

(PARIVESH 1.0)**Minutes of the Meeting of the Advisory Committee (AC) meeting held on
27.02.2026****Agenda No. 13****File No. 3ASC/148/2022-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 Md. Imdad Ali, Assam for non-forestry use of 5.42 ha. Reserved forest for operation of Lankaijuri Stone Mahal in Doboka Reserved Forest under Nagaon Division, Hojai District in the State of Assam (Online proposal No. FP/AS/QRY/155191/2022)- regarding.

1. The above stated agenda item was considered by the Advisory Committee in its meeting held on 27.02.2026. The DDGF (Central), Regional Office, MoEFCC, Shillong and Nodal Officer, Government of Assam attend the meeting. 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 Advisory Committee noted that the instant proposal was considered in its earlier meeting held on 16.04.2025, wherein the Committee, after detailed discussion and deliberation with the DIGF (Central), Regional Office, Shillong recommended that observations made in the agenda item pertaining to the Bheleuguri Stone mining lease of M/s Md. Kamal Ahmed shall apply mutatis mutandis in the extant proposal also. In addition to said observations, the following detail shall be submitted by the State for its further consideration by the Committee:
 - i. The KML file of proposed area depicting the safety zone area should be uploaded on PARIVESH by the State Government.
 - ii. Discrepancies in the area of safety zone and number of trees as revealed in the inspection report shall be rectified and accordingly updated in the online proposal in PARIVESH.
 - iii. Examination of Google Earth Satellite Imagery revealed an unmetalled road in the area proposed for diversion. The State Government may clarify whether the said road is being used by the local community for connectivity or otherwise and alternate means of connectivity, if required.
 - iv. Violation of the conditions of earlier approval granted for 0.9 ha of forest land by utilizing excess area than the approved area has been reported by the Regional Office. Action taken by the State Government against the

illegal mining as per extant Acts including the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 will be furnished by the State.

4. The State Government submitted its reply online on 22.01.2026 inter-alia informing the following:
 - (i) With regard to the violation report pertaining to diversion of 0.9 ha of forest land approved earlier, the State Government has reported vide letter dated 12.11.2025 that certain offences involving illegal extraction and transportation of stone, sand and gravel were detected in the Kathiatoli Range during 2012–2025 under the AMMC Rules, 2013. The area is presently closed and under observation by the Department.
 - (ii) A monitoring report dated 26.03.2024 on compliance with the conditions of the approval dated 30.09.2008 for diversion of 0.9 ha of forest land has been submitted by the Regional Office. The Regional Office has reported that the validity of the lease expired about ten years ago and that an area beyond the approved 0.9 ha appears to have been used. It was also stipulated under Condition No. 10 of the approval that no new road shall be constructed and only the existing forest road shall be used.
 - (iii) It is also noted that two other proposals for stone mining, namely Beldenga (5.42 ha) and Bheleuguri (5.12 ha), were considered by the Advisory Committee in its meeting held on 16.04.2025. The Committee had sought details regarding the overall mining scenario in the area, excess area worked and comments on the Regional Office inspection report. In response, the State Government has also submitted additional information.
 - (iv) As per the details provided by the State Government, 17 mining leases in Hojai District were granted over forest areas ranging from 0.9–1.0 ha, all of which are presently closed. Further, six leases located in the vicinity of the extant mine are also reported to be closed.
 - (v) Regarding the excess use of area, the State Government has stated that since most of the area has undergone natural reclamation, it is difficult to ascertain when such excess use occurred. The State has also indicated the possibility of inundation or landslides, which cannot now be verified. However, several offences were registered in Kathiatoli Range and Nagaon District during 2012–2025 under the AMMC Rules, 2013, though these offences cannot be linked to any specific mining lease area.
5. The Regional Office, Shillong submitted its inspection report reporting no violation of the Adhiniyam. However, in its observations the Regional Office has mentioned that Lankajuri mine is an existing mine and earlier approval was granted over 0.9 ha of forest land on 30.09.2008 by the Regional Office. After the expiry of the approval, the mine is closed. It is however observed that the area affected by the previous mining is much larger than 0.9 ha as seen on the ground and as per the DSS analysis the disturb area is close to 5.0 ha.

6. The Committee observed that in certain mines in the area which were granted approval in the past, an excess area appears to have been worked, either by the user agency or by unauthorized persons. However, no concrete action taken by the State Government to curb such unauthorized mining has been submitted. Accordingly, the Committee opined that the State Government should present a comprehensive action plan to prevent illegal and unauthorized mining and undertake appropriate remedial measures for restoration of the areas that have been illegally or unauthorizedly worked. Besides, the State Government shall also submit the penal action taken against the offenders.
7. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), RO, Shillong and Nodal Officer, Government of Assam and after going through the facts of the proposal, the Committee decided to '**defer**' the proposal with the following observations:
 - (i) In some of the mines in the area which were granted approval in the past, an excess area appears to have been broken in violation of the Adhiniyam. However, no concrete report on the action taken by the State Government to curb such unauthorized mining has been submitted. Accordingly, the State Government shall prepare and submit a comprehensive action plan to prevent illegal and unauthorized mining and undertake appropriate remedial measures for restoration of the areas that have been illegally or unauthorizedly worked. Besides, the State Government shall also submit the penal action taken against the offenders.
 - (ii) The State Government should submit the KML files for the area of the mining lease which has been approved in the past, along with the KML file of the excess area which has been broken in violation of the Adhiniyam.

Agenda No. 14

Proposal No. FP/BR/Others/117859/2020

Subject: Proposal for seeking prior approval of Central Government under Section 2 (1) ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.024 ha forest land for construction of approach road for opening retail outlet of HPCL on the side of Chater Chowk – Santosh Bridge Road, Khata No.1008, Khesra No.3586, Thana – Alauli, Mauza - Bhadas by Shri Rajesh Kumar in Khagaria district of Bihar (Proposal No. FP/BR/Others/117859/2020)- regarding.

1. The agenda item was considered by the Advisory Committee (AC) in its meeting held on 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDGF, Regional Office, Ranchi 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. The Committee was also apprised of the relevant provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and other Acts, Rules and Guidelines relevant to the proposal and their significance.

3. The Advisory Committee (AC) after thorough deliberation on the proposal, noted the following:

- i. Proposal involves diversion of 0.024 ha of forest land for construction of approach road for opening retail outlet of HPCL on the side of Chater Chowk – Santosh Bridge Road, Khata No.1008, Khesra No.3586, Thana – Alauli, Mauza - Bhadas by Shri Rajesh Kumar in Khagaria district of Bihar.
- ii. As per component wise details submitted in the proposal, 0.012 ha each is required for entrance path and exit path, totaling to 0.024 ha.
- iii. Canopy density in the proposed area is reported to be 0 of Eco class III with no tree felling involved during implementation of the project.
- iv. Proposal does not fall within 10 km radius of the boundary of any PAs. No protected archaeological / heritage site / defence establishment or any other important monuments is located in the area has been reported. Certificates to this effect have been submitted by DFO concerned.
- v. As per decision Rule- 1 and 2, the area falls under Not In- High Conservation value Zone.
- vi. Planting of 100 trees with iron gabion plantation is proposed by the State Government towards compensatory afforestation in the extant proposal.
- vii. It is mentioned that user agency has constructed approach road for accessing retail outlet without obtaining prior approval of the Central Government under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.
- viii. Regional Office has mentioned that user agency has carried out work on forest land without prior approval from MoEF&CC. So, it is the case of violation of Indian Forest Act, 1927 as well as Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.

Accordingly, the proposal was placed before REC in its meeting held on 26.09.2023, wherein the State Government was informed to submit following:

- a. The present status of prosecution in the court of law for the reported violation.
- b. Also concerned DFO may prepare a case/report and send to RO, Ranchi for approval to further filed case under section 3A &3B of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.
- ix. State Government has mentioned in their reply dt. 24.09.2025 that prosecution report has been submitted to Chief Judicial Magistrate, Khagari Court against violation committed by the user agency. Further, it was also informed that violation of V(S&S) Adhinyam, 1980 has been done by user agency and does not appear violation of Section 3A and 3B by any Government Department/ Authority.

- x. The DDGF (C), Regional Office, Ranchi has recommended the Proposal subject to the following condition:
- (i) The State Government shall initiate appropriate action against any violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in accordance with the provisions of Sections 3A and 3B of the Act and paragraph 1.16(ii)(a), (b), and (d) of the Consolidated Guidelines issued under the allied rules.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation recommended the proposal for grant of ***'in-principle'*** approval for diversion of 0.024 ha forest land for construction of approach road for opening retail outlet of HPCL on the side of Chater Chowk – Santosh Bridge Road, Khata No.1008, Khesra No.3586, Thana – Alauli, Mauza - Bhadas by Shri Rajesh Kumar in Khagaria district of Bihar subject to the general, standard and following additional conditions:
- i. The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
 - ii. The Ministry has issued guidelines dated 21.01.2026 prescribing penal compensatory afforestation in cases where forest land has been used in violation of the provisions of the Adhiniyam. Accordingly, the State Government shall ensure compliance with the said guidelines and identify land towards penal compensatory afforestation in lieu of forest land used in the violation of the Adhiniyam along with supporting documents such as the KML file, Compensatory Afforestation scheme, suitability certificate, etc. The compensatory levies corresponding to the penal CA shall be deposited in the account of the State CAMPA, and the same shall be duly intimated to the Ministry.
 - iii. Penal compensatory afforestation proposed by the State Government shall be verified by Regional Office, Ranchi and report shall be sent to the Ministry for examination along with CA details during submission of compliance report of Stage- I approval
 - iv. Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 be initiated by Regional Office, Ranchi, as applicable.

Agenda No. 16

File No: 8-01/2026-FC

Subject: Proposal for seeking prior approval of the Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.950 ha forest land in Compartment No. P-475 of the Purvati Narangi forest block, Jagargunda Range of the Sukma Forest Division, for the purpose of granting a temporary permit for extraction of minor mineral (ordinary stone) in favour of the Officer Commanding, 83 Road Construction Company (GREF), Care

Headquarters, 153 CRPF Battalion, Bijapur, under Sukma District of Chhattisgarh State.

