agency for Rail Transportation of Coal. This Badhwabara Railway Siding is in a different direction from our earlier proposed Road and hence it has become necessary to change the alignment of our Coal Transportation Road. Accordingly, the user agency has changed the alignment of road which has resulted in Zero Surface Utilization of forest land and no forest land on the surface is affected.
- vii. The revised component wise breakup for the proposed forest land are as under:

Component wise breakup			
S.no	Component	Forest Land (ha.)	Non-Forest Land (ha.)
1	Topsoil dump	0	0.03
2	Infrastructure Area	0	5.378
3	Green Belt including Embankment	0	8.02
4	Settling Pond	0	0.2
5	UG Entry	0	0.3
6	Road	0	1.900
7	Undisturbed Area (Mining as per Scientific Study)	80.59	522.582

Total	80.59	538.41
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- viii.** The proposed forest land for diversion is located at a distance of 2.98 Km from the Achanakmar - Bhandhavgarh Tiger Corridor. The PCCF, Wildlife has recommended that 2% cost of project towards wildlife management plan and cost towards chain link fencing for the proposed forest land shall be deposited by the user agency.
- ix.** The proposal is for underground coal mining with no surface rights in the proposed diversion area. Therefore, the Compensatory Afforestation is not applicable.
- x.** As per the subsidence study for tensile strain on the surface of Shahpur West Coal Block, the maximum surface strain of 9.45 mm/m has been reported over the estimated life of mining.
- xi.** As per the mining plan the proposal involves the construction of embankment, settling pond etc. and mining activity will be carried out at minimum depth of 72.15 meter to maximum depth of 141.73 meter from the surface.
- xii.** Nallah/River tributary is flowing through the mining lease area and the State Govt. has informed that the drains through the forest area flow during the monsoon season only. It has been informed that this mine is an underground mine and in the mining plan of this mine, there is no proposal of any kind of mining up to 30 meters below this drain on both sides. Further, it has been mentioned that there will be no change in the quality of water flowing in the drain due to this mining.
- xiii.** It was noticed that the user agency has not sought the diversion of forest land in the Compt No. 780, Block: Kathoutiya, Shahdol Range located on the south-eastern corner of the Mining lease. However, the State Govt. has clarified that the said forest patch does not come in the Mining lease and the State Government has requested the FSI, Dehradun for necessary correction regarding the forest boundaries on the DSS platform.
- xiv.** The mining lease area is encompassing 05 villages and interspersed with streams, ponds and roads. However, as the project is for underground coal mining, the surface won't be affected so as to cause rehabilitation of villages and diversion of any streams/ roads.

- xv.** The Advisory Committee observed that the proposal is for underground mining and the tensile strain on the surface of Shahpur West Coal Block has been reported to maximum of 9.45 mm/m over the estimated life of mining. Therefore, the NPV shall be deposited as per the provisions laid down in Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

5. Decision of the Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer, FCA, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Madhya Pradesh, the Committee recommended the proposal for diversion of 80.59 ha forest land for Sahapur West Underground Coal Mine Project with General, Standard and following specific conditions:

- i. Wildlife Management Plan for area within 10 km radius of the project shall be prepared and implemented at the cost of user agency.
- ii. For effective protection, the forest area within the mining lease shall be fenced with chain link fencing and gap planting, approximately in upto twenty percent of the gross area, will be carried out at the cost of the user agency.
- iii. The State shall ensure that no underground mining activities are carried out upto 30 meters on both sides of the Nalas within the mining lease.
- iv. The NPV shall be deposited as per the provisions/guidelines laid down under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in view of the surface strain predicted by the 3-D prediction model
- v. As intimated by the state, there is no further requirement of forest land for coal transportation/evacuation in the instant case and accordingly no future proposal for diversion of forest land for coal transportation/evacuation shall be considered/submitted. An undertaking in this regard shall be submitted by the State/user agency.

Agenda No. 6**File No. 8-49/1998-FC(Pt)**

Sub: Diversion of 22.67 ha of forest land (Sabik Kisam land) identified in the Jilling-Langlota Iron Ore Block within the total lease area of 456.037 ha in favour of M/s Odisha Mining Corporation Limited

1. The above proposal was considered by the Advisory Committee in its meeting held on 17.01.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The CCF O/o 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 by Member Secretary.
3. The Advisory Committee after through deliberation and discussion observed that:
 - (i) Proposal relates to non-forestry use of 22.67 ha of forest land (Sabik Kisam land) identified in the Jilling-Langlota Iron Ore Block within the total lease area of 456.037 ha in favour of M/s Odisha Mining Corporation Limited in District Keonjhar (Odisha).
 - (ii) Original lease was granted over an area of 630.31 ha for 30 years on 8.10.1956, thereafter 1st renewal was granted for reduced area of 456.10 ha for 20 years w.e.f. 1.10.1984 to 30.9.2004. Reduced lease area of 456.10 ha was comprised of 127.503 ha of forest land (106.682 ha of Reserved Forest + 20.821 ha. of Revenue Forest) and 328.597 ha of non-forest land.
 - (iii) The State Government on 6.05.1998 submitted the proposal for diversion of 75.489 ha of forest land out of the 127.503 ha of forest land then identified in the lease area. Out of 75.489 ha, 29.129 ha of forest

land was broken prior to 25.10.1980 and 46.360 ha of forest land was virgin forest land.

- (iv) The MoEF&CC granted approval on 17.11.2000 for a period of two years i.e. up to 16.11.2002. The user agency had applied 2nd renewal of their lease for the 456.10 ha of area for a period of 20 years. The lease was under deemed extension provision of Rule 24A(6) of Mineral Concession Rules, 1960. The MoEF&CC had granted temporary working permission on 16.02.2005 for a period of 6 months.
- (v) Pursuant to directions contained in the Judgement dated 12.12.1996 passed by Hon'ble Supreme Court, 242.089 ha. out of the previously identified non-forest land of 328.597 ha was treated as DLC forest land, therefore, total forest area of the lease increased to 369.592 ha (127.503 ha. of forest land + 242.089 ha. of DLC forest land) and balance 86.508 ha remained as non-forest land. During 1st renewal, the broken up area, after designation of non-forest land as DLC land became 186.229 ha. (157.1 ha DLC forest + 29.129 ha. forest land).
- (vi) The lease was under deemed extension from 2004 onwards. As per the provisions of the Mines and Minerals (Development and Regulations) Amendment Act, 2015, the lease validity was due to expire on 31.03.2020. After the expiry of the lease, the lease was allotted to M/s OMC and while preparing the Mining Plan, the exact forest land was again ascertained and it was found that 22.697 ha out of 86.508 ha NFL is sabik kism land and thereby total forest land involved in the lease is 392.289 ha (106.68 ha of Reserved Forest land, 20.821 ha of Revenue Forest land, 242.089 ha of DLC forest land and 22.697 ha of sabik kism forest land).
- (vii) Ministry in the past has granted approval on 8.10.2014 over then reported total forest land of 369.592 ha comprising of 342.602 ha in favour of M/s Essel Mining & Industries and 26.990 ha in favour of M/s Daitari Banaspani Railway Link.
- (viii) A clarification dated 9.03.2015 was issued by the Ministry on the applicability of the provision of the Adhiniyam over Sabik Kism land

and submission of proposals in affected area for required approval of competent authority.

- (ix) Compensatory afforestation has been proposed over equivalent non-forest land of 22.697 ha in village Soroda in Patangi Tahsil of Koraput District. DSS analysis of area proposed for CA revealed the area suitable for CA, however, some patches reveals sign of cultivation. The officials of the State Government informed the Committee that the non-forest land identified for raising compensatory afforestation is suitable for raising compensatory afforestation.
- (x) Area does not form part of any Protected Area and is part of Elephant Habitat Zone-2. A Site-Specific Wildlife Management Plan has been approved by the Chief Wildlife Warden of the State on 5.12.2010.
- (xi) The State Government has reported the compliance of conditions stipulated in the approval dated 8.10.2014 granted over an area of 342.602 ha, comprising of 46.0818 ha of virgin land and balance broken up forest land. The State Government has reported that all conditions have been complied with and the CA has been raised over an area of 46.0818 ha of non-forest land and 22.0954 ha of degraded forest land as per the stipulation made in the approval dated 8.10.2014 except final notification of the NFL as Protected Forest under Indian Forest Act, 1927.
- (xii) Regional Office of the Ministry vide its letter dated 15.12.2022 (Pg 611/ c) submitted an inspection report along with their observations inter-alia reporting the following:
 - a) An area of 5.76 ha of Sabik kisam land was used as dump and parking area by the earlier lessee without approval under the Adhiniyam and the same is continued to be used by the present lessee. DCF concerned has written to the District Collector to take action as appropriate under the relevant Act and laws. In addition to this presence of railway line, office building was also noticed. A detailed report needs to be sought from the State.

