

(PARIVESH 1.0)

**Minutes of the Meeting of the Advisory Committee (AC) meeting held
on 08.05.2026**

Agenda No. 14

Proposal No. FP/JH/TRANS/32955/2018

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 126.974 (revised) (earlier proposed area:163.5868 ha) forest land in favour of M/s Jharkhand Urja Sancharan Nigam Limited (JUSNL) for construction of 400 KV D/C Patratu-Latehar Transmission line under Latehar, Ramgarh and Ranchi Forest Divisions in Latehar, Ramgarh and Ranchi districts of Jharkhand State (FP/JH/TRANS/32955/2018)- regarding.

1. The agenda item was considered by the AC in its meeting held on 08.05.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDG, 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 for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation on the proposal, noted the following:
 - i. Proposal involves diversion of 126.974 (revised) (earlier proposed area:163.5868 ha) forest land in favour of M/s Jharkhand Urja Sancharan Nigam Limited (JUSNL) for construction of 400 KV D/C Patratu-Latehar Transmission line under Latehar, Ramgarh and Ranchi Forest Divisions in Latehar, Ramgarh and Ranchi districts of Jharkhand State.
 - ii. As per component wise details submitted in the proposal, 1.536 ha is required for tower base, 15.025 ha for stringing RoW & 110.413 ha for remaining RoW.
 - iii. Canopy density in the proposed area is reported to be 0.5 of Eco-class III with 4657 tree felling in Latehar Forest Division, 0.2 to 0.4 density of Eco-class III with 1399 tree felling in Ramgarh Forest Division and 0.8 density of Eco-class III with 15332 tree felling in Ranchi Forest Division totaling to 21388 tree felling is involved during implementation of the project.
 - iv. DFO, Latehar and Ranchi have mentioned in Part- II that there are no rare and endangered species present in the area proposed for diversion. However, DFO, Ramgarh has mentioned in his Part- II that Elephants have been reported in this area few years back. The Committee opined that a Wildlife Management Plan to mitigate Human

Animal conflict with provisions for logistics, equipments and staff shall be prepared by Wildlife Institute of India and a copy of the said plan may be submitted to the Ministry along with compliance report.

- v. 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 DFOs concerned. However, as per DSS, proposed line is 2.83 Km from Palamau Tiger Reserve and 4.93 Km from Tiger Corridor. The Chief Wildlife Warden has recommended the proposal with certain conditions has mentioned in his letter No. 865 dated 02.06.2021.
- vi. As per decision Rule- 2, the area falls under Not-Inviolate or Not In-High Conservation value Zone. However, as per decision Rule- 1, the area falls In High Conservation Zone (HCV) as per the DSS Rule-I due to presence of numerous Hydrological feature namely Mugaldaha Nadi, Chirokhar Nadi, Domuhan Nala, Saphi Nadi (1st order) within 250 meter the proposed forest land for diversion. Out of total forest area proposed for diversion, 4 ha is having Very Dense Forest (VDF), 27 ha of land is having Moderately Dense Forest, 15 ha is Open Forest, 1 ha is in Water class and 26 ha is Non-Forest/ Non-wooded.
- vii. Compensatory Afforestation was proposed over 275.93 ha degraded forest land in Latehar Forest Division (122.18 ha), Rangarh Forest Division (29.41 ha) and Ranchi Forest Division (124.34 ha). CA schemes with 10 years of maintenance have been provided. Site suitability certificates have been furnished by the concerned DFOs.
- viii. Violation has been done by the user agency by doing construction activities including erection of transmission towers in forest areas without prior approval of the competent authority. As per site inspection report of Regional Office, Ranchi, 41 towers have been erected by violating 2.8776 ha in Latehar, Ranchi and Ramgarh Divisions. Out of which 34 towers were erected in Protected Forest and 07 towers have been erected in GMJJ land. The Committee was further informed that a total of eight offence reports have been registered in Latehar Forest Division, one in Ramgarh Division and four in Ranchi Forest Division. All cases are presently sub judice/ pending before the Chief Judicial Magistrates of Latehar, Ramgarh and Ranchi respectively.
- ix. Accordingly, the Committee opined that action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 against the erring officials shall be initiated by State Government for carrying out violation in Protected Forest and a status report on the same shall be submitted along with the compliance of the in-principle approval.
- x. The Ministry, after preliminary examination of the proposal, observed shortcomings viz. Site Inspection Report of the Nodal Officer, NoC from various linear forest land owned agency, detailed violation report and the action taken by the State Forest Department to stop the work in the forest land, reason behind delayed action on the violation by DFO, Ranchi Forest Division, details of rare/endangered/unique species of flora and fauna in Latehar Forest Division, recommendation of CF