1. The agenda item was considered by the Advisory Committee (AC) in its meeting held 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Chhattisgarh were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Govt. of Chhattisgarh vide their letter No F 5-47/2025/10-2 dated 13.12.2025 forwarded a proposal to obtain prior approval of the Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.950 ha forest land in Compartment No. P-475 of the Purvati Narangi forest block, Jagargunda Range of the Sukma Forest Division, for the purpose of granting a temporary permit for extraction of minor mineral (ordinary stone) in favour of the Officer Commanding, 83 Road Construction Company (GREF), Care Headquarters, 153 CRPF Battalion, Bijapur, under Sukma District of Chhattisgarh State.
 - ii. The State Government submitted that proposed land for diversion has forest cover of open forest with Eco Class I forest type. The number of trees proposed to be felled in the instant proposal is Nil.
 - iii. As submitted by the State Government, the proposal does not involve violation of the Van (Sanrakshan evam Samvardhan) Adhiniyam, 1980.
 - iv. The Pamed Wild Buffalo Wildlife Sanctuary is located at a distance of 3.42 km from the proposed forest land for diversion. The State Government submitted that proposed site is outside the ESZ of sanctuary and approval of the Standing Committee of the NBWL/SBWL is not required for the proposal.
 - v. The State Government has proposed the life of the mine for 2 years.
 - vi. The State Govt. submitted that the proposed area for diversion also covers the 7.5 m of safety zone. However, the component-wise breakup has not been provided by the State Govt.
 - vii. As the area proposed for diversion is less than 1 ha., as per the provisions under Van (Sanrakshan evam Samvardhan) Rules, 2023, the User Agency has to deposit compensatory levies for raising 100 numbers of plants into the State CAMPA account.

- viii. The State Government submitted that the 0.950 ha proposed for diversion will be used solely for extraction of minor mineral (ordinary stone), with a 7.5-metre safety zone from the boundary. No crusher unit will be installed at the site; only excavation will be done, and crusher operations will occur elsewhere in non-forest area. The area will be secured with wire fencing. A map indicating the mine area, safety zone, and cart road for mineral transport has also been furnished.
 - ix. Further, the State Government submitted that an M-4 diesel engine will be used for extraction. No requirement of electricity or water is involved in the mining operations. An undertaking to this effect has been furnished by the user agency.
 - x. The Regional Office in its SIR recommended the proposal subject to the following conditions:
 - a) No tree felling shall be carried out in the forest area. The User Agency shall deposit the required amount towards raising 100 plants.
 - b) The User Agency shall obtain all statutory approvals under the relevant Acts, Rules, and Regulations applicable to the project.
 - c) The User Agency shall maintain the required safety zone at the project cost.
 - xi. The Committee observed that the Pamed Wild Buffalo Wildlife Sanctuary is located at a distance of 3.42 km from the proposed forest land for diversion. The Nodal Officer, Chhattisgarh informed the committee that the boundary of Pamed Wild Buffalo Wildlife Sanctuary, District Bijapur, has been revised vide Chhattisgarh Government, Forest and Climate Change Department, Gazette Notification dated 17.11.2025 issued under the provisions of the Wildlife (Protection) Act, 1972. Consequent upon the said revision, the proposed minor mineral (ordinary stone) quarry area measuring 0.95 ha now falls outside the revised sanctuary boundary as well as outside the Eco-Sensitive Zone (ESZ). Accordingly, the prior approval of the Standing Committee of the NBWL/SBWL is not required for the proposal.
 - xii. The Committee also observed that as per Google imagery dated 17.11.2024, certain temporary non-forestry structures are visible near the proposed forest land, which were absent in imagery dated 22.12.2022. The State Government submitted that Sukma District being LWE-affected, temporary camps were established by the Central Reserve Police Force (CRPF) in connection with anti-Naxal operations. These are temporary in nature, do not cause damage to forest trees, and will be dismantled after completion of operations. The Committee took note of the fact.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer,

Government of Chhattisgarh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Chhattisgarh, the Committee recommended the proposal for '*In-principle*' approval for the diversion of 0.950 ha forest land in Compartment No. P-475 of the Purvati Narangi forest block, Jagargunda Range of the Sukma Forest Division, for the purpose of granting temporary permit for extraction of minor mineral (ordinary stone) in favour of the Officer Commanding, 83 Road Construction Company (GREF), Care Headquarters, 153 CRPF Battalion, Bijapur, under Sukma District of Chhattisgarh State with general, standard and the following specific conditions:

- i. No tree felling shall be carried out in the forest area.
- ii. The User Agency shall deposit the required amount towards raising 100 plants.
- iii. The User Agency shall obtain all statutory approvals under the relevant Acts, Rules, and Regulations applicable to the project.

Agenda No. 19

F.No. 8-06/2014-FC

Sub: Proposal for seeking prior approval of Central Government under Section 2 (1) ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 503.578 ha of forest land comprising of 427.661 ha of notified forest land and 75.917 Ha of Jungle Jhari land for Opencast Coal Mining project of Chakla Coal Block in favour of M/s Hindalco Industries Limited in Latehar Forest Division of Jharkhand State (Proposal No. FP/JH/MIN/4117/2013)- regarding.

1. The agenda item was considered by the AC in its meeting held on 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDGF, Regional Office, Ranchi and Nodal Officer, Government of Jharkhand 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. The Committee was also apprised of the relevant provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee noted that the instant proposal was considered in its earlier meeting held on 22.01.2026 and following was discussed:
 - i. The State Government of Jharkhand vide their letter No. Van Bhumi-01/2014-333 dated 29.01.2025 submitted above subject proposal seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - ii. The proposal involves the felling of 145412 number of trees. Further, 503.578 Ha of forest land (427.661 ha Protected forest & 75.917 ha Jungle

Jhari land) proposed for diversion have canopy density of 0.6 to 0.7 featuring dense Tropical Dry Deciduous forest of Eco class III. There is a change in forest land from 509.33 ha (original proposal) to 503.578 ha.

- iii. The Mining Plan is approved by Ministry of Coal and as per approved Mine Plan, Chakla coal mine Block has an extractable coal reserve of 71.88 MT. The project is anticipated/planned to run for about 20 years with peak average annual production of around 4.5 MT of coal.
- iv. The committee noted that there was a forest diversion proposal with proposal no. FP/JH/MIN/4117/2013 by M/s ESSAR POWER LTD for diversion of 509.33 ha forest land (401.78ha PF and 107.55ha Revenue/GMJJ) for open cast mining in Chakla Coal Block of Latehar District/Forest Division, Jharkhand. The proposal included non-forest land (267.73ha Raiyati, 69.07ha GM Khas and 10.86ha GM Aam) also constituting the total lease area 856.99ha having total mineable reserve of coal around 71MT. While the proposal was still under processing (the site inspection was conducted by Regional Office, Bhopal on 31st January 2014), several coal mines were deallocated/cancelled vide Hon'ble Supreme Court's judgment dated 25/8/2014 in WPC 120/2012. This block too was one of them.
- v. Post enactment of Coal Mines (Special Provisions) Act, 2015, this Chakla Coal Block was reallocated to Hindalco Industries Ltd (HIL), vide Vesting order no. NA-104/9/2020-NA dated 03rd March 2021. Ministry vide its letter dated 9/6/2015 has made it clear that those proposals which were in processing stage before the cancellation need not be resubmitted *de-novo* by the new allottee, but should be processed in continuation as if they were submitted by new allottee after making necessary changes like name, address etc. Therefore, the extant proposal is being processed without the online compulsion as envisaged in new V(S&S) Rules, 2023. This coal block now vested in HIL has total lease area of 863 ha with little reduced forest area 503.578 ha. The present user agency HIL informed that improved technology for land survey (done by CMPDI, using DGPS etc.) has led this difference.
- vi. Subsequently, M/o Coal allocated the coal block to M/s HINDALCO Industries Limited. Thereafter, the Nominated Authority, Ministry of Coal vide their letter dated 12.04.2021 has requested the MoEF&CC to transfer the forest approval granted to prior allottee M/s Essar Power Limited to M/s Hindalco Industries Limited in respect of Chakla Coal Block as per the procedure stipulated in the Guidelines dated 09.6.2015 .
- vii. It is imperative to mention that no transfer of forest approval is involved in the project as approval under the Adhinyam, 1980 is yet to be granted in the proposal.
- viii. In this regard, the request of Ministry of coal was examined and deliberated in the Ministry and after detailed deliberation, it was desired that at first, State Government may be requested to address the

deficiencies in the proposal and subsequently while processing the updated proposal in Ministry, the issue of closure and revocation of closure will be brought in the note, finally during seeking approval of HMEFCC.

- ix. The above decision of the Ministry was conveyed to the State vide Ministry's letter dated 17.08.2021. Moreover, the RO, Ranchi was also requested to carry out the site inspection and submit the site inspection report in the Ministry.
- x. Further, O/o of the Nominated Authority, Ministry of Coal vide their letter dated 12.11.2021 adveting the Nodal Officer Jharkhand's letter dated 28.10.2021 has requested this Ministry to provide options to Nodal Officer in order to open the proposal in the online portal and also enable him to edit the legal status of land and name of the user agency in the online proposal.
- xi. The State Government vide their letter no. Van Bhumi-01/2014-333 dated 29.01.2025 adveting Conservator of Forests letter no. 522 dated 11.09.2024 submitted their reply in response to Ministry's letter dated 17.08.2021. Details are as under:
 - a. The KML file of the proposed forest land under diversion and the land proposed for CA has been submitted
 - b. Updated Form-A, PART-I of the user agency as mentioned in para 5.4 of the comprehensive guidelines has been submitted.
 - c. The State Govt. confirmed that no non-forestry activity in the forest land proposed for non-forestry use has been taken by the previous user agency in violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - d. The user agency has submitted an undertaking to execute and implement the suggestions of the Water Resource Department, Government of Jharkhand on the feasibility of proposed changed course of nallah involved in the lease area.
- xii. The committee was apprised that the while obtaining the approval of the Hon'ble Minister EF&CC, the following observations were made by him as under;
 - a. **Clarification on whether the proposal has been submitted as a fresh case or continues from the stage, it was closed:-** In this regard, it was informed that the instant proposal does not constitute a fresh submission, but is a continuation of the earlier proposal that was closed by the Ministry vide letter dated 13.01.2015. The closure at that time was necessitated in light of the Hon'ble Supreme Court's judgment dated 25.08.2014 and order dated 24.09.2014 cancelling the coal block allocations, including the Chakla Coal Block. Following reallocation of the coal block to M/s Hindalco Industries Limited and subsequent correspondence from the Ministry of Coal (vide letter dated 12.04.2021), the State Government has

now submitted the required documents and addressed the deficiencies, as originally advised by the Ministry in its letter dated 17.08.2021. The updated documents have been submitted in accordance with Para 5.4 of the Consolidated Guidelines and Clarifications under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 including the requisite KML/Shape files, updated Form-A, CA land details, and non-violation certificate from DFO.