- b) With regards to monitoring of the conditions stipulated in the approval dated 8.10.2014, the Regional Office reported that CA has been raised over non-forest land of 46.0818 ha and penal CA over 58.258 ha and 22.0954 ha has been raised by the State Forest Department. Further non-forest land has been transferred and mutated in favour of the Forest Department. Status of its notification as PF/RF has not been informed.
- (xiii) The State Government in their comments on the observation of the Regional Office regarding violation of Adhiniyam submitted that erstwhile has constructed the railway line over an area of 0.635 ha, labour colony and office buildings have been constructed over an area of 4.426 ha of forest land and OB dump and road to OB dump has been constructed over an area of 5.76 ha, thereby total forest area of 10.821 ha has been used by the user agency without approval of competent authority.
- (xiv) The advisory Committee further noted from the reply furnished by the State Government that the status of 22.697 ha of land was identified as Sabik Kism forest in 2021. Lease deed was executed on 12.01.2021 by the State Government over the entire lease area including the 22.697 ha of forest land. The justification given by the State Government that mining lease was executed in light of Ministry's guidelines dated 31.03.2020 wherein the Ministry has allowed the mining operations for a period of two years by the successful bidder, is not tenable as the guidelines dated 31.03.2020 allowed the mining activities within the already broken up area and not in fresh forest area. Moreover, despite the clarification dated 9.03.2015 issued by the Ministry on the applicability of the provision of the Adhiniyam over Sabik Kism land, use of 22.697 ha of forest land w.e.f. 9.03.2015 onwards and execution of lease including the 22.697 ha of forest land amounts to violation of section 2(1)(iii) and section 2(1)(ii) of the Adhiniyam.

4. Decision of Advisory Committee: After thorough deliberation and discussion with DDGF (Central), Regional Office, Bhubaneshwar and the CCF

O/o Nodal Officer (FCA), Odisha, the Advisory Committee recommended the proposal for granting the 'in-principle' approval of the Central Government under section 2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 22.67 ha of forest land (Sabik Kisam land) identified in the Jilling-Langlota Iron Ore Block within the total lease area of 456.037 ha in favour of M/s Odisha Mining Corporation Limited subject to the general, standard and following specific conditions:

- (i) The penalty for violation of the Adhiniyam for using the 22.697 ha of forest land w.e.f. 9.03.2015 onwards and executing leases by including 22.697 ha of forest land without the prior approval of the Central Government under the Adhiniyam shall be equal to 5 times the normal rates of NPV over 22.697 ha of forest land w.e.f. 9.03.2015 onwards plus 12 percent simple interest from the date of raising of such demand till the deposit is made.
- (ii) Action against the officers responsible for violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, shall be taken under 3(A)/ 3(B) or under relevant local Act of the State and/or Central Act for unauthorized use of forest land without the permission.
- (iii) The State Government shall ensure that non-forest land of 22.697 ha proposed for raising compensatory afforestation is made available free from all encumbrances and detail of the same shall be submitted along with the compliance of 'in-principle' approval.
- (iv) The State Government shall ensure that the non-forest land of 46.082 ha identified for raising compensatory afforestation in lieu of diversion of 342.602 ha of forest land granted on 8.10.2014, already transferred and mutated in favour of the State Forest Department, is notified as PF under the Indian Forest Act or local Act and a copy of the same shall be submitted along with the compliance of 'in-principle' approval.

Agenda No. 7

Online Proposal No. FP/OR/MIN/QRY/438708/2023

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of the Shri Shakti Dash for non-forestry use of 11.34 ha of forest land for Iron & Manganese Ore Mines (12.942 ha lease area including 1.602 ha NFL) under Sundargarh Division and District, Odisha.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The CCF O/o 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 consideration. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - (i) Proposal was earlier considered by the Advisory Committee in its meeting held on 29.11.2023 wherein the Committee, after considering the various facts and examination of the proposal desired the following information from the State:
 - a) The period of violation shall be clarified by the State Government with clear recommendations.
 - b) Details of the court cases and for what period penal amount of 29, 62,03,002/- for EC and MP/CTPO violations was deposited for and the present status of the court cases.
 - c) Status of the action taken under 3A/3B by State Government and Regional Office against the persons responsible for reported violation.
 - (ii) The State Government on 29.12.2023 submitted the reply to the observation

of Advisory Committee, which is given as under:

- a) In the past the Ministry has issued clarification on 8.04.1988 regarding applicability of Adhiniyam in such lands. In the extant case lease was executed in 1985 without prior approval under the Adhiniyam. Since the clarification was issued on 8.04.1988, the period of violation may be considered from the date of issue of guidelines by Government of India i.e. 08.04.1988 to 16.01.1997, the date from which mining operation was stopped in the forest area.
 - b) State Government has reported that Penal levies have been paid against the violation of the EC, Mining Plan and Consent to Operate for the period 2000-01 to 2010-11. Currently, no court cases are outstanding as on date with respect to the Land / Mines
 - c) State Government has reported that the user agency has deposited the full amount of penalty for violation of EC & MP/CTO as per the demand of the Director of Mines on the basis of the verdict of Honb'le Supreme Court of India. Further, the DFO, Bonai Forest division has reported that the Collector, Sundargarh has been requested vide his office Letter No.7644 dt.10.10.2023 to take necessary legal action under relevant Revenue Laws.
- (iii) The Committee further noted that in the instant case mining operations have been continued without approval of competent authority for a long period w.e.f. 1988 to 1997 and it is unanticipated that during such a long time, no corrective action were taken by the authorities concerned. Moreover, despite standing guidelines and statues, no application was moved till 2022 for seeking approval of the Central Government under the Adhiniyam. It will therefore, be prudent to assess the circumstance under which no such action has been taken by the user agency or authorities for obtaining the approval under the Adhiniyam.
4. **Decision of Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), Regional Office, Bhubaneshwar and CCF O/o Nodal Officer (FCA), Odisha, the Advisory Committee deferred the proposal for the next meeting and desired that a detailed action taken report against the user agency and erring officials under relevant local Act of the State and/or Central Act for

unauthorized use of forest land without the permission may be submitted before the next meeting.

Agenda No. 8

File No.: 5-ORC576/2023-BHU

Sub: Proposal for diversion of 8.435 ha of forest land for construction of 220 KV/DC Transmission line from 400/200 KV PGCIL Grid Sub-Station, Keonjhar to 220/132/33 KV Grid Sub-Station at Turumunga, Keonjhar by OPTCL-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The CCF O/o 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 consideration. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - i. The legal status of project area is reported as Reserved Forest (4.092 ha), Revenue Forest (4.343 ha) and non-forest land (51.396 ha).
 - ii. The density of vegetation is reported to be 0.3 (Eco Value Class-I) with 420 project affected trees in the forest land and 1169 trees in non-forest land.
 - iii. The project area does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. No rare/ unique species of flora and fauna has been reported in the area applied for diversion. Important wildlife species reported in the area include elephant, leopard, bear, barking deer, hyena, porcupine etc.

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- iv. As reported, no work in violation of FC Act, 1980 has been carried out in the reserved forest land. However, in the revenue forest land, the user agency had constructed two towers in Plot No.104, Khata No.41, Mouza: Manoharpur of Keonjhar District of Keonjhar Tahasil. The project proponent i.e. OPTCL has dismantled and removed the electric tower from and the said land is free from encroachment. The DFO, Keonjhar has also informed that no damage to the said forest area has occurred due to the above encroachment and subsequent dismantling.
- v. Compensatory afforestation has been proposed over 18.00 ha of degraded forest land against requirement of $2 \times 8.435 \text{ ha} = 16.870 \text{ ha}$ in Ukhunda RF under Chapua Range of Keonjhar Forest Division for raising Compensatory Afforestation. The DFO, Keonjhar has furnished land suitability certificate.
- vi. The proposal was discussed in the REC meeting held on 17.11.2023. The REC noted that encroachment case has been registered by the Revenue Officials. Action has been taken against OPTCL officials. The revenue forest land (0.00686 ha) has been made free from encroachment. The Committee observed that since it is a case of violation, the committee recommended the proposal to Ministry for approval. Further stated that as per the recommendation of REC the proposal may be approved.
- vii. Ministry, after examination of the proposal on 28.12.2023 sought further detail of encroachment made in the revenue forest land i.e. whether encroachment in the revenue forest land was done before or after the submission of the proposal. The Regional Office in their informed that the erection of tower on revenue forest land was noticed on 26.07.2023 by the DFO, Keonjhar Forest Division after the submission of the proposal.
- viii. The Committee noted that temporary structure was noticed in Revenue Forest Land and same was removed as per extant Act by Revenue Department. It was also observed that the information submitted before the committee doesn't have any document showing approval of "*State Government or other authority*" for the above action and hence, there is no violation involved in the matter for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. However, Regional Office may again check

and ensure that there is no such document establishing violation of Adhiniyan.

- 4. Decision of Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), Regional Office, Bhubaneswar and CCF O/o Nodal Officer (FCA), Odisha the Advisory Committee observed that as on date there is no encroachment in the revenue forest land of 0.00686 ha. The necessary action by the revenue authorities have been initiated as per the relevant statutes. Further administrative action against the erring officials have also been initiated by the User Agency. No official orders by the State authorities concerned were given under Van (Sanrakshan Evam Samvardhan) Adhiniam 1980 as informed by the Regional Officer and Nodal Officer. Moreover, the proposal for diversion of entire forest land required have been applied for the UA for diversion. In view of the above the Advisory Committee is of the view that the that proposal may be referred back to the REC to re-examine the case and take decision on merit of the case in accordance with the provisions of the Van (Sanrakshan Evam Samvardhan) Rules, 2023.