Daltonganj Circle, correct KML file of proposed area for diversion, complete KML file of CA land proposed in Ramgarh Forest Division and comments from State Government on CA land having encroachment of agriculture land and plantation work etc. Additional information was requested from the State on 12.01.2026. The Regional Office was also requested to submit an inspection report.

- xi. The State Government submitted its reply online on 28.03.2026 and informed following:
- a) Site inspection report carried out by PCCF-cum-Executive Director, Wasteland Development Board is submitted.
 - b) NOC for Jungle Jhari area obtained for all three Districts is submitted.
 - c) DFO, Ranchi has been submitted wherein it is mentioned that forest case has been registered in the matter. Work on the forest land has been stopped immediately. Further, it is mentioned that user agency has stated that violation was mistakenly committed by executing agency after May 2016 for which Power Grid has issued warning to the executing agency. Hence there is no need to apply this 3A/3B provision.
 - d) It is mentioned that due to multiple responsibilities and the negligible demarcation between forest land and revenue land, it was extremely difficult to completely prevent such work on the ground before it began. The forest case that has been registered against the user agency.
 - e) It is mentioned that as reported in the letter of the Forest Conservator, Regional Circle, Medininagar as well as in the letter of the Latehar Forest Division, the forest land proposed to be used for the construction of the transmission line and the surrounding areas are frequented by elephants. Details of loss of life and property caused by elephants in the concerned villages over the past several years is submitted. Total 93 cases has been registered from 2009-10 to 2023-24.
 - f) Recommendation of Conservator of Forests, Medininagar is submitted.
 - g) Correct KML file has been submitted by the State Government and same has been analysed by DSS cell and the area found to be 126.752 ha.
 - h) KML file for CA land (29.44 ha) has been uploaded earlier on PARIVESH portal. Due to some technical glitch it was only showing as 13.39 ha. Therefore, KML file for CA land has been uploaded again in PARIVESH portal. The same been analyzed by DSS cell and found to be uploaded.
 - i) It is mentioned that the CA land was reviewed again. In patch of Koto village (3.82 ha) some Soil Moisture Conservation work (contour/trench) was done 5 years back under Climate Change Adaptation Project. No plantation has been done on the patch. In

patch of Daridih some agricultural activities are ongoing which will be taken under possession during plantation. It is further mentioned that due to demarcation of forest land not being clear, paddy is cultivated by the villagers which is of temporary in nature. At the time of plantation on forest land, the plantation will be done after clearing encroachment. Plantation has been done in part of Siram Village, hence instead of Siram Village, CA has been revised and proposed over 53.28 ha in Kita village. Village Map & Sol toposheet, KML file, suitability certificate and CA scheme is submitted.

xii. The Regional Office, Ranchi has carried out site inspection and submitted its report. The DDGF has recommended the proposal subject to following conditions:

- (1) Tree felling shall be restricted to the bare minimum and carried out strictly under the supervision of the State Forest Department (SFD).
- (2) The State Government shall initiate necessary action against the User Agency for the construction of transmission line towers over an area of 2.8776 ha without obtaining prior approval of the competent authority, in accordance with Sections 3A and 3B of the VSSA, 1980, and paragraph 1.16(ii)(a), (b), and (d) of the Consolidated Guidelines issued under the allied rules.
- (3) The Compensatory Afforestation (CA) sites shall be cleared of encroachments and adequately fenced to prevent unauthorized access prior to handover to the State Forest Department for plantation works. Sites having dense vegetation shall be managed through crop improvement program as per Rule 13 of the VSSA Rules, 2023.
- (4) As the region supports rich biodiversity and experiences frequent elephant movement, the State Forest Department shall implement the Site-Specific Wildlife Conservation Plan (SSWLCP) of the project, duly approved by the Chief Wildlife Warden (CWLW), at the cost of the User Agency.
- (5) The User Agency shall provide chain-link fencing around the tower bases located in forest areas to prevent electrocution of elephants and other wild animals.
- (6) Bird diverters/deflectors shall be installed on the upper conductors of the transmission line at suitable intervals, at the cost of the User Agency, to prevent bird collisions.

xiii. The authorities in the State Government have recommended the proposal. Further, Chief Wildlife Warden has also recommended the proposal with certain conditions has mentioned in his letter No. 865 dated 02.06.2021.