- b. **Whether there is any provision/precedence to reopen such cases which are already closed:-** In this regard, it was submitted that the instant proposal was closed due to cancellation of coal block and later it was re-allocated to new user agency by Nominated Authority, Ministry of Coal.
- a) In this regard, Para 5.4 inter alia mentioned the following:-
 - b) **5.4 Cancelled allocation of Coal Blocks:** In respect of 204 coal blocks whose allocation was cancelled by the Hon'ble Supreme Court, two types of situations are possible:
 - (i) 'In-Principle' or Final approval for diversion of forest land has already been issued, and
 - (ii) Application for in-principle approval of diversion of forest land under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 was in process at either the State or the Central Government, on the day of cancellation of the allocation;

Cases falling under category mentioned under (i) above will be considered by the MoEF&CC or Regional Office, after receipt of an application for such transfer from the Ministry of Coal, Government of India. Transfer application submitted by the Ministry of Coal should accompanied with details of the new user agency, a vesting order in favour of new user agency, an undertaking from the new user agency that they shall abide by all the conditions on which the forest land was leased to the original user agency and any other condition which may be stipulated by the Central Government/State Government in future.

 - c) Cases falling under category (ii) above will be processed as if they have been submitted by the new user agency decided by the Central Government.
 - d) Thus, the current processing is being undertaken in continuation of the earlier proposal file, and not as a *de novo* submission.
- xiii. Accordingly, the file was submitted for the approval of Hon'ble Minister EF&CC above wherein following approval was sought from Hon'ble MEF&CC:-

- a. To open the proposal, which was communicated stand closed vide Ministry's letter 2015, as per Ministries guidelines in this regard. It is relevant to mention that consolidated guidelines 2023 has similar provisions and given in para 5.4.
 - b. After opening of the proposal, the RO Ranchi shall be directed for submitting the SIR with respect to forest land and CA land in question, in particular.
 - c. Then, the proposal will be processed and placed before Advisory Committee for deliberations and recommendation.
- xiv. Hon'ble MEF&CC approved the above proposal.
 - xv. The RO, Ranchi vide its letter No. FP/JH/MIN/4117/2013/536 dated 19.09.2025 has submitted the site inspection report as requested vide Ministry's letter dated 17.08.2021 for proposal for Diversion of forest land over an area 503.578 ha in respect of Chakla Coal Block in favour of M/s Hindalco Industries Ltd in Latehar Forest Division, Jharkhand.
 - xvi. On the basis of SIR, the Ministry has sought certain clarification from the State Government vide letter dated 14.10.2025 viz there is a change in forest land from 509.33 ha (original proposal) to 503.578 ha (as mentioned in SIR). Therefore, comments/ recommendation shall be submitted by the State Government regarding the actual forest area involved in the proposal, The CA area is spread over 62 patches in 28 villages out of which one patch (Buruchinda) contains water body. Further, encroachments/occupation has been observed in five (5) patches, some of the proposed CA land have areas less than 5 ha, the forest area of proposed mining site is very rich in terms of floral and faunal biodiversity with an ecologically significant gene- pool, the forest area proposed for diversion may cause hindrance to the movement of elephants in the area, there should be a study concerning Wildlife Habitat Vulnerability & Ecological Habitat Restoration by the specialised agency like Wildlife Institute of India before commencement of Open Cast Mining Operation and Livelihood Security Plan for the future of the indigenous community.
 - xvii. The State Government submitted its reply vide its letter dated 26.11.2025 and informed the following:
 - a. Chakla Coal Block was vested to Hindalco Industries Limited (HIL) by the Ministry of Coal, Government of India, vide vesting order dated 03.03.2021. The block boundary was defined using 95 cardinal coordinate points on the WGS 84 GIS platform. Earlier, the block was allotted to Essar Power Ltd. and the forest land with an area of 509.33 ha was derived using a local coordinate system. This system did not utilize the DGPS WGS 84 GIS platform, unavailable at that time, which was measurements, based on the local coordinate system and are inherently less accurate due to limitations in geospatial precision and standardization. After allocation to Hindalco, fresh DGPS survey of the

block was conducted by CMPDI (Govt. of India), and the boundary of the block has been taken from GR as well as tender document after conversion to WGS 84 system. In contrast, the current figure (503.578 Ha) reflects updated and more reliable measurements obtained through modern geospatial DGPS surveying techniques. Summary of the block land is as below-

Sl. No.	Nature of Land	Type Land	Area (in Ha)
1	Forest Land	Notified Forest	427.661
2		Jungle Jhari	75.917
3	Revenue Land	GM Aam, GM Khas.	79.903
4		Private (Raiyati)	279.519
Total Lease Area			863.000

- b. With respect to the reported encroachments across five patches of CA land, it is confirmed that no permanent infrastructure exists within these areas. The observed encroachments primarily involve agricultural use and the presence of shallow pond. Due to the timing of the site inspection during the monsoon season, this pond may have appeared larger than its actual size; however, it is a small in size and does not pose significant impediments to afforestation activities. During transfer of CA land in favour of Forest Department, those CA land will be made encroachment free. An undertaking regarding providing encroachment free CA land during transfer of land to State Forest Department has been provided.
- c. The CA land patches that are less than 5 ha and non-contiguous, it is noted that all such patches are located adjacent to existing forest land. In accordance with prevailing guidelines, these patches are considered suitable for inclusion in the CA program.
- d. The area with relatively high canopy density is confined to the south-eastern portion of the Chakla Coal Mine lease. As per the Approved Mine Plan and Mine Closure Plan, this specific zone is scheduled for mining only after the fifteenth year of operations, allowing sufficient time for ecological planning and mitigation. Hindalco has planned for tree plantation and following characteristics have been taken into consideration while selecting plant species for green belt development and tree plantation-
- (i) Local, indigenous and drought resistant species.
 - (ii) Fast growing and tall trees.
 - (iii) Perennial and evergreen.
 - (iv) Thick canopy cover.
 - (v) Stratified layers of Plantation to prevent lateral pollution dispersion.

- (vi) The trees will be selected so as to maintain regional ecological balance and to conform to soil and hydrological conditions.
 - (vii) Plantation will be done in consultation with DFO as per Approved Mining Plan
 - (viii) At the conceptual stage, approximately 11,40,785 trees will be planted across 678.20 ha, with a planting density ranging from 1,600 to 2,500 saplings/ha.
 - (ix) In addition to extensive afforestation efforts, Hindalco is actively considering tree transplantation in areas with higher canopy density to preserve the site's ecological integrity and ecologically significant gene pool. This strategy not only helps retain biodiversity but also supports continuity of habitat for dependent fauna, thereby mitigating the ecological impact of mining activities.
 - (x) A detailed report titled "Biodiversity Assessment, Impact and Mitigation Measures for Chakla Opencast Coal Block Mine" has been prepared by the Indian Council of Forestry Research & Education (ICFRE), Dehradun, and submitted to the Ministry of Environment, Forest and Climate Change (MoEF&CC) as part of the Environmental Clearance process. All mitigation measures outlined in the report will be implemented to ensure the conservation of biodiversity and the preservation of the ecologically significant gene pool.
 - (xi) In addition to this, project proponent has done study on Soil & Moisture conservation which is approved from State Forest department and the sanction order no 91 dated 23.06.2025.
- e. An Integrated Site-Specific Wildlife Management Plan for the Chakla Coal Mine has already been prepared and subsequently got it approved from office of the Principal Chief Conservator of Forests, Wildlife. & Chief Wildlife Warden, Jharkhand. The Sanction Order no 50, dated 24.10.2025. Additionally, Hindalco Industries Limited has committed to contributing 19 crores approx. (@3.786 lakh per hectare) towards the implementation of the Integrated Wildlife Management Plan for the North Karanpura Coalfield, ensuring a coordinated and sustainable approach to wildlife conservation.
- f. Hindalco Industries Limited is actively committed to the socio-economic upliftment of the local communities, including indigenous populations, through structured and sustainable livelihood initiatives under its Corporate Social Responsibility (CSR) and Sustainability programs.
- xviii. Further, the Committee was informed that the site inspection of the instant proposal was conducted by Regional Office, Ranchi on 19.09.2025. The SIR has also been recommended by DDGF (C) of RO, Ranchi.