Agenda No. 9

F. No. 8-32/1993-FC (vol. III)

Sub: Proposal for diversion of balance 41.819 ha of forest land (32.425 ha of DLC Forest land for mining and allied activities, safety zone area of 8.568 ha and greenery of 0.826 ha) in addition to already diverted 567.087 ha of Forest land in Joda East Iron & Manmora Manganese Mines in favour of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha during 3rd RML period - regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The CCF O/o 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

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

3. The Advisory Committee after through deliberation and discussion observed that:

- i. Proposal is for diversion of 41.819 ha of balance forest land (32.425 ha for mining and allied activities, safety zone area of 8.568 ha and greenery of 0.26 ha) in addition to already diverted 567.087 ha of forest land in Joda East Iron & Manmora Manganese Mines of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha.
- ii. Legal status of the land proposed for diversion is Reserved Forest (8.110 ha), KF (0.927 ha) and DLC (32.782 ha).
- iii. Total lease area is 671.03 ha, comprising of 608.906 ha of forest land . Out of total forest land, 567.087 ha already been diverted by the MoEF&CC on 24.09.2007.
- iv. Density of vegetation in the area proposed for diversion is reported to be between 0.1 to 0.2 with 1436 project affected trees.
- v. The area does not form a part of any National Park/Wildlife Sanctuary/Elephant Corridor, but it falls within Elephant Habitat Zone –II as per ORSAC Report. It was assured that suitable plan shall be finalised for conservation of wildlife.
- vi. The Regional Office and the State Government have reported non-demarcation of safety zone area along the south-eastern railway tracks passing through the lease, construction of old age home, illegal mining pits, spillover of OB into the RF, laying of slurry pipeline, establishment of crusher unit & illegal road construction as violation of Adhiniyam. The user agency in the past had undertaken the corrective measures on the violations.
- vii. Environment clearance to the project has been granted by the Ministry in the year 2022.
- viii. Compensatory afforestation has been proposed over 32.425 ha, excluding the safety zone area. As per the guidelines in vogue area of safety zone

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should be included in the mining lease and accordingly, the provisions of compensatory afforestation will be applicable over the entire forest land applied for diversion.

- ix. The proposal was earlier considered by the Advisory Committee in its meeting held on 30.04.2015 and based on the recommendation of the Committee, the Ministry vide its letter dated 4.06.2015 sought additional information from the State Government.
- x. State Government vide their letter dated 30.11.2023 submitted reply as per observations of Advisory Committee, after a lapse of almost 8 years.
- xi. The Committee on perusal of the reply of the State observed that:
 - a. Compensatory afforestation over equivalent non-forest land has been proposed excluding the area of safety zone, the area of safety zone should also be included in the total CA area proposed as per the latest guidelines issued by the Ministry.
 - b. As regards to action taken for the violations so noticed, One OR case vide OR No. 63CH of 2011-12 was booked & Prosecution Report vide PR No.20 of 2011-12 has been sanctioned and submitted to the Hon'ble JMFC, Barbil vide Letter No.1846 dated 12.03.2012 of DFO, Keonjhar Forest division for taking necessary legal action against the offenders.
 - c. As reported, with regard to the reclamation of the mined out forest land, 7 Nos. (Seven) Mining Leases are in Odisha State which are supplying requisite materials to the Steel Plant in Odisha State. The User Agency furnished the report regarding reclamation of mined out area, dumps and barren land in the mining leases.
- xii. The Committee further noted that total lease area is 671.093 ha and the Ministry in the past, vide letter dated 24.09.2007 has diverted an area of 567.087 ha of forest land out of total forest land of 608.906 ha involved in the lease. Subsequently, the State Government submitted the proposal for change in the land use over the 567.087 ha of forest land for which 'in-principle' approval has been granted by the Ministry on 10.10.2017. Incomplete compliance report was submitted by the State vide letters dated

29.06.2022. Complete compliance of proposal for change in land use is awaited from the State.

- xiii. The Committee further noted that since the proposal was submitted 8 years back, it will therefore be appropriate that a site inspection of the area is conducted by the Regional Office to seek inputs on present status of the project area, effectiveness of the measures taken against the violations in the same and status of compliance of conditions stipulated in the approval granted on 24.09.2007 and 10.10.2017.

- 4. Decision of Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), Regional Office, Bhubaneswar and CCF O/o Nodal Officer (FCA), Odisha, the Advisory Committee recommended that the forest area involved in the mining lease may be inspected by the Regional Office to provide inputs on present status of the project area, effectiveness of the measures taken against the violations in the same and status of compliance of conditions stipulated in the approval granted on 24.09.2007 and 10.10.2017.

Agenda No. 10

File No. 8-78/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Sirka Open Cast Mining project of M/s Central Coalfield Limited-regarding.

5. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
6. 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.

7. The Dy. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
8. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-41/2023-1728 dated 03.04.2003 submitted a proposal for diversion of 50.80 ha forest land for Sirka Open cast mining project in favour of Central Coal fields Ltd., district Hazaribagh, Jharkhand
 - ii. The Ministry vide letter dated 06.05.2004 and letter dated 08.08.2008 granted Stage-I and Stage-II approval respectively.
 - iii. As per the approved proposal for diversion of 50.80 ha forest land, the earlier proposed Compensatory Afforestation was proposed in 1 patch over 101.60 ha degraded forest land in Hazaribagh District.
 - iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. The State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
 - v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
 - vi. The State Government vide their letter no. VanBhumi-41/2023-4211/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
 - vii. The State Government has reported that due to long gap between period when CA sites were selected initially and budget had made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.

- viii. As reported, the State Government has not started plantation activities on the 101.60 ha proposed for Compensatory afforestation. Total 101.60 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 101.60 ha of forest land 2 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 101.60 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be removed before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover, the newly proposed areas were found to have agricultural encroachments. It would therefore be necessary to get the same inspected by concerned Regional Office.
- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Sirka Open Cast Mining project and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2008.

- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 11

File No. 8-75/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Sarubera Open Cast Mining project of M/s Central Coalfield Limited-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-44/2003-1755/VP dated 07.04.2003 submitted a proposal for diversion of 196.55 ha forest land for Sarubera Open Cast Mining project of M/s Central Coalfield Limited in Hazaribagh district, Jharkhand.
 - ii. The Ministry vide letter dated 16.11.2004 and letter dated 13.08.2008 granted Stage-I and Stage-II approval respectively.
 - iii. As per the approved proposal for diversion of 196.55 ha forest land, the earlier proposed Compensatory Afforestation was proposed in 3 patches over 393.10 ha degraded forest land in Badkidundi, Sondiha and Rauta in Hazaribagh District.

- iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
- v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
- vi. The State Government vide their letter no. VanBhumi-41/2023-4211/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
- vii. The State Government has reported that due to long gap between period when CA sites were selected initially and budget had made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.
- viii. As reported, out of total 393.10 ha proposed for Compensatory afforestation, 242.80 ha area has already planted and 150.30 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 150.30 ha of balance area in 4 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 150.30 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover, the newly proposed areas were found to have agricultural encroachments. It

would therefore be necessary to get the same inspected by concerned Regional Office.

- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Sarubera Open Cast Mining project of M/s Central Coalfield Limited and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2008.
- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 12

File No. 8-44/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for New B. G. Railway line from Hazaribagh to Barkhakana section of M/s East Central Railways-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-34/2003-1210 dated 04.03.2003 submitted a proposal for diversion of 316.452 ha forest land for new B. G. Railway line from Hazaribagh to Barkhakana section of M/s East Central Railways.
 - ii. The Ministry vide letter dated 12.08.2003 and letter dated 01.04.2004 granted Stage-I and Stage-II approval respectively.
 - iii. As per the approved proposal for diversion of 316.452 ha forest land, the earlier proposed Compensatory Afforestation was proposed in 14 patches over 324.80 ha and 308 ha degraded forest land in Hazaribagh East and West Division respectively.
 - iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
 - v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.

- vi. The State Government vide their letter no. VanBhumi-41/2023-4211/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
- vii. The State Government has informed that due to long gap between period when CA sites were selected initially and budget had been made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.
- viii. As reported, out of total 352.08 ha land proposed for Compensatory afforestation, 93.90 ha area has already planted and 231.18 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 231.18 ha of balance area in 3 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 231.18 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments as per DSS report, for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover the newly proposed areas were found to have agricultural encroachments. It would therefore be necessary to get the same inspected by concerned Regional Office.
- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA,

Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for New B. G. Railway line from Hazaribagh to Barkhakana section of M/s East Central Railways and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2004.
- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 13

File No. 8-52/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Jharkhand Open Cast Mining project of M/s Central Coalfield Limited-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:

- i. The Government of Jharkhand vide their letter no. VanBhumi-39/2003-1662 dated 01.04.2003 submitted a proposal for diversion of 96.28 ha forest land for Jharkhand Open Cast Mining project of M/s Central Coalfield Limited in Hazaribagh district, Jharkhand.
- ii. The Ministry vide letter dated 09.12.2003 and 28.05.2004 granted Stage-I and Stage-II approval respectively.
- iii. As per the approved proposal for diversion of 96.28 ha forest land, the earlier proposed Compensatory Afforestation was proposed over 208.82 ha degraded forest land in Hazaribagh District.
- iv. Further, State Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
- v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
- vi. The State Government vide their letter no. VanBhumi-39/2003-4212/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
- vii. The State Government has reported that due to long gap between period when CA sites were selected initially and budget had made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.
- viii. As reported, out of total 192.56 ha proposed for Compensatory afforestation, 65.00 ha area has already planted and 127.56 ha area is balance for plantation.