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 126.974 (revised) (earlier proposed

area:163.5868 ha) forest land in favour of M/s Jharkhand Urja Sancharan Nigam Limited (JUSNL) for construction of 400 KV D/C Patratu-Latehar Transmission line under Latehar, Ramgarh and Ranchi Forest Divisions in Latehar, Ramgarh and Ranchi districts of Jharkhand State subject to the general, standard and following additional conditions:

- i. Action under section 3A/3B of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 against the erring officials shall be initiated by State Government for carrying out violation in Protected Forest and a status report on the same shall be submitted along with the compliance of the in-principle approval.
- ii. In accordance with the provisions of para 1.16 of the Consolidated Guidelines, the State Government shall realize the penal NPV for the forest area used in violation of the Adhinyam by the user agency which shall be five times the NPV of forest land used in violation, plus 12 percent simple interest from the date of raising of such demand and till the deposit is made by the user agency into the account of CAMPA.
- iii. 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, as applicable, 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.
- iv. Penal compensatory afforestation, as applicable, 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.
- v. A Wildlife Management Plan to mitigate Human Animal conflict with provisions for logistics, equipment and staff shall be prepared by Wildlife Institute of India (WII) and shall be approved by the Chief Wildlife Warden, Jharkhand. The plan shall also include recommendations at the village level. It shall also include a component of long term research and monitoring to be done by WII for impact analysis of the project and the implementation of the Management plan. A copy of the said plan may be submitted to the Ministry along with compliance report of in-principle approval.
- vi. The User Agency shall provide chain-link fencing around the tower bases located in forest areas to prevent electrocution of elephants and other wild animals.

Agenda No. 15

Proposal No. FP/JH/MIN/147316/2021

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 370.92 ha (Original area 515.32 ha) of forest land (Protected Forest and Jungle Jhari land) for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand (Online No. FP/JH/MIN/147316/2021)- regarding.

1. The agenda item was considered by the AC in its meeting held on 08.05.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDGF (Central), Regional Office, MoEFCC, 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 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 22.01.2026. After detailed discussion and deliberation with the DIGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand and after going through the facts of the proposal, the Committee decided to '**defer**' the proposal for want of following information:
 - (i) The user agency has proposed diversion of 515.32 ha of forest land, out of which 307.20 ha is earmarked for overburden dumping. Since overburden dumping is a non site-specific activity, the State Government is required to re-cast and rationalize the area proposed for overburden dumping. The user agency in consultation with the State Govt. shall explore the Non-forest land nearby for such activity.
 - (ii) Initially, mining is proposed to commence over an area of 727.24 ha, comprising 94.25 ha of forest land and 632.99 ha of non-forest land, for a mining period of 30 years, as per the approved mining plan. In this context, clarification is required as to why the instant proposal cannot be re-cast by limiting the forest land proposed for diversion to 94.25 ha only.
 - (iii) The State Govt. shall submit details of 94.82 ha of forest land for Undisturbed/Mining Rights for under-ground (UG) mining. A component wise map, KML file, subsidence prediction report in this regard may also be submitted.
 - (iv) The State Govt. has revised the CA sites after the site inspection has been carried out by the Regional office, Ranchi of the Ministry. Therefore, the RO, Ranchi shall carry out the site inspection of the newly proposed CA sites and will submit its recommendation.
- i. The above decision of the Committee was communicated to the State Government on 09.02.2026. The State Government on 28.03.2026 submitted reply to queries raised by the Ministry on 09.02.2026 informing following:

- a. The 307.20 ha of forest area earmarked for temporary OB dump may be revised to 162.8 ha. This area may be allowed to be utilized in stages as per the necessity and tree felling in this area also to be done only when necessary after certifying by the Divisional Forest Officer. An undertaking has been submitted by User Agency in compliance of observation made by MoEF&CC about the rationale behind the large extent the forest land set aside for use as temporary OB dump. The user agency in its reply has submitted an undertaking stating there is no non-forest land available for dumping of overburden nearby the lease area and the area set aside for temporary OB dump shall be brought under mining in future.
 - b. User agency has mentioned in their reply that as per the approved mining plan, coal extraction is envisaged in a scientifically sequenced, phase-wise manner, aligned with approved pit geometry, slope stability norms, and optimal resource recovery principles. Phase-I operations provide for extraction of approximately 250 Million Tonnes (MT) of coal. Out of the envisaged 250 MT coal production, approximately 60 MT of coal reserves are located beneath the proposed forest land. Followed by Phase-II operations envisaging extraction of an additional ~100 MT of coal. Out of envisaged 100 MT coal production, 80 MT of coal reserves are also located beneath the same forest-bearing area. The total mineable lease area is 1467.42 ha, of which 515.32 ha of forest land (comprising Notified Forest and GMJJ/deemed forest land) forms an integral and inseparable part of the approved mine geometry.
 - c. The State Government has informed that in component wise breakup land use plan, user agency has proposed underground mining over forest and non-forest area. However, the User Agency in their reply has stated that no underground mining is envisaged as per the approved mining plan. Further, it is mentioned that the land has been kept undisturbed solely to maintain the shape of pit geometry, prevent slope failure and ensure overall mining safety. As per Para- 7.4 (iv) (f) of the consolidated guidelines of MoEF&CC, GoI 29.12.2023, mining operation and other activities shall be carried out as per the land use allowed in the approval under the Adhinyam. A total area of 219.68 ha, comprising 94.82 ha of forest land and 124.86 ha of non-forest land, has been identified under this component after due consideration.
 - d. Site inspection of revised compensatory afforestation was carried out by Regional Office, Ranchi from 27th to 29th April, 2026, details of the same are as under.
- ii. Accordingly, the State Government vide its letter No. 29/2024-1717 dated 07.05.2026 sought diversion of 370.92 ha forest land for the instant proposal.

- iii. As per directions of Advisory Committee in its meeting held on 22.01.2026, Site inspection of revised compensatory afforestation was carried out by Regional Office, Ranchi from 27th to 29th April, 2026. Observation are as under:
- a. The forest areas are mostly not delineated appropriately on ground; no boundary pillars could be seen during the site inspection. In absence of any boundary pillar, vegetation devoid forest land and adjoining non-forest land could not be differentiated. Hence, visiting team could not assess the quantum of encroachments on the forest land. At few sites, encroached forest areas are included in the proposed CA patches; whereas in many CA patches encroached areas are apparently excluded. Visiting team expressed that such exclusion may legitimize the illicit occupation of forest land and hence such practices of exclusion must be avoided.
 - b. Few CA patches, as submitted/proposed through the KML file, only show the net area where actual plantation would be done. The gross area to be fenced for corresponding CA patch is not informed. For instance, the Gross area of the Dembu CA patches (Patch 1: 24.454 Ha. and Patch 2: 45.495 Ha.) is around 116 hectares, while the net area, as calculated by DSS and as submitted in the proposal is 69.949 hectares only. Such situation may lead to unnecessary fragmentation of otherwise a very good forest block. Similarly, CA areas are not starting from the forest boundary but from 40-50m within. Such exclusion of peripheral forest areas must be avoided as they may invite encroachment and may lead to permanent loss of these forest areas.
 - c. In few patches, some area within is excluded by internal boundaries. The reason for such exclusion could not be explained by the forest department. They informed that the exclusion is replicated from the corresponding Cadastral Map.
 - d. Few CA patches identified in the proposal have fairly dense Sal forest. Taking up such Sal dominant forest for CA and then planting fast growing species may permanently damage the natural forest of the region and hence such patches should be excluded for CA consideration.
 - e. During the site inspection, the user agency and the forest officials apprised the visiting team that state has reduced the applied forest diversion area from 515.32 to 365 ha. In such a situation, ~714ha CA DFL that is found suitable for consideration

may be sufficient for the purpose. The same may be verified by HO.