Recommendation of DDGF (Central):- The DDGF (Central) Recommended the proposal along with following:

- a) Tree felling shall be carried out in phases, in consultation with the Forest Department.
 - b) The User Agency shall ensure that all Compensatory Afforestation (CA) sites are free from encroachments before being handed over to the State Forest Department (SFD). The SFD shall ensure that the CA sites are properly fenced, cleared of encroachments, and planted, at the cost of the User Agency.
 - c) The SFD shall reassess the suitability of CA sites that are smaller than 5 hectares and not contiguous with forest areas. If found unsuitable from a management perspective, alternative sites shall be sought from the User Agency.
 - d) The User Agency shall demarcate and maintain the safety zone in accordance with applicable norms.
 - e) As the forest area proposed for mining is rich in floral biodiversity, the Forest Department, in consultation with expert agencies, shall adopt suitable measures to preserve the germplasm before commencement of mining, at the cost of the User Agency.
 - f) The SFD shall commission a comprehensive study on the likely impact of the project on wildlife and develop a site-specific Integrated Wildlife Impact Mitigation Plan through an expert agency such as WII, to be implemented at the cost of the User Agency.
 - g) The User Agency shall prepare and implement Catchment Area Treatment, Soil and Moisture Conservation, and other necessary mitigation measures to address the adverse impacts of open-cast mining.
 - h) The User Agency shall submit a plan for concurrent and progressive reclamation, including a restoration schedule and timeline for surrendering forest land, as required under Standard Condition 2(1).
 - i) The User Agency shall implement the Rehabilitation and Resettlement (R&R) Plan in accordance with applicable rules and regulations.
- xix. The Committee was informed that the extant proposal was considered in its meeting held on 22.01.2026, wherein the Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Ranchi and officials from Government of Jharkhand, the Committee **'deferred'** the proposal for diversion of 503.578 ha of forest land comprising of 427.661 ha of notified forest land and 75.917 Ha of Jungle Jhari land for Opencast Coal Mining project of Chakla Coal Block in favour of M/s Hindalco Industries Limited in Latehar Forest Division of Jharkhand State for obtaining the following information:
- (1) The Regional Office in consultation with the State Government shall clarify the location of patches identified for raising compensatory

afforestation, in view of issues identified on DSS. A report on the same shall be submitted for the consideration of the Committee.

- xx. The above decision of the Committee was communicated to the Regional Office, Ranchi vide Ministry letter dated. 09.02.2026. Regional Office, Ranchi on 12.02.2026 submitted CA patches re-verification report. Details are as under:

The Regional Office convened a meeting on 10.02.2026 with the State Nodal Officer (FC) and the Divisional Forest Officers (DFOs) under whose jurisdiction the 11 CA patches are located, to undertake re-verification in light of the DSS findings (1 patch falling in West Bengal and 10 patches overlapping with forest area). During the meeting, the concerned DFOs were apprised of the issue and requested to verify the factual position through site inspections, based on Cadastral Maps, Forest Block Notifications, forest boundary pillars on the ground, and related records. The verification aimed to ensure that the khasra/plot numbers of the identified CA land are not included in any forest notification pertaining to nearby forest areas.

The DFOs attending the meeting agreed to comply with the instructions. Based on field verification, they submitted fresh site-suitability certificates for the 11 CA patches, confirming that the respective CA sites are located on Non-Forest Land.

Based on the verification reports received from the concerned field forest officers, the Regional Office confirmed that all 11 CA NFL patches are Non Forest Land and do not overlap with any notified forest area.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Ranchi and Nodal Officer, Government of Jharkhand, recommended the proposal for grant of '*in-principle*' approval for diversion of 503.578 ha of forest land comprising of 427.661 ha of notified forest land and 75.917 Ha of Jungle Jhari land for Opencast Coal Mining project of Chakla Coal Block in favour of M/s Hindalco Industries Limited in Latehar Forest Division of Jharkhand State subject to the general, standard and following additional conditions:
- i. The user agency shall provide correct KML files of land identified to carry out compensatory afforestation along with compliance report of Stage- I approval.
 - ii. The rationalization area mentioned in the landuse of the proposed diversion area, shall be afforested and kept as green cover and at any point of time the rationalisation area of 33.63 ha should not be used for mining activity or increase the mining capacity.
 - iii. Compensatory Afforestation patches less than 5 ha which are not adjoining to any forest boundary, shall be maintained for 20 years at the cost of user agency.

- iv. The State Forest Department shall commission a comprehensive study on the likely impact of the project on wildlife and develop an integrated Biodiversity management plan, encompassing both faunal and floral biodiversity and outline mitigation measures, to be implemented at the cost of the User Agency.

Agenda No.23

File No. F(C)A/16.1/105/KAR/MIN(E-File)

Subject: Transfer of approval granted under the Van (Sanrakshan Evam Samcvrdhan) Adhinyam, 1980 from erstwhile lessee M/s Kanhaiyalal Dudheria to new lessee M/s MSPL Limited Hospete in respect of forest land diverted for non-forestry use of 30.09 ha for mining lease No.024 (2563), in Ramanadurga Village, Sandur Taluk, Ballari District Karnataka -reg.

1. The above stated agenda item was considered by the AC in its meeting held on 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Bengaluru and Nodal Officer, Government of Karnataka were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained to the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The extant proposal was granted final approval under the Van (Sanrakshan Evam Samcvrdhan) Adhinyam, 1980 on 12.10.2007 for diversion of 33.76 ha of forest land (30.7 ha for mining and 2.975 ha. for approach road) in favour of M/s Kanhaiyalal Dudheria for iron ore mining in ML 024 (2563). In the year 2013, the mining lease, being a Category 'C' mine, was cancelled by the Hon'ble Supreme Court vide its order dated 18.04.2013 and as per directions of Hon'ble of Supreme Court, the mining lease was put to auction and allotted to successful bidder M /s MSPL Ltd. Hospete.
 - ii. In pursuance to direction of Hon'ble Supreme Court, the lease area was surveyed and demarcated by the CEC. As per revised sketch of the lease, the forest area of the lease was restricted to 30.09 ha. Further, Hon'ble Supreme Court in its order dated 30.07.2015 *inter-alia* directed to transfer statutory approvals of category 'C' mines in favour of the new lessee.
 - iii. To address the issues related to transfer of approval in case of Category

- 'C' mines, the Ministry on 03.05.2017 issued guidelines for transfer of approvals granted to category 'C' mines.
- iv. In accordance with the provisions of the above guidelines, the State Government submitted the proposal for transfer of approval from the erstwhile lessee to new lessee.
 - v. Issue related to transfer of approval in respect of Category 'C' mines was considered by the Advisory Committee in its meeting held on 11.09.2023 and based in the recommendation of the AC, the Ministry has issued guidelines on 21.09.2023 which *inter-alia* provided the working permission of one year to enable the user agency to compete the compliance of approval granted under the Adhiniyam.
 - vi. In light of the provisions of the above guidelines, the competent authority approved the transfer of approval and based on the same, transfer approval and validity extension was granted to make it co-terminus with the validity of lease was granted by the Regional Office on 09.10.2023 subject to certain conditions including working permission of one year to enable the user agency to comply with the condition of compensatory afforestation.
 - vii. In compliance to the above approval, the user agency had initially identified the 39.01 ha of non-forest land for raising CA. The said land was also transferred and mutated in favour of the State Forest Department in 2023.
 - viii. Subsequently, State Government identified that land provided for raising compensatory afforestation has been inadvertently included in the notification dated 05.05.2022 notifying the land parcel as Deemed Forest land.
 - ix. Accordingly, the State Government vide their letter sated 2.09.2025 forwarded a request of the user agency along with the compliance of the approval dated 9.10.2023 with a request to accept the CA and which has been notified as deemed forest land in anticipation that said land will be removed from the list of deemed forests in due course.
 - x. The State Government has also mentioned that in case the land parcel is not de-listed the user agency will be bound to provide the alternate non-forest land for raising compensatory afforestation.
 - xi. The proposal along with the recommendations received from the State Government was considered by the Advisory Committee in its meeting held on 26.09.2025 and the Committee after consideration of the matter including the compliance of approval dated 9.10.2023 furnished by the State deferred the proposal and desired the State Government to ensure submission of equivalent non-forest land for further consideration of the proposal.
 - xii. The State Government, vide its letter dated 31.01.2026 has submitted another parcel of non-forest land identified by the user agency measuring

30.09 ha in Sy No. 76/7, 76/8, 76/9 & 76/16 of Gavali Village, Gunji Hobli, Khanapur Taluk, Belagavi District and have transferred the same land in favour of Karnataka State Forest Department vide Transfer Deed Registration No. KHP-1-02572-2025-26 Dated 24.11.2025.

- xiii. The site suitability certificate mentions that the non-forest land identified for CA already has a canopy density of more than 0.6. Accordingly, 30.09 ha of degraded forest land has been identified additionally by the State Government for undertaking plantation activity at the rate of 1000 saplings per hectare in Sy No.223 of Mavanur, Yamakanamard, Hukkeri Taluk, Belagavi District
- xiv. The KML file, map of the CA land, and CA scheme have also been submitted.
- xv. The State Government has also submitted a request to extend the working permission for six months to enable the user agency to comply with the following conditions:
 - a. The user agency must pay the differential CA Charges, before the forest land is handed over to the user agency for mining purpose.
 - b. The user agency has to submit the Wildlife Management Conservation Plan and Soil and Moisture Conservation Plan approved by the competent authority and to remit the differential charges for the same as per approved plan (if any), within six months.
 - c. The User Agency should submit the complete compliance within six-months.
- xvi. The Committed noted that in accordance with the observation of the Advisory committee, the user agency has provided the alternate non-forest land for CA which has been transferred and mutated in favour of the State Forest Department on 4.12.2025.
- xvii. The Committee noted that compensatory afforestation land is provided in the close proximity of Bhimagad Wildlife Sanctuary. The non-forest land, in accordance with the provisions of the 2nd proviso of rule 13(1) is suitable for CA.
- xviii. The Committee noted that in accordance with the provisions of rule 14(1) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, the lands which have been transferred and mutated in favour of the State Forest Department can be considered for final approval by the Central Government.
- xix. As regards the notification of non-forest land identified for raising compensatory afforestation, committed noted that in a similar case pertaining to same user agency in Karnataka, the Ministry, based on the recommendation of the Advisory Committee, had considered and

approved the proposal on 20.03.2025, *inter alia* stipulating that the land identified for compensatory afforestation shall be notified as Reserved Forest/Protected Forest within a period of six months from the date of issue of approval by the Ministry. The provisions of the said stipulation are as under:

The State Govt. shall submit the copy of the notification of the already transferred and mutated CA land over NFL within the six month time from the date of issue of the letter of the Ministry in this regard. The State Govt. is further advised to strictly adhere to the time line and no further extension shall be considered in this regard. Further it shall not be treated as norm for any other similar cases, and such cases shall be decided on the merit of the case, on case to case basis only.