- ix. The State Government has submitted detailed CA scheme over 127.56 ha of balance area in 4 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 127.56 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover, the newly proposed areas were found to have agricultural encroachments. It would therefore be necessary to get the same inspected by concerned Regional Office.
- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Jharkhand Open Cast Mining project of M/s Central Coalfield Limited and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2004.

- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 14

File No. 8-53/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Argada underground Mining project of M/s Central Coalfield Limited-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-53/2003-1749 dated 05.04.2003 submitted a proposal for diversion of 90.10 ha forest land for Argada underground Mining project of M/s Central Coalfield Limited in Hazaribagh district, Jharkhand.
 - ii. The Ministry vide letter dated 06.05.2004 and letter dated 07.08.2008 granted Stage-I and Stage-II approval respectively.
 - iii. As per the approved proposal for diversion of 90.10 ha forest land, the earlier proposed Compensatory Afforestation was proposed over 180.20 ha degraded forest land in Hazaribagh District.
 - iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at

alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.

- v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
- vi. The State Government vide their letter no. VanBhumi-53/2003-4208/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
- vii. The State Government has reported that due to long gap between period when CA sites were selected initially and budget had made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.
- viii. As reported, out of total 180.20 ha proposed for Compensatory afforestation, 140.00 ha area has already planted and 40.20 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 40.20 ha of balance area in 1 patche in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 40.20 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover, the newly proposed areas were found to have agricultural encroachments. It would therefore be necessary to get the same inspected by concerned Regional Office.

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- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Argada underground Mining project of M/s Central Coalfield Limited and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2008.
- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 15

File No. 8-65/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Ara Open Cast Mining project of M/s Central Coalfield Limited-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-50/2003-1419 dated 31.03.2003 submitted a proposal for diversion of 166.90 ha forest land for Ara Open Cast Mining project of M/s Central Coalfield Limited in Hazaribagh district, Jharkhand.
 - ii. The Ministry vide letter dated 29.04.2004 and letter dated 13.08.2008 granted Stage-I and Stage-II approval respectively.
 - iii. As per the approved proposal for diversion of 166.90 ha forest land, the earlier proposed Compensatory Afforestation was proposed in 2 patches over 334.00 ha degraded forest land in Hazaribagh District.
 - iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
 - v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
 - vi. The State Government vide their letter no. VanBhumi-50/2023-4213/V.P. dated 07.11.2023 has submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
 - vii. The State Government has informed that due to long gap between period when CA sites were selected initially and budget had made available for

actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.

- viii. As reported, the State Government has not started plantation activities on the 333.80 ha proposed for Compensatory afforestation. Total 333.80 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 333.80 ha of forest land 5 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 101.60 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover the newly proposed areas were found to have agricultural encroachments. It would therefore be necessary to get the same inspected by concerned Regional Office.
- xiii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Ara Open Cast Mining project of M/s Central Coalfield Limited and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.

- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2008.
- iii. The State shall give details on to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 16

File No. 8-67/2003-FC

Subject: Proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Religara Open Cast Mining project of M/s Central Coalfield Limited-regarding.

1. The agenda for above subject proposal was considered by the Advisory Committee (AC) in its meeting held on 17.01.2024. 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. DGF (Central), RO, Ranchi and Nodal Office (FCA), Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter no. VanBhumi-43/2003-1664 dated 01.04.2003 submitted a proposal for diversion of 135.66 ha forest land for Religara Open Cast Mining project of M/s Central Coalfield Limited in Hazaribagh district, Jharkhand.
 - ii. The Ministry vide letter dated 11.05.2004 and letter dated 13.08.2008 granted Stage-I and Stage-II FC approval respectively.
 - iii. As per the approved proposal for diversion of 135.66 ha forest land, the earlier proposed Compensatory Afforestation sites was proposed in one patch over 271.00 ha degraded forest land in Hazaribagh District.

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- iv. Further, the Government of Jharkhand vide their letter no. VanBhumi-05/2023-536V/V.P. dated 15.02.2023 submitted a proposal for plantation at alternate sites over 1215.30 ha area due to regeneration of nature in original proposed CA sites. State Government requested for change in CA sites. Total 9 (nine) approved forest diversion proposals involved in the State Government proposal.
- v. After examination of the proposal of the State Govt. certain discrepancies were found in the proposal and the Ministry vide its letter no. 11/17/2023-FC dated 07.03.2023 requested the State Government to submit clarifications. Further the state was asked to submit the request regarding changes to be made in CA sites for each individual proposal separately.
- vi. The State Government vide their letter no. VanBhumi-41/2023-4211/V.P. dated 07.11.2023 submitted the proposal for plantation on alternative site in case of instant proposal along with the reply to the observations raised by the Ministry vide letter dated 07.03.2023.
- vii. The State Government has reported that due to long gap between period when C. A. sites were selected initially and budget had made available for actual plantation, initial CA site were not found suitable for plantation as either natural regeneration has come up or plantations were already done under State schemes.
- viii. As reported, out of total 271.32 ha land proposed for Compensatory afforestation, 50.00 ha area has already planted and 221.32 ha area is balance for plantation.
- ix. The State Government has submitted detailed CA scheme over 221.32 ha of balance area in 5 patches in Hazaribagh District. DFO, Giridih East Forest Division has given Land Suitability Certificate over 221.32 ha forest land.
- x. The newly proposed areas were found to have agricultural encroachments for which the state has submitted that the same are temporary and will be occupied before plantation.
- xi. The Advisory Committee observed that a considerable time has been elapsed since the approval has been given to the instant proposal and CA has not been carried out till date by the State Government. Moreover, the newly proposed areas were found to have agricultural encroachments. It

would therefore be necessary to get the same inspected by concerned Regional Office.

- xii. The State has not submitted the details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

5. Decision of Advisory Committee:

The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Jharkhand, the Committee deferred the proposal for Compensatory Afforestation on alternative sites in case of plantation through other schemes on the originally proposed compensatory/penal afforestation for Religara Open Cast Mining project of M/s Central Coalfield Limited and sought the following details:

- i. The Regional Office, Ranchi shall submit a detailed site inspection report of newly proposed compensatory afforestation land along with the specific recommendations.
- ii. The State Government shall submit the reasons/justifications for not completing the compensatory afforestation despite the fact that the Stage-II approval was accorded in the year 2008.
- iii. The State shall give details as to how the plantation work will now be carried out as per existing wage rates/schedule of rates which would be substantially higher than the earlier rates when the proposal was approved.

Agenda No. 17

File No. 3-MGC017/2022-SHI

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 Green Valley Industries Ltd. for non-forestry use of 11.09 ha of deemed forest land for Opencast Limestone Mining Project (10.71 Ha Mining Area + 0.38 ha approach road to mine) located at Madan Pyrda, Chiehruphi village in East Jaintia Hills District of Meghalaya (Online Proposal No.FP/ML/MIN/40419/2022)– regarding.

1. The Government of Meghalaya vide letter dated 18.04.2022 submitted the above mentioned proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanraksha Evam Samvardhan) Adhiniyam, 1980.
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. It was also emphasised that this proposal is related to deemed private forest land as stated by the State government.
3. The Nodal Officer (FCA) Government of Meghalaya and DIGF (C) Regional Office, Shillong were present in the meeting during the discussion of the above proposal.
4. The User Agency M/s Green Valley Industries Limited is having a cement plant which is in operation located a distance of about 6.00 km from the proposed mine. This proposed mine will be a stable source of limestone as raw materials to the cement manufacturing unit.
5. The User Agency was granted a Prospecting License over an area of 15.60 ha by State Govt. vide order dated 24.08.2010 and its agreement was executed on 30.09.2010. As per JIT-I report, the 15.60 ha area has been declared as deemed forest land.
6. While deliberating on the proposal, AC observed that:

- i. A total of 11.9 ha is proposed for diversion in Deemed Private forest land. Purpose wise breakup is given as under:

Sl. No.	Particulars	Area (in ha)
1.	Mining area	9.60
2.	Safety Zone of Green Belt Development	1.11
3.	Approach road	0.38
Total		11.09

- ii. Density of vegetation has been reported as 0.75 (Eco-class I). Total of 581 trees (below 60 cm =146 nos& above 60 cm = 435 nos) are going to be affected by the said diversion. As per report of Range Forest

Officer, enumeration list comes out to be 588. As per DSS report, the proposed diversion site is considered as per Decision Rule-1 the area is inviolate.