- xx. With regards to extension of working permission, it is important to mention that the decision in this matter has already been clarified by the Ministry on 01/01/2025 wherein it was conveyed that the period of working permission cannot be extended beyond a period of one year by the Central Government. Therefore, the State Government needs to expedite the compliance of conditions stipulated in the approval granted to the erstwhile agency and after completion of the compliance of conditions, the land may be handed over to the user agency to commence mining operations.
 - xxi. The committee noted that Compliance of conditions stipulated in the approval dated 09.10.2023 has been reported by the State Government which has already been considered by the Advisory Committee in its meeting held on 26.09.2025.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bengaluru and Nodal Officer, Government of Karnataka. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Karnataka, the Committee recommended to accept the Compensatory Afforestation land proposed by the State Government vide its letter dated 31.01.2026 and to transfer the approval subject to following condition :-
- a. State Government shall notify the land identified for Compensatory Afforestation as Reserved Forest/Protected Forest within a period of six months from the date of issue of approval by the Ministry. The Nodal Officer shall ensure that a copy of the Notification shall be submitted to the Ministry within the stipulated period of six months.

Agenda No. 33

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

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

1. The above stated agenda item was considered by the AC in its meeting held on 2.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Maharashtra vide letter No. FLD-1225/CR-101/F-10 dated 05.08.2025 submitted the above-mentioned proposal for seeking prior approval of the Central Government under Section 2 (i) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of JSW Energy PSP Two Limited for non-forestry use of 243.74 ha. (Shahapur Division 181.45 ha and West Nasik Division 62.29 ha) of forest land (reserved Forest, Protected Forest and Private Forest) for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra.
 - ii. The State Government submitted that the Bhavali Pumped Storage Project (PSP) is a greenfield hydroelectric project designed to provide reliable, renewable, and cost-effective power, contributing to energy security and grid stability, particularly during peak demand periods. The PSP operates by circulating the same volume of water between upper and lower reservoirs during each cycle of pumping and generation.
 - iii. The State Government submitted that the site was initially identified by the Government of Maharashtra, which signed a Memorandum of Understanding with JSW on 14.09.2021 for facilitating a Hydro Energy Project in Thane & Nashik districts under the existing policy framework. JSW Energy PSP Two Limited has initiated the project seeking approval under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The proposed PSP will utilise 274.92 ha of land, of which 243.74 ha is forest land and 31.08 ha is private land.
 - iv. The legal status of the forest land involved in the proposal is as under:

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

- v. The forest of Shahapur Division has the canopy density of 0.2 for 73.85 ha and 0.6 for 107.6 ha with Eco-class I forest type. The West Nashik Division has density 0.5 with Eco-class I forest type. Further, the instant proposal involves felling of 69100 number of trees.
- vi. The State Govt. reported that the project does not warrant displacement of any human habitation and therefore resettlement and rehabilitation plan is not required for this project.
- vii. The State Government has submitted that the User Agency has proposed a site specific CAT plan which will be executed to ensure forest area is protected from erosion.
- viii. The presence of animals such as leopard, hyena, wolf, jackal, hares, wild boar, porcupine and birds such as bee-eater, grey hornbill, sunbirds have been observed in this area.
- ix. The proposed area for diversion does not forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
- x. The Government of Maharashtra has declared Gut. No. 42 of Village Jamunde, Teshil- Igatpuri, District- Nashik as part of Igatpuri Conservation Reserve as per notification dated 22.11.2022.
- xi. The State Government further submitted that the proposal does not involves violation of the Adhiniyam, 1980. Further, no protected archaeological/ heritage site/defense establishment or any other important monuments is located in the area.
- xii. The land use plan of the proposal is as under:

Sl. No.	Component	Forest Land (in ha)	Non forest land (in ha.)
1	TRT (Underground)	4.2	0
2	Cable & Ventilation	0.084	0
3	Upper Dam & Reservoir	58.42	29.15
4	Lower Dam & Reservoir	81.1	0
5	Working Space	4.8	0
6	Pothead Yard	0	0

7	Fire Fighting Tank	0	0
8	Saddle Dam	0.11	0
9	ADIT/ MAT (Underground)	0.99	0
10	Approach Road to Upper Dam	0.77	1.93
11	Service Corridor	2.874	0
12	HRT (Underground)	6.68	0
13	Power House (Undergorund)	2	0
14	Approach Road to Lower Dam	39.162	0
15	TRC	1.64	0
16	Dumping Area & Job facilities-1	18.335	0
17	Dumping Area & Job facilities-2	22.575	0
	Total	243.74	31.08

- xiii. The Compensatory Afforestation is proposed over 245.735 ha. non-forest land in Gut No. 71 to 75, 91 to 98, 101 to 104, 113, 114 at Village–Choravane, Taluka- Khed, District- Ratnagiri in a single patch. Further, the State Government submitted that the area is at moderate slopes with dense tree growth and covered by bushes and climbers with 0.5 density. The area is included in the proposed Eco-Sensitive Zone of Western Ghat of Maharashtra.
- xiv. The State Government has submitted the Compensatory Afforestation Scheme for 30.00 ha and scheme for crop improvement programme for an area of 215.7350 ha.
- xv. Further, as per the Site Inspection Report of the RO Nagpur, 20 ha of NFL is unsuitable for plantation. Accordingly, as per direction of the Advisory Committee, the State Govt. has proposed the additional 40 ha of Degraded Forest Land in a single patch. DFO Shahapur has issued the site suitability certificate for the proposed 40 ha of DFL.
- xvi. The State Government has recommended that the said forest land may be allowed to be diverted under Section-2 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF) and Addl. PCCF & Nodal Officer, Nagpur along with the following condition:
- a) User Agency shall obtain wildlife clearance and/or ensure compliance of mitigation measures, if required or suggested by the PCCF (Wildlife).
 - b) User Agency shall submit NOC of the Private landholders of the proposed land along with Stage-I compliance and compensate them as per prevalent Acts and Rules in this regard.
 - c) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval.

- xvii. The Regional Office has recommended the Proposal subject to the following conditions:
- a) Implement the site-specific Wildlife and Biodiversity Management Plan approved by CWLW at the project cost.
 - b) Obtain prior approval from the Igatpuri Conservation Reserve Management Committee before initiating non-forestry activities.
 - c) As 20 ha of the land provided by NFL is a sloping patch and unsuitable for plantation, the CA scheme shall be revised to carry out plantation in degraded forest areas at double the required extent, at the User Agency's cost, in accordance with the V(S&)S Rules, 2023.
 - d) Dump muck at designated sites with proper gradient; undertake plantation and re-grassing over the dumps at the User Agency's cost.
 - e) Implement the Catchment Area Treatment Plan at project cost; State Government to form a monitoring committee.
 - f) Implement controlled blasting mitigation measures as suggested by CSIR-Central Institute of Mining and Fuel Research; blasting material must not be stored in the forest area.
- xviii. The proposal was considered in the Advisory Committee Meeting held on 02.12.2025 and the committee after detailed discussion deferred the proposal for the want of certain information. The details of the observations and reply of the State Government are as follows:

Sl. No.	Observations of the Advisory Committee meeting dtd 2.12.2025	Reply submitted by the State Govt. vide its letter dtd 19.01.2026
i.	Both the reservoirs are being constructed afresh. Further, there is no water source in the vicinity and the lower reservoir is proposed to be filled with rain water. Keeping above in view the site specificity of the project is not established. The site specificity of the project is therefore required to be examined in detail and state shall explore to locate	The State Government submitted that submitted that the Bhavali Pumped Storage Project (PSP) is inherently site-specific, as such projects require stringent topographical, geological, hydrological, and engineering conditions. The selected site provides the required natural elevation difference (head), suitable geology for underground structures, optimal reservoir proximity, and adequate catchment for water availability for initial filling and annual recoupment. These conditions are not available on non-forest land in the surrounding region. Hydrology and water availability approvals have been obtained from the competent authorities.

	the project over non-forest land	The project layout has been designed to minimize forest land diversion, avoid critical wildlife habitats, and ensure engineering feasibility. Alternative sites, including non-forest land, were examined during DPR preparation but were found unsuitable due to inadequate head, unfavourable geology, excessive tunnel length, and higher environmental and social impacts. The DPR has been approved by the Central Electricity Authority, and the project has been recommended for Environmental Clearance after due appraisal. Accordingly, relocation of the project to non-forest land is not technically feasible, establishing its site-specific nature.
ii.	An area of 40.91 ha forest land is proposed to be used for muck dumping and job facilities which are not site specific and may be shifted over non-forest land	It has been submitted that the requirement has been assessed from technical, environmental, forestry, and operational perspectives and the proposed locations are functionally site-specific. The User Agency examined the availability of contiguous non-forest land in the vicinity of the project in Thane district, Maharashtra; however, the nearest feasible option is located more than 75 km away and outside the district, making transportation of muck technically unviable and environmentally adverse. The selected muck disposal sites are located in low vegetation density areas, avoiding dense forest patches, and a comprehensive Muck Management Plan with engineering stabilization and biological reclamation measures has been approved. The muck disposal areas are directly linked to tunnel portals, dam excavation zones, and underground works, necessitating their proximity to excavation sites. The Expert Appraisal Committee during its site visit in January 2025 observed that relocation of muck disposal sites may not be insisted upon as suitable alternative sites were not available nearby and relocation could lead to greater environmental impacts, subject to adherence to EMP safeguards. The User Agency

		has also undertaken to stabilize and scientifically reclaim the muck disposal sites through afforestation after completion of disposal activities and to restrict any non-forest use post-commissioning. Accordingly, the use of forest land for muck dumping and job facilities has been minimized and carefully planned, and shifting these components to non-forest land is neither technically feasible nor environmentally preferable.
iii.	The feasibility of filling the huge reservoir with rain water and maintaining the water level throughout the year needs justification. A detailed report shall be submitted in this regard	It has been submitted that the Bhavali PSP is designed as an off-stream pumped storage scheme, wherein reservoirs will be initially filled through monsoon runoff from the self-catchment area and thereafter operated through cyclic reuse of water, with marginal losses replenished annually during the monsoon. Detailed hydrological studies, including rainfall analysis, catchment yield assessment, evaporation and seepage estimation, flood and sedimentation studies, have been carried out as per CEA guidelines and incorporated in the approved DPR. The studies have been concurred by the Central Water Commission, and the Water Resources Department, Government of Maharashtra and accordingly issued a Water Availability Certificate.
iv.	As per the recommendations of Regional Office, 20 ha NFL proposed for CA is unsuitable for plantation. Accordingly, CA scheme shall be revised to carry out plantation in degraded forest areas at double the extent of unsuitable area. The improvement plan is required for the remaining non forest area where canopy density is more than 0.4. The detail of	The State Government submitted that the Deputy Conservator of Forests, Shahapur, has recommended 40 ha of degraded forest land (double the unsuitable area) for CA in a single patch at Village Pendharghol (Atgaon), Taluka Shahapur, District Thane, along with the Suitability Certificate. Further, as per DSS analysis, the CA site over forest land has been proposed in a single patch comprising 46.86 ha (as per KML area), out of which plantation has been proposed over 40 ha.