- iii. The Compensatory Afforestation has been proposed over non-forest land equivalent to the area to be diverted in non-forest land i.e. 11.09 ha identified at Nongumiang Village of West Khasi Hills District. Examination of the CA site using DSS tools revealed that 4.0 ha MDF, 4.0 ha Open Forest and 3.5 ha scrub land. Site suitability certificate has been submitted by concerned DFO. It has been certified by the DFO that CA site is located adjacent to Nongumiang RF and is completely devoid of any trees.
- iv. No Violation of the Forest (Conservation) Act, 1980 have been reported by the concerned DFO. The proposal doesn't involve displacement of persons as reported by State Govt. The area proposed for diversion does not form a part of National Park/ Sanctuary/ Biosphere Reserve/ Elephant Corridor etc. Moreover, the area does not have importance from archaeological point of view. The Proposed diversion area is 6.58 km from Eco-Sensitive Zone of Narpuh Wildlife Sanctuary and 7.92 km from the Narpuh Wildlife Sanctuary, as reported by concerned DFO. Compliance of the Schedules Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been submitted along with the proposal.
- v. The Environmental Clearance (EC) is required for this project. The SEAC, Meghalaya had granted Term of Reference (TOR) vide letter No ML/SEIAA/MIN/GVL-BI: 2/P-01/2020/6/1678 dated 02.02.2021.
- vi. Mining lease issued by Mining & Geology Department, Govt. of Meghalaya vide No. MG.86/2012/170 dated 04.01.2018. The total area of mining lease is 10.71 ha. Mining Plan have been submitted on 03.10.2019. Environmental Management Plan has been submitted. Mine Closure Plan and Reclamation Plan is part of the Mining Plan is given.
- vii. The above facts were discussed in the Regional Empowered Committee meeting held on 28.02.2023. REC noted that the State Govt. official informed in the meeting that this since the proposal being

near to the Eco-Sensitive Zone of the Narpuh Wildlife Sanctuary, the REC felt that its impact to the villagers may arise and the study of any endemic species present since it is also known that there are Hollock gibbon / elephant which may be taken by the State Forest Department in consultation with all the stake holders on the cumulative impact and its mitigation/conservation measures. After discussion by the members, it was suggested that since this project is the starting point for all the projects in the area, it would be of much importance if a kind of an Interpretation Centre or Conservation Garden can be established which would be of great importance for the whole area. On this matter Forest Department in consultation with the DFO Jaintia Hills Wildlife Division, Jowai has submitted that User Agency may bear the cost for 3 (three) works items under Jaintia Hills Wildlife Division, Jowai i.e. (i) Survey of Floral and Faunal of the area under Eco-Sensitive Zone amounting to ₹8.00 lakhs, (ii) Interpretation Centre including all accessories, interior designing, sitting benches, approach road etc. at the cost of ₹40.00 lakhs and (iii) Arboretum at the cost of ₹6.14 lakhs. The REC discussed in detail the work items submitted by the State Govt. considering the importance of conservation measures proposed to be implemented as the proposal being near to the Narpuh Eco-Sensitive Zone and the cumulative impact of the 9 cement companies in the vicinity of the proposed area. REC recommended the work on survey of Floral and Faunal for ₹8.00 lakhs and Interpretation Centre for ₹40.00 lakhs for which the further costs, if any, would be borne by other eight Cement Industries in the close vicinity of this proposed area.

- viii. The REC recommended the proposal for sending to Ministry for approval of the Competent Authority with usual conditions of mining subject to submission of the following:
 - a. Sol toposheet for proposed compensatory afforestation land.
 - b. The User Agency to deposit the cost for 2 (two) works items under Jaintia Hills Wildlife Division, Jowai i.e. (i) Survey of Floral and Faunal of the area under Eco-Sensitive Zone amounting to

₹8.00 lakhs and (ii) Nature Interpretation Centre at the cost of ₹40.00 lakhs with the State Forest Department.

- ix. The State Govt. vide letter dated 20.03.2023 furnished the Sol toposheet of CA land as desired by the REC.
- x. Deputy Director General of Forests (Central), Integrated Regional Office, Shillong has also recommended the proposal for consideration of 'in-principle' approval on usual terms and conditions and accordingly file sent to the Ministry on 18.04.2023.
- xi. After the examination of the above facts of the proposal, the Ministry observed that the CA has been proposed on equivalent non-forest land to the extent forest land proposed for diversion. However, not having any documentary details such as revenue records or other government records of the proposed NFL for CA, the file was returned to RO Shillong by the Ministry on 20.06.2023.
- xii. As per Ministry's observation clarification was sought from the State Govt. by the Regional Office, Shillong on 27.06.2023. Accordingly, The Govt. of Meghalaya vide their letter dated 27.10.2023 submitted the CD containing the proposed CA land. The CD has been examined under DSS software at RO and found that the CA land proposed is 11.09 ha. Out of 11.09 ha proposed, 4.03 ha is falling under MDF, 4.03 ha is Open Forest and 3.03 ha is Scrub land.
- xiii. Since the proposed CA land is falling under Moderately Dense Forest, Regional Office vide letter dated 01.11.2023 requested the State Govt. to submit alternate CA site along with KML/Shape file OR to have the proposed area for CA site to be inspected by an officer not below the rank of Conservator of Forests with specific report on the density of the proposed CA site along GPS Coordinates and photographs.
- xiv. The State Govt. vide letter dated 19.12.2023 has submitted the documentary evidences in support of the non-forest land proposed for compensatory afforestation. The Sale Deed dated 14.11.2019 of the proposed CA land is submitted. The Order for the transfer of the land by Deputy Commissioner, West Khasi Hills District, Nongstoin under the Meghalaya Transfer of Land (Regulation) Act, 1971 has been submitted.

- xv. On the issue that the area of 4.03 ha is MDF out of 11.09 ha, State Govt. submitted the comments vide letter dated 01.12.2023 as follows:
- a. The suitability certificate for 11.09 ha has been submitted based on the inspection report submitted by the DFO, West & South-West Khasi Hills (SF & T) Division, Nongstoin.
 - b. The inspection of the proposed CA land was conducted by the DFO, West & South-West Khasi Hills (SF & T) Division, Nongstoin way back in 07.12.2018. It stated that at the time of inspection, the land was covered by weeds, thatch grass, bamboo species and no trees were found. On this, it was recommended fit for compensatory afforestation.
 - c. The State Govt. has clarified that the observation of the CA land falling under MDF by Regional office is that there exists a gap between the Inspection period of the DFO, South-West Khasi Hills (SF & T) Division, Nongstoin and the observation of Regional Office on the CD submitted by the State Govt. which is 05 (five) years back, hence stated that the land itself has likely regenerated over the years after the first inspection.

7. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and Nodal Officer (FCA) Government of Meghalaya and after going through the facts of the proposal, the Committee decided that:

1. A site inspection keeping all aspects in view including the vulnerability of the area to erosion shall be carried out by the Regional Office, Shillong and detailed report shall be submitted to the Ministry with specific recommendations.
2. Since the proposal being near to the Eco-Sensitive Zone of the Narpuh Wildlife Sanctuary and habitat of Hollock gibbon and elephants the State Forest Department and RO will do a stakeholder consultation and submit a report on the cumulative impact of the activity proposed, need of conservation of critically endangered species in the area and proposed mitigation measures for further consideration of the proposal.

Agenda No. 18**F.No. 3-AS B/122/2022/GHY**

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.781 ha of forest land for exploratory location TLAB in Doyang reserved Forest under Golaghat Division.

1. State Government of Assam vide their letter No. FRS. 88/2022/55 dated 11.07.2022 submitted the proposal for diversion of 1.781 ha of forest land for drilling of exploratory location TLAB in Doyang Reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under Forest (Conservation) Act, 1980.
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 DIGF (C) Regional Office, Shillong was present in the meeting during the discussion of the above proposal.
4. As per the Nodal Officer(FCA), Govt. of Assam, the proposed area exists in rich wildlife including Elephants and one horned Rhinoceros and high degree of Human Elephant/Wildlife conflict is reported in this area and hence, recommended 2% project cost to be earmarked for HEC & wildlife conservation plan as per the guideline and required approval plan by CWLW, will be submitted in due course of time before final approval.
5. The Committee noted that the instant proposal was placed before REC meeting held on 29.05.2023 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. The current status of the renewal of the validity of the Kasomarigaon (Addl.) PML.

- ii. The undertaking certificate from the user agency for payment of 2% of total project cost estimated for HEC & wildlife conservation plan to IRO, Guwahati.
6. The Committee was informed that REC has recommended additional condition in the Stage- I approval as under:
- i. The User Agency shall deposit 2% of the total project cost into the account of CAMPA which will be utilized to prepare and implement elephant centric wildlife mitigation plan to mitigate the Human Elephant Conflict and precautionary measures to ensure free movement of the elephants in the landscape.
 - ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
 - iii. The State Govt. shall submit Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
 - iv. The site inspection of the proposed area shall be conducted by IRO, Guwahati prior to Stage II approval.
7. While deliberating on the proposal, AC observed that:
- i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
 - ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry,

mentioning that “.....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of sub section (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government”.

- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the landuse plan is approved by any Government agency.

- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

“.....In case of proposals which have only been recommended for grant of ‘in principle’ but approval of the same has not yet been granted, may have slight changes in the conditions specially with

regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations...”

- v. Extant proposal has already been recommended for grant of ‘in-principle’ approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- vi. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
- vii. Compensatory Afforestation has been proposed over 3.562 ha degraded forest land at Deopani Reserved Forest of Sadiya Range in Doomdoma Forest Division, Tinsukia District with a total financial outlay of Rs.44,30,662.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.

8. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd. for diversion of 1.781 ha of forest land for exploratory location TLAB in Doyang Reserved Forest under Golaghat Division, Jorhat subject to the general, standard and following specific conditions:

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human

Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 1.781 ha along with compliance of the 'in-principle' approval.