	identified DFL along with KML files shall be submitted	
v.	The DFO Nashik in his recommendations submitted that the project involves construction of tunnel work, which may require stability studies from national level institutions. The details/report in this regard shall be submitted	It has been submitted that the overall project design has been approved by central agencies, with the Geological Survey of India and the Central Water Commission confirming the suitability and safety of the tunnels, and the Detailed Project Report (DPR) having been concurred by the Central Electricity Authority. Further, as recommended by the Chief Conservator of Forests, Nashik, a detailed tunnel construction safety study was conducted by CSIR–Central Institute of Mining & Fuel Research, Bilaspur, on 19.05.2025, providing recommendations on excavation, support systems, and construction methodology to ensure safe execution. It has also been submitted that the DPR has been prepared in accordance with CEA guidelines, and concurrence has been accorded by CEA on 24.09.2024 after appraisal in consultation with concerned expert agencies, thereby establishing the safety and feasibility of the proposed tunnel works.
vi.	The DFO West Nashik has recommended that in case of land that were allotted prior to 1980, lying in the project area, the user agency shall not utilize/acquire said land parcel without a separate/additional diversion proposal. The state/user agency has not provided any appropriate justification in this regard. A detailed justification along with a list	It has been submitted that, upon detailed scrutiny of revenue and forest land records, land parcels allotted prior to 1980 in Village Jamunde, Tehsil Igatpuri, District Nashik, comprising Gut Nos. 37 to 41, have been identified and excluded from the project area. The User Agency has furnished an undertaking to the concerned Forest Divisions stating that no construction or project activity shall be undertaken on such land unless a separate forest diversion proposal is submitted and approved under the applicable provisions of the Forest (Conservation) Act, 1980. As these land parcels have been excluded from the project footprint, no forest diversion is presently

	of such areas involved in the project shall be submitted	involved, and therefore, submission of a separate diversion proposal does not arise at this stage.
vii.	The state has informed that 13.814 ha area has been excluded as these patches do not fall within the working area. Since these patches are interspersed in-between the working area, the state shall provide the justification for their exclusion and the plan for the protection of these patches	It has been submitted that the said forest patches have been intentionally excluded as they do not fall within the actual construction or operational footprint of the project, with the objective of minimizing diversion of forest land. Further, the Deputy Conservator of Forests, Shahapur Forest Division, has reported that the excluded area (13.814 ha) will be protected through proper demarcation, erection of boundary pillars, and construction of water holes for conservation and protection of the area.

- xix. The Committee observed that the DPR of the proposal has been approved by the Central Electricity Authority, and the project has been recommended for Environmental Clearance after due appraisal.
- xx. The Committee observed that 40.91 ha of forest land has been proposed for muck dumping and job facilities, which seems to be on higher side.
- xxi. The Committee further observed that project design has been approved by the Geological Survey of India and the Central Water Commission, confirming tunnel safety, and that the DPR has been concurred by the Central Electricity Authority on 24.09.2024. Further, a detailed tunnel safety study was conducted by CSIR–Central Institute of Mining & Fuel Research on 19.05.2025, providing recommendations to ensure safe execution, thereby establishing the safety and feasibility of the proposed tunnel works.
- xxii. The Committee also observed that 0.77 ha land has been identified for approach road to upper dam and 39.162 ha for the approach road to the lower dam.
- xxiii. The Nodal Officer, Maharashtra during the meeting submitted that an agreement has been signed between the State Government and the User Agency for implementation of the project.
4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Maharashtra, the Committee '**deferred**' the proposal for the want of the following information:

- i. As per the component-wise breakup of the forest land proposed for diversion, 40.91 ha of forest land has been proposed for muck dumping and job facilities. The State Government shall explore the possibility of shifting of such non-site specific activities on Non-forest lands.
- ii. As per the component-wise break-up, 0.77 ha of forest land has been proposed for the approach road to the upper dam and 39.162 ha for the approach road to the lower dam. The State Government shall re-examine the requirement of forest land for these roads, reassess and optimize the requirement of forest land for construction of the roads with regard to the gradient and width of road, and further explore the possibility of realigning the road to non-forest land.

Agenda No. 34

File No. 8-09/2025-FC

Sub: Proposal for seeking *ex-post facto* approval of Central Government under Section 2 (1) ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 12.565 ha of forest land including safety zone of (1.020 ha) within the mining lease area of 18.00 ha in respect of Bhanjapali Iron Ore Mines under Bonai Forest Division of Sundargarh District by Sri JN Patnaik (Proposal No. FP/OR/MIN/27247/2017) – reg.

1. The above stated agenda item was considered by the Advisory Committee (AC) in its meeting held on 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Bhubaneswar and Nodal Officer, Government of Odisha were present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC. The Committee was also apprised of the relevant provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Odisha vide their letter No. FE-DIV-FLD-0022-2025-29563/FE&CC dated 20.09.2025 has submitted the above subject proposal for seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - ii. The State Government submitted that the instant project is related to iron ore mining over the lease area measuring 18.00 ha, which includes 12.565 ha of DLC forest land in village Bhanjapali under Koira Tahasil of Sundargarh District, Odisha. The mining lease was granted in favour of Sri Jitendra Nath Patnaik by the Department of Steel & Mines, Government of

Odisha, for a period of 30 years over an area of 18.00 ha vide Letter No. 11720/SM dated 13.12.1996. Accordingly, the lease deed was executed on 01.04.1997 for the period from 01.04.1997 to 31.03.2027.

- iii. The State Government further submitted that at the time of execution of the lease on 21.04.1997, the entire leased area of 18.00 ha was recorded as non-forest land. Subsequently, on 06.06.1998, Plot Nos. 1(P) and 54(P) measuring 12.565 ha were declared as DLC forest land by the Forest Department based on the recommendations of the District Level Committee. Further, the State submitted that the said forest land was already broken up prior to its declaration as DLC forest land and prior to intimation to the Hon'ble Supreme Court.
- iv. The broken-up DLC forest area was jointly verified by the Senior Surveyor, DDM, Koira and the Forest Range Officer, Koira. Mining operations in the said area were allowed by the DFO, Bonai Forest Division vide Letter Nos. 3996 dated 03.07.1997 and 3305 dated 06.06.1998 respectively. The PCCF & HoFF, Odisha has further intimated that since the mining lease was valid, mining operations continued on the broken-up DLC forest land from the year 1998 without interruption until instructions were issued by the DFO, Bonai Forest Division vide Letter No. 4999 dated 01.11.2007, directing stoppage of mining activities on the grounds that the broken-up areas in Plot Nos. 1(P) and 54(P) had been categorized as DLC forest land and that prior approval under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 was required to resume mining operations.
- v. Subsequently, mining operations were recommenced from 19.01.2008 pursuant to the orders of the Hon'ble High Court of Odisha, Cuttack. However, mining operations were again suspended with effect from 13.08.2010 by the direction of the DDM, Koira Circle vide Memo No. 20264/Mines dated 13.08.2010, due to non-maintenance of valid Environmental Clearance as mandated under the EIA Notification, 2006.
- vi. The Environmental Clearance was granted by SEIAA, Bhubaneswar vide letter No.3212/SEIAA dated 14.05.2015 for 5 years wherein there was a condition to file forest diversion for the area for which EC was granted. Accordingly, the User Agency submitted forest clearance proposal on the PARIVESH 1.0 portal on 8.08.2017.
- vii. The proposed forest land for diversion i.e. 12.565 ha (11.97 ha as DLC forest and 0.595 ha as proposed Reserved Forest) is having the canopy density of 0.1 of Eco Class I forest with 292 number of trees are proposed to be felled.
- viii. The State Govt. submitted that the forest area proposed for diversion does not form part of any National Park, Wildlife Sanctuary, Elephant Corridors, Tiger Reserve etc. However, the Divisional Forest Officer has reported the presence of wildlife species such as Tiger, Elephant, Sloth Bear, Hanuman Langur, Indian Giant Squirrel, Jungle Cat, Mongoose, Indian Hare, Fox, Rat, Wild Pig, Jackal, Indian Pangolin, Porcupine, Hyena,

Peacock, and various species of snakes and birds in the surrounding forest area.

ix. The land-use plan of the proposal is as under:

Sl. No.	Pattern of utilization	Forest (in ha)	Non-forest (in ha)	Grand Total (in ha)
1	Mining and haul road	9.10	2.10	11.20
2	Storing of minerals	-	0.423	0.423
3	Dumping of overburden	1.901	-	1.901
4	Infrastructure	0.544	0.305	0.849
5	Magazine	-	0.010	0.010
6	Undisturbed area	-	1.647	1.647
	Sub-Total	11.545	4.485	16.030
7	Safety zone along the 7.5 mtr lease boundary	1.020	0.815	1.835
8	Safety zone around the magazine	-	0.135	0.135
	Total Safety zone	1.020	0.950	1.970
	Grand Total	12.565	5.435	18.00