Agenda No.19

F.No. 3-AS B/126/2022/GHY

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 Oil & Natural Gas Corporation Ltd, Jorhat for diversion of 2.2091 ha forest land for exploratory drilling location ELAJ in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide their letter No. FRS. 87/2022/61 dated 11.07.2022 submitted the proposal for diversion of 2.2091 ha of forest land for exploratory location ELAJ in Doyang reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under Forest (Conservation) Act, 1980.
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 DIGF (C) Regional Office, Shillong was present in the meeting during the discussion of the above proposal.

4. As per the Nodal Officer(FCA), Govt of Assam, the proposed area exists in rich wildlife including Elephants and one horned Rhinoceros and high degree of Human Elephant/Wildlife conflict is reported in this area and hence, recommended 2% project cost to be earmarked for HEC & wildlife conservation plan as per the guideline and required approval plan by CWLW, will be submitted in due course of time before final approval.
5. The Committee noted that the instant proposal was placed before REC meeting held on 29.05.2023 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. The undertaking certificate from the user agency for payment of 2% of total project cost estimated for HEC & wildlife conservation plan to IRO, Guwahati.
6. The Committee was informed that REC has recommended additional condition in the Stage- I approval as under:
 - i. The User Agency shall deposit 2% of the total project cost into the account of CAMPA which will be utilized to prepare and implement elephant centric wildlife mitigation plan to mitigate the Human Elephant Conflict and precautionary measures to ensure free movement of the elephants in the landscape.
 - ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
 - iii. The State Govt. shall submit Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
 - iv. The site inspection of the proposed area shall be conducted by IRO, Guwahati prior to Stage II approval.
7. While deliberating on the proposal, AC observed that:

- i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
- ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry, mentioning that ".....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of sub section (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government".
- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.
- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of

rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

“.....In case of proposals which have only been recommended for grant of ‘in principle’ but approval of the same has not yet been granted, may have slight changes in the conditions specially with regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations...”

- v. Extant proposal has already been recommended for grant of ‘in-principle’ approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
 - vi. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
 - viii. Compensatory Afforestation has been proposed over 4.4182 ha degraded forest land at Deopani Reserved Forest in Sadiya Range of Doomdoma Forest Division, Tinsukia District with a total financial outlay of Rs.49,03,695.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.
- 9. Decision of the Advisory Committee:** After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd. for diversion of 2.2091 ha of forest land for

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exploratory location ELAJ in Doyang Reserved Forest under Golaghat Division, Jorhat subject to the general, standard and following specific conditions:

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 2.2091 ha along with compliance of the 'in-principle' approval.

Agenda No.20

F. No. 3-AS B/125/2022/GHY

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 2.1 ha of forest land for exploratory location KSAI in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide letter No. FRS.85/2022/68 dated 11.07.2022 submitted the proposal for diversion of 2.1 ha of forest land for exploratory location KSAI in Doyang Reserved Forest under Golaghat Division in favour

of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under Forest (Conservation) Act, 1980.

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 DIGF (C) Regional Office, Shillong was present in the meeting during the discussion of the above proposal.
4. DFO recommended this proposal subject to the condition that necessary biodiversity and management interventions as directed by the forest department will be strictly implemented so as to cause minimal disturbance to the wildlife and to mitigate man animal conflict and to conserve biodiversity around the proposed area.
5. The State Govt. and Nodal Officer (FCA) recommended 2% of total project cost to be earmarked for Human Elephant Conflict mitigation and Wildlife conservation as the proposed area is rich in wildlife including Elephants and one horned Rhinoceros and high elephant/wildlife conflict is reported.
6. State Govt. have informed that the approved Human Elephant Conflict mitigation and Wildlife conservation plan will be submitted before the Final Approval.
7. The Committee noted that the instant proposal was placed before REC meeting held on 30.01.2023 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority with usual conditions of drilling proposal with following conditions:
 - A. Subject to submission of:
 - i. Trees enumeration list to be corrected on Parivesh portal in consultation with NIC MoEF&CC, New Delhi.
 - ii. The current status on the renewal of the Kasomarigaon PML.
 - B. Additional condition recommended:
 - i. A lump sum of 2% of project cost to be earmarked for Human Elephant Conflict and Wildlife Conservation Plan as per the guideline.
 - ii. A comprehensive Human Elephant Conflict and Wildlife Conservation Plan approved by CWLW.

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

- i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
- ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry, mentioning that ".....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of sub section (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government".
- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.
- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of

rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

“.....In case of proposals which have only been recommended for grant of ‘in principle’ but approval of the same has not yet been granted, may have slight changes in the conditions specially with regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations...”

- v. Extant proposal has already been recommended for grant of ‘in-principle’ approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- vi. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
- ix. Compensatory Afforestation has been proposed over 4.2 ha degraded forest land in Compartment No.5, Upper Dehing Reserved Forest, Lakhipathar Range under Digboi Forest Division of Tinsukia District with a total financial outlay of ₹31,93,926.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.

10. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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

Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 2.1 ha of forest land for exploratory location KSAI in Doyang Reserved Forest under Golaghat Division subject to the general, standard and following specific conditions:

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 2.1 Ha along with compliance of the 'in-principle' approval.

Agenda No.21

F. No. 3-AS B/116/2022/GHY

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.8212483 ha of forest land for drilling of exploratory location SUAD in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide letter No. FRS.83/2022/59 dated 11.07.2022

submitted the proposal for diversion of 1.8212483 ha of forest land for exploratory location SUAD in Doyang Reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under Forest (Conservation) Act, 1980.

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 DIGF (C) Regional Office, Shillong were present in the meeting during the discussion of the above proposal.
4. As per the Nodal Officer(FCA), Govt. of Assam, the proposed area exists in rich wildlife including Elephants and one horned Rhinoceros and high degree of Human Elephant/Wildlife conflict is reported in this area and hence, recommended 2% project cost to be earmarked for HEC & wildlife conservation plan as per the guideline and required approval plan by CWLW, will be submitted in due course of time before final approval.
5. The Committee noted that the instant proposal was placed before REC meeting held on 29.05.2023 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. The undertaking certificate from the user agency for payment of 2% of total project cost estimated for HEC & wildlife conservation plan to IRO, Guwahati.
6. The Committee was informed that REC has recommended additional condition as under:
 - i. The User Agency shall deposit 2% of the total project cost into the account of CAMPA which will be utilized to prepare and implement elephant centric wildlife mitigation plan to mitigate the Human Elephant Conflict and precautionary measures to ensure free movement of the elephants in the landscape.
 - ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human

Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

- iii. The State Govt. shall submit Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The site inspection of the proposed area shall be conducted by IRO, Guwahati prior to Stage II approval.

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

- i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
- ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry, mentioning that ".....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of sub section (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government".
- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal

elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.

- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

".....In case of proposals which have only been recommended for grant of 'in principle' but approval of the same has not yet been granted, may have slight changes in the conditions specially with regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations..."

- vii. Extant proposal has already been recommended for grant of 'in-principle' approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- viii. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
- x. Compensatory Afforestation has been proposed over 3.6425 ha degraded forest land at Deopani Reserved Forest in Sadiya Range under Doomdooma Forest Division of Tinsukia District of Assam with a total financial outlay of Rs.44,11,614.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023

subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.

11. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.8212483 ha of forest land for exploratory location SUAD in Doyang Reserved Forest under Golaghat Division subject to the general, standard and following additional conditions:

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 1.821 Ha along with compliance of the 'in-principle' approval.

F. No. 3-AS B/124/2022/GHY

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.731 ha of forest land for exploratory location SPAA in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide their letter No. FRS. 90/2022/56 dated 11.07.2022 submitted the proposal for diversion of 1.731 ha of forest land for exploratory location SPAA in Doyang Reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under Forest (Conservation) Act, 1980.
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 CF(Central) Regional Office, Shillong was present in the meeting during the discussion of the above proposal.
4. As per the Nodal Officer(FCA), Govt. of Assam, the proposed area exists in rich wildlife including Elephants and one horned Rhinoceros and high degree of Human Elephant/Wildlife conflict is reported in this area and hence, recommended 2% project cost to be earmarked for HEC & wildlife conservation plan as per the guideline and required approval plan by CWLW, will be submitted in due course of time before final approval.
5. The Committee noted that the instant proposal was placed before REC meeting held on 29.05.2023 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. The current status of the renewal of the validity of the Kasomarigaon (Addl.) PML.

- ii. The undertaking certificate from the user agency for payment of 2% of total project cost estimated for HEC & wildlife conservation plan to IRO, Guwahati.
- 6. The Committee was informed that REC has recommended additional condition in the Stage- I approval as under:
 - i. The User Agency shall deposit 2% of the total project cost into the account of CAMPA which will be utilized to prepare and implement elephant centric wildlife mitigation plan to mitigate the Human Elephant Conflict and precautionary measures to ensure free movement of the elephants in the landscape.
 - ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
 - iii. The State Govt. shall submit Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
 - iv. The site inspection of the proposed area shall be conducted by IRO, Guwahati prior to Stage II approval.
- 7. While deliberating on the proposal, AC observed that:
 - i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
 - ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry,

mentioning that “.....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of subsection (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government”.

- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.

- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

“.....In case of proposals which have only been recommended for grant of ‘in principle’ but approval of the same has not yet been granted, may have slight changes in the conditions specially with

regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations...”

- v. Extant proposal has already been recommended for grant of ‘in-principle’ approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- vi. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
- vii. Compensatory Afforestation has been proposed over 3.462 ha degraded forest land has been at Deopani Reserved Forest of Sadiya Range in Doomdoma Forest Division, Tinsukia District with a total financial outlay of Rs.43,28,758.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.

12. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd. for diversion of 1.731 ha of forest land for exploratory location SPAA in Doyang Reserved Forest under Golaghat Division, Jorhat subject to the general, standard and following specific conditions:

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human

Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 1.731 Ha along with compliance of the 'in-principle' approval.

Agenda No. 23

F. No. 3-AS B/121/2022/GHY

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.889 ha of forest land for drilling of exploratory location DPAB in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide its letter No. FRS. 89/2022/62 dated 11.07.2022 submitted the proposal for diversion of 1.889 ha of forestland for drilling of exploratory location DPAB in Doyang Reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under section-2(ii) of Forest Conservation Act,1980.
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 DIGF (Central) Regional Office, Shillong were present in the meeting during the discussion of the above proposal.

4. Nodal Officer(FCA), Govt. of Assam has recommended the proposal with a condition that a lump sum of 2% project cost may be earmarked for HEC & wildlife conservation plan as per the guideline as the area is rich in wildlife including Elephants and one horned Rhinoceros and further mentioned that high degree of Human Elephant/ Wildlife conflict is reported.
5. State Govt. submitted that the HEC and Wildlife Conservation Plan approved by CWLW the plan will be submitted in due course of time before Final Approval.
6. The User Agency has stated that the cumulative impact study report i.e., the EIA report has been submitted for all the “development” drilling locations which fall under category –A projects as EIA-2006 while applying for EC. But since this proposal DPAB is for exploratory drilling and as it comes under the category “B2” project, so a detailed EIA study has not been conducted as this category of the project has been exempted from doing the same while applying for EC. However, as EMP is followed as generalized management plan for countering any impact generated in the environment during exploratory drilling.
7. The User Agency vide their letter dated 05.09.2022 has stated that the environment clearance will be applied after IPA.
8. List of exploratory and production drilling location located in Kasomarigaon PML submitted.
9. The Committee noted that the instant proposal was placed before REC meeting held on 27.10.2022 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. To conduct site inspection of the identified CA area by an officer not below the rank of Conservator of Forest and report to be submitted mentioning vegetation and forest cover density along-with their photographs taken on the site, or else, an alternate CA site is to be submitted along with SOI maps, site suitability certificate, GPS-coordinates, shape file etc.
 - ii. Validity of PML involved.

- iii. The user agency to appoint an officer to coordinate with the project affected people and the name of the officer and his/her contact details to be provided.
- 10. The Committee was informed that State Government vide letter dated 24.07.2023 furnished following information to Regional Office:
 - i. An alternate CA site of 3.774 ha in Deopani RF under Sadiya Range of Doomdara along with site suitability certificate, SOI map, CA scheme & KML file. DSS reported that it is covered with 3.387ha MDF, 0.387 NF (land without Forest Cover).
 - ii. Re-granted the PML vide State Govt. of Assam letter dated 02.05.2023 for a period w.e.f. 06.07.2023 upto 31.12.2040.
 - iii. The detail name of the officer to coordinate with the project affected people submitted by the User Agency.
- 11. While deliberating on the proposal, AC observed that:
 - i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
 - ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry, mentioning that ".....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of subsection (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government".

- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.

- iv. It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

".....In case of proposals which have only been recommended for grant of 'in principle' but approval of the same has not yet been granted, may have slight changes in the conditions specially with regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations..."

- v. Extant proposal has already been recommended for grant of 'in-principle' approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- vi. In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal

being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.

- xi. Compensatory Afforestation has been proposed over 3.778 ha degraded forest land at Deopani Reserved Forest in Sadiya Range of Doomdoma Forest Division, Tinsukia District with a total financial outlay of Rs.47,18,855.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.
- xii. As stated by the Nodal Officer, Assam, the proposal pertains to an area that is rich in wildlife including Elephants and one horned Rhinoceros and further mentioned that high degree of Human Elephant/ Wildlife conflict is reported. Therefore, the AC discussed the need to propose mitigation measures and conservation planning for the area as a whole, even though the REC had not recommended the same earlier.

13. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd. for diversion of 1.889 ha of forest land for exploratory location DPAB in Doyang Reserved Forest under Golaghat Division, Jorhat subject to the general, standard and following specific conditions:-

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human

Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.

- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 1.889 Ha along with compliance of the 'in-principle' approval.

Agenda No. 24

F. No. 3-AS B/117/2022/GHY

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 Oil & Natural Gas Corporation Ltd., Jorhat for diversion of 1.76783 ha of forest land for exploratory location TLAA in Doyang Reserved Forest under Golaghat Division.

1. State Government of Assam vide their letter No. FRS.86/2022/59 dated 11.07.2022 submitted the proposal for diversion of 1.76783 ha of forestland for exploratory location TLAA in Doyang Reserved Forest under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Jorhat to Integrated Regional Office, Guwahati, seeking forest clearance under section-2(ii) of Forest Conservation Act, 1980.
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 DIGF (Central) Regional Office, Shillong was present in the meeting during the discussion of the above proposal.
4. Nodal Officer(FCA), Govt. of Assam has recommended the proposal with a condition that a lump sum of 2% project cost may be earmarked for HEC &

wildlife conservation plan as per the guideline as the area is rich in wildlife including Elephants and one horned Rhinoceros and further mentioned that high degree of Human Elephant/ Wildlife conflict is reported.

5. The State Govt. submitted that Human Elephant Conflict and Wildlife Conservation Plan approved CWLW will be submitted in due course of time before final approval.
6. The details list of exploratory and production drilling location proposals in Kasomarigaon PML which obtained forest clearance may be referred at page 58/C.
7. The user agency submitted that the cumulative impact study report i.e., the EIA report has been submitted for all the “development” drilling locations which fall under category –A projects as EIA-2006 while applying for EC. But since this proposal TLAA is for exploratory drilling and as it comes under the category “B2” project, so a detailed EIA study has not been conducted as this category of the project has been exempted from doing the same while applying for EC. However, as EMP is followed as generalized management plan for countering any impact generated in the environment during exploratory drilling.
8. The user agency vide their letter dated 05.09.2022 stated that the environment clearance will be applied after IPA.
9. The comprehensive impact study on flora and fauna due to oil and gas exploration and production in Golaghat district submitted.
10. The Committee noted that the instant proposal was placed before REC meeting held on 27.10.2022 and REC recommended the proposal for sending the proposal to the Ministry for approval of competent authority subject to following submission:
 - i. To conduct site inspection of the identified CA area by an officer not below the rank of Conservator of Forest and report to be submitted mentioning vegetation and forest cover density along with their photographs taken on the site, or else, an alternate CA site is to be submitted along with SOI maps, site suitability certificate, GPS-coordinates, shape file etc.

- ii. The user agency to appoint an officer to coordinate with the project affected people and the name of the officer and his/her contact details to be provided.

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

- i. Number of bore hole required is 1 no's with size 17 ½ inches in diameter.
- ii. As per the provision of guidelines notified by the Ministry on 29.11.2023 regarding survey in forest area exploratory drilling of Petroleum Mining Leases, neither resulting into permanent change in the forest land use nor in production of hydrocarbon, shall also be exempted from the provisions of the sub-section (2) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Said provisions of the guidelines has also been included under clause (viii) of para 6.3 of the Consolidated Guidelines issued by the Ministry, mentioning that ".....except exploratory drilling neither resulting into permanent change in the forest land use nor in production of hydrocarbon, for all activities such as the establishment of exploration or developmental wells and connected activities on the forest land, approval under clause (ii) of subsection (1) of section 2 of the Adhiniyam shall be obtained for the actual impact area as per the procedure specified under the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and guidelines issued by the Central Government".
- iii. Further, it is also to mention that as per the provisions of guidelines given under clause (vi) of the para 6.3 of the Consolidated Guidelines issued by the Ministry, the following has been provided:

The process of exploration drilling for hydrocarbon in a 130 m x130 m area causes total damage to vegetation (both flora and faunal elements) in the area and cannot be considered as temporary vegetation change. It is a case of proper diversion for the purpose of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and must be considered for processing with application in Form A and not under Form C. This will enable the user agency to use the area fully and can change the land use "within the diverted area if the change in the land-use plan is approved by any Government agency.

- iv.** It is also important to mention here that exploratory drilling of hydrocarbon is considered as mining under the category namely Mining of Mineral Oils and as per the provisions of the sub rule (2) of rule 10 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, all mining proposals are to be submitted to MoEF&CC, New Delhi for their final disposal. Further, pursuant to notification of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 and with the ease of transition of the process from the Forest (Conservation) Rules, 2022 to new rules of 2023, the MoEF&CC vide its guidelines dated 27.12.2023 has provided the following:

“.....In case of proposals which have only been recommended for grant of ‘in principle’ but approval of the same has not yet been granted, may have slight changes in the conditions specially with regards to the compensatory afforestation and disposal of proposals pertaining to mining, hydel, encroachment and violations...”