- x. The State Government submitted that the user agency has worked inside the PRF area over 0.5951 ha without prior approval of Govt. of India, MoEF & CC and further an area of 0.078 ha of DLC forest land has been broken within the safety zone area and 0.214 ha of forest land has also been broken outside the mining lease area contiguous to the said safety zone in DLC area which are violation under the Van Sarankshan Evam Samvardhan) Adhinyam, 1980.
- xi. The State Government further submitted that the Range Officer, Koira has registered a Forest Offence case vide OR No.49k of 2025-26 against Shri Sudhakar Sahoo, Mines Manager of Bhanjapali Iron Ore Mines of Shri J.N. Patnaik for encroachment and mining activities inside PRF area over 0.595 ha and unauthorized removal of natural resources from forest land without prior approval from the competent authority. Further, since the forest land measuring 0.078 ha and 0.214 ha falls under the category of DLC forest, the Collector, Sundargarh has been requested by the Range Officer, Koira vide letter dated 06.06.2025 to take necessary legal action under the relevant provisions of law.
- xii. The State Government has proposed the CA land over an area of 12.565 ha of Non-Forest land in three patches comprising an area of 7.863 ha in village Khairabahal, 3.723 ha in village Sianbahal and 1 ha in village Khairabahal. Further, the State Government has proposed the additional CA land over 25 ha of degraded reserved forest land in Kukia RF, Rourkela Forest Division for planting the balance number of seedlings.
- xiii. The State Government submitted that Project Proponent Sri Jitendra Patnaik filed Misc. Case No. I.A. 4/07 against the Divisional Forest Officer

- (DFO), Bonai Forest Division, before the Civil Judge (Junior Division), Bonai. The court restrained the opposite party from prohibiting the petitioner from continuing mining operations.
- xiv. Further, the DFO appealed before the District Judge, Sundargarh, against the order dated 19.01.2008, and an interim stay was granted. The Project Proponent then filed WP (C) No. 5058 of 2008 before the High Court of Odisha, Cuttack, challenging the District Judge's order dated 14.02.2008. The High Court quashed the order on 26.03.2008 and directed early disposal of the appeal on merits.
 - xv. Subsequently, the District Judge, Sundargarh, dismissed the appeal on 29.11.2008 and confirmed the Civil Judge's order dated 19.01.2008.
 - xvi. The State Government reported that joint verification was conducted on 24.02.2007, and mining was stopped by the DFO, Bonai on 01.11.2007 after the land was identified as DLC forest. Legal proceedings continued till 2008, and no direction to seek forest diversion was issued until 13.08.2010, when mining was halted due to lack of Environmental Clearance (EC). EC was subsequently granted by SEIAA, Bhubaneswar on 14.05.2015 with a condition to obtain forest clearance, and the diversion proposal (State Sl. No. 700/14 dated 30.07.2014) is under consideration for final approval.
 - xvii. The State reported that electricity has been sourced from the public utility transmission feeder of OPTCL and no additional forest land is required for the transmission line. Water requirement of 9 KL per day has been permitted by the Central Ground Water Authority vide letter dated 13.05.2024. Environmental Clearance has been granted for 0.26 MTPA by SEIAA, and as per the approved Scheme of Mining, minerals are transported by trucks for sale within and outside the State.
 - xviii. The Regional Office, Bhubaneswar in its Site Inspection Report recommended the proposal subject to the following:
 - a) The User Agency shall demarcate the mining lease and safety zone boundaries to prevent encroachment and immediately undertake afforestation within the safety zone.
 - b) The State Forest Department shall implement the project's Site-Specific Wildlife Conservation Plan (SSWLCP), approved by the Chief Wildlife Warden (CWLW), Odisha, at the User Agency's cost.
 - c) The User Agency shall execute the progressive reclamation plan and restoration schedule during the subsequent mining plan period.
 - d) The State Government shall connect the two Compensatory Afforestation (CA) plots at Khairabahal village and manage them as a single entity for better administration, with all cost borne by the User Agency.

- e) Compensatory Afforestation sites must be cleared of encroachments and shall adequately be fenced to prevent unauthorised access before handover to the State Forest Department for plantation works. Sites with dense vegetation shall be managed through crop improvement activities as per Rule 13 of the V(S&S) Rules, 2023.
 - f) The State Government shall take action for violations of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in accordance with Sections 3A and 3B of the Act and Paragraph 1.16(ii)(a), (b), and (d) of the relevant Consolidated Guidelines
- xix. The Committee observed that there is a presence of wildlife species such as Tiger, Elephant, Sloth Bear, Hanuman Langur, Indian Giant Squirrel, Jungle Cat, Mongoose, Indian Hare, Fox, Rat, Wild Pig, Jackal, Indian Pangolin, Porcupine, Hyena, Peacock, and various species of snakes and birds in the surrounding forest area. Further, the User Agency has applied to PCCF(WL), Odisha for his views on the likely impact of the project on occasional movement of elephant in the nearby applied area of the lease.
- xx. The Committee further observed that the User Agency has carried out works over 0.5951 ha within the PRF area without prior approval of the Government of India, MoEF&CC. Additionally, 0.078 ha of DLC forest land within the safety zone and 0.214 ha of forest land outside the mining lease area, contiguous to the said safety zone in the DIC area, have been broken up, constituting violations under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. However, as per satellite imagery, the entire area proposed for diversion has already been broken up by the User Agency.
- xxi. The Committee also observed that the State Government, vide Demand Notice dated 02.09.2017 issued by the Deputy Director of Mines, Koira Circle (Letter No. 5076), raised a demand of ₹123,87,49,199/- towards the price and notional value of 13,14,301 MT of iron ore produced without Environmental Clearance during 2000–01 to 2010–11. The demand was based on the recommendation of the Central Empowered Committee (CEC) pursuant to the interim order dated 16.05.2014 of the Hon'ble Supreme Court in WP (C) No. 114/2014 (Common Cause vs. Union of India).
- xxii. The Committee further observed that subsequently, while permitting reopening of the mine, the Deputy Director of Mines, Koira Circle, vide Order No. 3515 dated 26.07.2018, recorded that the lessee had deposited ₹123,87,49,199/- towards compensation under Section 21(5) of the MMDR Act, 1957, along with applicable interest of ₹3,14,63,641/-
- xxiii. The Committee observed that the State Government has stated that the lease area is very small and already substantially broken up; hence, no mitigation measures can be undertaken within the lease area. However, a mitigation plan for the impact zone within a 10 km radius from the lease

boundary will be prepared and submitted along with Stage-I compliance. The User Agency has furnished an undertaking, duly countersigned by the DFO, Bonai Forest Division in this regard.

4. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhubaneswar and Nodal Officer, Government of Odisha. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Odisha, the Committee '**deferred**' the proposal for the want of the following information:
- i. The State Government submitted that the User Agency has carried out works over 0.5951 ha within the PRF area without prior approval of the Government of India, MoEF&CC. Additionally, 0.078 ha of DLC forest land within the safety zone and 0.214 ha of forest land outside the mining lease area, contiguous to the said safety zone in the DLC area, have been broken up. However, as per satellite imagery, the entire area proposed for diversion has already been broken up by the User Agency. Accordingly, the State Government shall ascertain the exact/correct details of the violation/broken up area involved in the subject proposal along with the detailed Action Taken Report.
 - ii. Numerous important wildlife species have been reported in the surrounding forest area including Tiger, Elephant, Sloth Bear, etc. The User Agency has applied to the PCCF (WL), Odisha, seeking views on the likely impact of the project on the occasional movement of elephants in the nearby lease area. Accordingly, the State Government shall furnish the comments of the PCCF (WL)/CWLW in this regard.

Agenda No. 42:

Proposal No. FP/UP/Approach/44699/2020

Subject: Proposal for seeking ex-post facto approval of the Central Government under Section 2(1)(ii) of the *Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980* for diversion of 0.069777 ha of forest land for construction of an approach road to a new IOCL retail outlet at Khasra No. 10, Village Mitai, Tehsil Hathras, on Umed-Nagla Road, Uttar Pradesh.

1. The above-stated agenda item was considered by the Advisory Committee (AC) in its meeting held on 02.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The Dy. DGF (Central), RO, Lucknow was present during the meeting.
2. During the meeting, all facts and background of the proposal, along with its examination in the DSS, were presented and explained to the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules, and Guidelines applicable to the proposal and their significance.
3. The Advisory Committee (AC), after thorough deliberation and discussion, observed the following:

- i. The Government of Uttar Pradesh submitted the above proposal to the Regional Office, MoEF&CC, Lucknow on 26.05.2022 seeking ex-post facto approval of the Central Government under Section 2(1)(ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.069777 ha of forest land for construction of an approach road to a new IOCL retail outlet at Khasra No. 10, Village Mitai, Tehsil Hathras, on Ummed-Nagla Road, Uttar Pradesh.
- ii. The State Government submitted that the project envisages the use of forest land for construction of an approach road (i.e., entry-exit and buffer zone) to the Indian Oil Corporation Limited (IOCL) new retail outlet, involving diversion of 0.069777 ha under VSESA, 1980.
- iii. The State Government submitted that the requirement of forest land, as proposed by the user agency, is unavoidable due to non-availability of alternate land and is the bare minimum required for the project.
- iv. The State Government submitted that the User Agency (IOCL) constructed the approach road on forest land without prior approval under VSESA, 1980. The present proposal has been submitted for ex-post facto approval.
- v. The forest area proposed for seeking ex-post facto approval is located at Khasra No. 10, Village Mitai, Tehsil Hathras, on Ummed-Nagla Road, under Hathras Forest Division, Uttar Pradesh.
- vi. The forest area under violation is reported as 0.0677 ha.
- vii. The legal status of the forest land involved in the proposal is "Protected Forest".
- viii. The canopy density of the forest area proposed for diversion is 0.1.
- ix. The forest area proposed for diversion does not involve tree felling.
- x. The forest area proposed for diversion does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
- xi. Compensatory Afforestation (CA) has been proposed over 0.14 ha of Protected Forest land as roadside plantation along the Sadabad–Jalesar Road, Range Hathras, Social Forestry Division, Hathras.
- xii. The State Government has submitted a Compensatory Afforestation Scheme amounting to Rs. 3,94,900/-.
- xiii. The Committee noted that the Regional Office, MoEF&CC, Lucknow recommended the proposal with remarks that, at present, the outlet is non-operational and the approach road is not being used. Action against officials responsible for the violation has been taken under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The project may be considered in public interest with penal provisions under the Adhiniyam, 1980.

- xiv. The Committee also noted that the State Government had initially submitted the proposal to the Regional Office, MoEF&CC, Lucknow on 26.05.2022 under the erstwhile Rules issued under the Adhinyam. The Regional Office, Lucknow, after initial scrutiny and obtaining necessary information from the State Government, placed the proposal before the Regional Empowered Committee (REC) in its meetings held on 30.05.2023, 10.08.2023, and 12.01.2024.
 - xv. The Committee noted that the REC deliberated on the violation committed by the user agency and the action taken by the State Government against the violators.
 - xvi. The Committee also noted that the State Government had taken cognizance of the violation by filing FIR No. 0032 dated 22.02.2024 against the user agency. The Hon'ble Court, Hathras convicted the accused in Case No. 18407/2024 (Case No. 32/2024), and sentence/order was issued by the Hon'ble Court, Hathras vide order dated 03.01.2025.
 - xvii. The Committee further noted the action taken by the State Government against officials of the State Forest Department.
4. **Decision of the Advisory Committee:** The Committee held detailed discussions with the Dy. DGF (Central), RO, Lucknow. After examining the facts of the proposal, the Committee recommended grant of ex-post facto ***in-principle*** approval of the Central Government under Section 2(1)(ii) of the *Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980* for diversion of 0.069777 ha of forest land for construction of an approach road to a new IOCL retail outlet at Khasra No. 10, Village Mitai, Tehsil Hathras, on Ummad-Nagla Road, Uttar Pradesh, subject to the general, standard and following specific conditions:
- a) The User Agency shall pay the five (5) times penal NPV for the extent of violation done plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency.
 - b) The Ministry has issued guidelines dated 21.01.2026 prescribing penal compensatory afforestation in cases where forest land has been used in violation of the provisions of the Adhinyam. Accordingly, the State Government shall ensure compliance with the said guidelines and identify land towards penal compensatory afforestation in lieu of forest land used in the violation of the Adhinyam along with supporting documents such as the KML file, Compensatory Afforestation scheme, suitability certificate, etc. The compensatory levies corresponding to the penal CA shall be deposited in the account of the State CAMPA, and the same shall be duly intimated to the Ministry.
 - c) Penal compensatory afforestation proposed by the State Government shall be verified by Regional Office, Lucknow and report shall be sent to the Ministry for examination along with CA details during submission of compliance report of Stage- I approval.

Additional Agenda No. 2

File No.:8B/HP/05/62/2019/FC

Sub:- Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Bushahr Laghu Udyog, VPO Jhakri, Tehsil Rampur Bushahr for non-forestry use of 2.1532 ha of Protected Forest (1.4612 ha for mining lease and safety zone, 0.3400 ha for approach road and 0.3520 ha for staking of raw material) for already established Stone Crusher at Pashada, P.O. Khaneri within the jurisdiction of Rampur Forest Division, Tehsil- Rampur Bushahr, District- Shimla in the State of Himachal Pradesh (Online No. FP/HP/MIN/34194/2018)- regarding

1. The agenda item was considered by the AC in its meeting held on 27.02.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDGF (Central), Regional Office, Chandigarh and officials from the Government of Himachal Pradesh 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. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The proposal is for diversion of 2.1532 ha of Protected Forest (1.4612 ha for mining lease and safety zone, 0.3400 ha for approach road and 0.3520 ha for staking of raw material) for already established Stone Crusher at Pashada, P.O. Khaneri within the jurisdiction of Rampur Forest Division, Tehsil- Rampur Bushahr, District- Shimla in the State of Himachal Pradesh.
 - ii. The Component wise break up are as under:

Sl. No.	Component	Forest Land (ha.)	Forest land as per DSS (ha.)
1.	Safety Zone	0.5488	0.548
2.	Mining area	0.9124	1.460
3.	Proposed Haulage Road	0.2083	0.208
4.	Raw material staking & Ancillary activities	0.4837	0.484
Total		2.1532	2.700

- iii. The Advisory Committee noted that the instant proposal was considered in its earlier meeting held on 26.09.2025, The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and officials from the Government of Himachal Pradesh and after going through

the facts of the proposal, decided to **'defer'** the proposal with the following observations:-

- a) Since the site inspection report of the Regional Office is at variance with the instant proposal submitted by the State Government, it was decided that a two-member Committee comprising of DDGF (Central), RO, Bengaluru and a domain expert (Soil conservation and related issues flagged in RO report) be constituted. The said Committee shall verify observations of the SIR vis-à-vis the instant proposal and submit its report with clear recommendations.
 - b) It is been reported that the user agency has submitted a proposal FP/HP/IND/35171/2018 for diversion of 0.0934 ha of Protected Forest (0.062 ha) and Gair Mumkin Machine (0.0314 ha) for renewal of already established Stone Crusher. The instant proposal pertains to diversion for mining lease, safety zone, approach road and for stacking of raw material. Therefore, the State Government is requested to clarify if these two proposals are interlinked and, if so, reason for applying separately may be submitted.
- iv. The two-member Committee has submitted its report to the Ministry vide letter dated 12.1.2026.
 - v. As per the Committee report, the proposed site falls within Demarcated Protected Forest land and is located approximately 650 metres from the left bank of the Sutlej River. National Highway-5 (NH-5) passes between the river and the project site. The Sutlej River flows at an elevation of approximately 1000 m above mean sea level (MSL), while NH-5 is situated at around 1200 m MSL, separating the river from the proposed project area. The proposed stacking area is located at a distance of approximately 80 metres from NH-5. The mining area is situated about 100 metres above the stacking area on a rocky outcrop. The northernmost point of the mine lease area lies at an elevation of approximately 1300 m MSL and extends up to 265 metres along the upward-sloping quartzite outcrop. The haulage of mined material is proposed through loading chutes up to the stacking point.
 - vi. The stacking area falls under Khasra No. 22/1, which forms part of the Demarcated Protected Forest. The stacking area is separated from NH-5 by Government land bearing Khasra No. 14/1, for which the Project Proponent shall obtain the requisite permission from the Government to use it as an approach to the stacking area. Since haulage of mined material is proposed through loading chutes, road formation may be restricted to a length of approximately 100 metres along the stacking area, while the remaining portion shall function as a corridor beneath the loading chute.
 - vii. A large landslide with scattered small to large stones was observed on the right (eastern) side of the proposed stacking area. The Committee observed that the said landslide has no linkage or causal relationship with the proposed mining site. The mining area comprises a quartzite outcrop, and it is assessed that mining activities are unlikely to induce landslides or erosion, provided the

Project Proponent strictly adheres to the safety measures and operational protocols prescribed in the approved mining plan.

- viii. As per recommendation of the Committee, the Committee is of the considered opinion that the proposal may be granted Forest Clearance, subject to strict adherence to the approved mining plan and reclamation plan, implementation of all prescribed safety measures, particularly in the stacking area, and ensuring that natural drainage channels remain unobstructed and free flowing, especially during the monsoon season. Accordingly, the proposal is recommended.
- ix. The Nodal Officer (FCA), Government of Himachal Pradesh vide letter No.Ft.48-3737/2018 (FCA) dated 17.2.2026 informed that it has been confirmed by CF Rampur that both proposals have been submitted by the same User Agency i.e. Smt. Kanegtu Devi M/s Bushahr Laghu Udyog. Proposal FP/HP/IND/35171/2018 is for the renewal lease of the forest land (0.0934 ha) already operational stone crusher since 1980 & earlier approval accorded under proposal No. FP/HP/MIN/1611997 (proposal No. allotted to the proposal submitted up to 14.7.2014 vide Gol letter No. 9-HPB414/1997-CHA/3590-94 dated 18.8.2006. As per the Van (Sanrakshan Evam Samvardhan) Rules, this renewal falls under Form-B. Proposal FP/HP/MIN/34194/2018 (Instant Case) is for the diversion of additional forest land (2.1532 ha) required for quarry to provide raw materials to the aforementioned stone crusher. As this involves a new area for mining, it requires processing under Form-A. The proposals were filed separately to comply with the specific procedural requirements (Form-A and Form-B) as dictated by the nature of the diversion (New Mining Area as well as Renewal of lease for the already established stone crusher).
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DDGF (Central), Regional Office, Chandigarh and officials from the Government of Himachal Pradesh and after going through the facts of the proposal, the Committee decided to recommended the proposal for grant of in-principle approval subject to fulfilment of general, standard and following additional conditions:
- (i) The State Government and user agency shall ensure adherence to the approved mining plan and reclamation plan, implementation of all prescribed safety measures, particularly in the stacking area.
- (ii) The user agency shall ensure that natural drainage channels in their lease area remain unobstructed and free flowing, especially during the monsoon season.

(Confirmed through E-mail)

Dr. K R Sree Harsha
(non-official Member)

(Confirmed through E-mail)

Shri Nityanand Srivastava
(non-official Member)

(Confirmed through E-mail)

Shri Manoj Pant
(non-official Member)

(Confirmed on file)

Shri Santosh Tiwari
Additional Director General of Forests (FC)
(Member)

(Confirmed through E-mail)

Shri Ramesh Kumar Pandey
Additional Director General of Forests (WL)
(Member)

(Confirmed on file)

Shri R. Raghu Prasad
Inspector General of Forests
(Member Secretary)

(Approved)

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