- v.** Extant proposal has already been recommended for grant of ‘in-principle’ approval by the Regional Empowered Committee as per the provisions of the Forest (Conservation) Amendment Rules 2022.
- vi.** In view of the above, it is to mention that as per the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the proposal being a mining project, needs to be processed by the Forest Conservation Division of the MOEF&CC, New Delhi.
- xiii.** Compensatory Afforestation has been proposed over 3.53566 ha degraded forest land at Deopani Reserved Forest of Sadiya Range under Doomdoma Forest Division, Tinsukia District with a total financial outlay of Rs.47,12,141.00/- which is permissible under Rule 13 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 subject to the production of non-availability certificate for non-forest land by the State Government as per the above mentioned guidelines issued by the Ministry dated 27.12.2023.
- xiv.** As stated by the Nodal Officer, Assam, the proposal pertains to an area that is rich in wildlife including Elephants and one horned Rhinoceros and further mentioned that high degree of Human Elephant/ Wildlife

conflict is reported. Therefore, the AC discussed the need to propose mitigation measures and conservation planning for the area as a whole, even though the REC had not recommended the same earlier.

14. Decision of the Advisory Committee: After detailed discussion and deliberation with the DIGF (C), RO, Shillong and after going through the facts of the proposal, the Committee recommended the proposal for 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 Oil & Natural Gas Corporation Ltd. for diversion of 1.76783 ha of forest land for exploratory location TLAA in Doyang Reserved Forest under Golaghat Division, Jorhat subject to the general, standard and following specific conditions:-

- i. The State Government shall, at the cost of the User agency, prepare, with the assistance of WII, and implement Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan to mitigate the Human Elephant/wildlife Conflict and precautionary measures to ensure free movement of the wildlife in the landscape.
- ii. The State Govt. shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Human Elephant/wildlife Conflict mitigation and elephant centric wildlife conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
- iii. The State Govt. shall submit the plan approved by Chief Wildlife Warden, Govt. of Assam along with detail cost of its implementation.
- iv. The State Government shall submit a certificate of non-availability of Non-forest land(NFL) for raising Compensatory Afforestation over 1.76783 Ha along with compliance of the 'in-principle' approval.

Agenda No. 25

Proposal No. FP/PB/ROAD/427781/2023

Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the (Van Sanrakshan Evam Samvardhan) Adhiniyam, 1980 diversion of 0.01 ha (Instead of 0.2338 HA.) of Forest Land for construction of approach access to the proposed industrial project namely “Mohali Industrial Economic Zone” of M/S Royale Estate Group situated at village (1.) Basma, (2.) Khalawar and (3.) Budhanpur, Tehsil Banur Distt. S.A.S. Nagar & Village (4.) KheriGurna, Tehsil Rajpura Distt. Patiala (PB), at KM RD 30.130 (LHS) on NH – 205 A, on Banur – Shambhu Road. Under Forest Division S.A.S. Nagar (Mohali).

1. Govt. of Punjab vide their letter No File No. FOREST-FCA0F-1/62/2023-FCA dated 27.07.2023 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 0.0100 HA. (Instead of 0.2338 HA.) of Forest Land for construction of approach access to the proposed industrial project namely “Mohali Industrial Economic Zone” of M/S Royale Estate Group situated at village (1.) Basma, (2.) Khalawar and (3.) Budhanpur, Tehsil Banur Distt. S.A.S. Nagar & Village (4.) Kheri Gurna, Tehsil Rajpura Distt. Patiala (PB), at KM RD 30.130 (LHS) on NH – 205 A, on Banur – Shambhu Road. Under Forest Division S.A.S. Nagar (Mohali).
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 DDGF (Central) Regional Office, Chandigarh was present in the meeting during the discussion of the above proposal.
4. State Government has mentioned that there is no other alternative but to use the forest land for approach to the proposed industrial project namely “Mohali Industrial Economic Zone” of M/S Royale Estate Group situated at village (1.) Basma, (2.) Khalawar and (3.) Budhanpur, Tehsil Banur Distt. S.A.S. Nagar & Village (4.) KheriGurna, Tehsil Rajpura Distt. Patiala (PB), at KM RD 30.130 (LHS) on NH – 205 A, on Banur – Shambhu Road. Under Forest Division S.A.S. Nagar (Mohali).

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

- i. Forest area proposed for diversion is 0.0100 ha. Density of vegetation has been reported as 0.1 (Eco-class III) with no tree felling is proposed.
- ii. The Compensatory Afforestation has been proposed over 0.1 ha degraded forest land in single patch falling under the S.A.S Nagar District of Punjab State.
- iii. No protected area/ tiger reserve/ tiger corridor is located within 10 km radius of proposed forest area. The area proposed for diversion does not form a part of National Park/ Sanctuary/ Biosphere Reserve/ Elephant Corridor etc.
- iv. After the examination of the proposal, the Ministry vide letter dated 15.11.2023 sought following information from the State:
 - a. Compensatory afforestation has been proposed over degraded forest land in a single patch and its software calculated area is found to be 3.40 ha. The exact location of 0.10 ha is not known in the given CA site. In the regard the State Govt. is requested to submit the revised KML files of the CA land identified.
 - b. The DFO, vide site inspection report dated 29.09.2023 has informed that the user agency has not violated the provisions of FCA, 1980 and no work has been started without proper sanction. Further it was also informed that the user agency has violated the IFA, 1927. But the details of FC Act violation/action taken have not been submitted. In this regard State Govt. is requested to submit a details of the violation and only send the proposal to MoEF&CC in case there is a violation of FC Act in the instant case as per rules & guidelines.
- v. Govt. of Punjab replied on the information sought by the Ministry on 12.12.2023. The State Government mentioned in its reply that violation has been booked under IFA, 1927 and work has been stopped by the Forest Department. An amount of ₹43,000/- has been realised from the User Agency for breaking of 0.028 ha of forest land.
- vi. Violation of Indian Forest Act, 1927 has been reported. It has been mentioned that User Agency has started the ground work and tree felling was conducted without prior approval. It was further mentioned that State

Government stopped the work and action has been taken under the IFA, 1927 and Damage Report was issued by Range Officer, Derabassi with DR No.318660 dated 06-04-2023 U/S 68 of IFA 1927, the report has been submitted. As violation has been reported; Regional Office, Chandigarh carried out Site Inspection of the proposed area on 27.11.2023 and uploaded report on 04.12.2023 on the portal. During the inspection it was found that a wide strip of the trees has already been felled to facilitate the approach excess. Further, the total area violated is more than the proposed area for diversion The brief details are as follow:

Total area violated- 0.028 ha.

The area proposed for diversion- 0.010 ha.

Out total 0.028 violated area, the 0.018 ha area is not part of the diversion. Accordingly, it is suggested that the area not part of the diversion shall be restored by the State Forest Department at the cost of the project and restoration plan submitted to the Central Government.

vii. Recommendations of the Deputy Director General of Forests (Central):

1. The proposal of the State Government was earlier examined by the Regional Office and Regional Office has suggested reducing the proposed area for environment conservation. The State Government has accordingly reduced the area from 0.2338 ha to 0.0100 ha.
2. The State Government has reported the violation. It has submitted by the State government that the work was stopped and also the action has been taken under the IFA, 1927. As violation has been reported; the proposed area has been visited by the representative of the Regional Office, Chandigarh. The report is attached and recommended with following observation:
 - a. The violation under instant case has already been dealt by the State Government under the provisions of the IFA, 1927 and report is submitted.
 - b. The violated area is more than the proposed area for diversion/ accordingly the State Government shall restore the violated area which is not part of the diversion at the cost of the project, a

restoration plan shall be made and submitted to MoEF&CC, New Delhi and Regional Office, Chandigarh.

6. Decision of the Advisory Committee: After detailed discussion and deliberation with the DDGF (Central), RO, Chandigarh and after going through the facts of the proposal, the Committee recommended the proposal for approval and granting *ex-post facto* approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.01 ha of forest land for construction of approach access to the proposed industrial project namely "Mohali Industrial Economic Zone" of M/S Royale Estate Group situated at village (1.) Basma, (2.) Khalawar and (3.) Budhanpur, Tehsil Banur Distt. S.A.S. Nagar & Village (4.) Kheri Gurna, Tehsil Rajpura Distt. Patiala (PB), at KM RD 30.130 (LHS) on NH – 205 A, on Banur – Shambhu Road under Forest Division S.A.S. Nagar (Mohali) subject to the fulfilment of the general, standard and following additional conditions:

- i. The penalty for violation shall be equal to five (5) times the NPV plus 12 percent simple interest from the date of raising of such demand till the deposit is made.
- ii. The State Government shall restore the area which is not part of the diversion at the cost of the project wherein the forest violation took place, a restoration plan shall be made and submitted to Regional Office, Chandigarh and MoEF&CC, New Delhi.
- iii. Action against the erring forest officials will be taken for not able to stop the violation.

(confirmed through e-mail)

Dr. Naveen Chandra Bisht
(non-official Member)

(Not present)

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

(Not present)

Shri Manoj Pant
(non-official Member)

(confirmed through e-mail)

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

I/64118/2024

(confirmed through e-mail)
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 Jitendra Kumar
(Director General of Forests and Special Secretary)
(Chairperson)