- f. Therefore, CA sites identified over 13 villages and comprised in 33 patches (having area 1033 ha) may be accepted against the extant (revised) diversion of 365 ha, if revised. But there is considerable shortfall of about 315 ha CA DFL for the originally applied diversion of 515.32 ha forest land.
 - iv. After examination of land submitted by the State Government for compensatory afforestation, the Committee informed that CA plantation shall be done on entire area i.e. 1040 ha.
 - v. The Committee was informed that DFO, Latehar has mentioned that a Wildlife Management Plan to mitigate the adverse impacts and disturbance expected to arise from the project considering the continuous presence of elephant herd is essential. Accordingly, the Committee opined that a Wildlife Management Plan to mitigate Human Animal conflict with provisions for logistics, resources including staff and other basic facilities shall be prepared by Wildlife Institute of India and a copy of the said plan may be submitted to the Ministry along with compliance report. It was also opined that the said plan may be made at a village level.
 - vi. The Committee was further informed that Conservator of Forests, Daltonganj Circle has mentioned in his recommendation that open cast mining operations undermine the functional capacity of streams and cause irrevocable damage to the riverine ecosystem. Therefore, a comprehensive Catchment Area Treatment (CAT) Plan is essential to mitigate the adverse impacts of proposed mining.
 - vii. The Committee was also informed that the Ministry is in receipt of a DO Letter no. NA-103/18/2015-NA dated 20.04.2026 from Additional Secretary, Ministry of Coal, Government of India stating that the Banhardih Coal Block has already exceeded its scheduled timeline for operationalization and is currently placed under the critical monitoring category. It was also stated that given the strategic importance of these clearances for enabling mine development and their significant potential to contribute to the mineral output and revenue generation of Jharkhand, an early processing and grant of Stage- I Forest Clearance for the Banhardih Coal Block was requested.
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 370.92 ha (Original area 515.32 ha) of forest land (Protected Forest and Jungle Jhari land) for Banhardi Coal Mining Project in favour of M/s. Patratu Vidyut Utpadan Nigam Limited in Latehar District in Jharkhand subject to the general, standard and following additional conditions:
- i. Compensatory Afforestation shall be done on entire area i.e. 1040 ha. degraded forest land provided by the State Government. Furthermore, as per SIR of RO, only 714 ha is suitable for plantation. Therefore, balance 27.84 ha DFL shall be identified by the State Government and submitted along with kml and site suitability certificate.

- ii. A Wildlife Management Plan to mitigate Human Animal conflict with provisions for logistics, equipment and staff shall be prepared by Wildlife Institute of India (WII) and shall be approved by the Chief Wildlife Warden, Jharkhand. The plan shall also include recommendations at the village level. It shall also include a component of long term research and monitoring to be done by WII for impact analysis of the project and the implementation of the Management plan. A copy of the said plan may be submitted to the Ministry along with compliance report of in-principle approval.
- iii. A revised land use plan along with component wise KML for 370.92 ha from area proposed for overburden dumping and revised safety zone along the proposed area for diversion shall be submitted by the State Government along with compliance report of in-principle approval.
- iv. Copy of approved Catchment Area Treatment (CAT) plan shall be submitted along with compliance report of in-principle approval.
- v. Revised tree enumeration list for 370.92 ha area shall also be submitted by the State Government.

Agenda No.19

(Proposal No. FP/KA/QR/31539/2018)

Proposal seeking prior approval of the Central Government under section 2 1 (II) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 8.803 ha. of forest land in F.Sy.No.52A, Arga village, Bada Hobli, Karwar taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry and its approach road, dumping yard in favour of M/s. Shivaprasad Industries(earlier applied in f/o M/s Ramashree Constructions Company), Kodibag, Karwar, Uttara Kannada District, Karnataka State.

1. The agenda item was considered by the AC in its meeting held on 08.05.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DDG, Regional Office, Bengaluru, and Nodal Officer, Government of Karnataka attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under 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) The Government of Karnataka vide letter No. FEE 10 FFM 2022 (e) dated 16/04/2022 had submitted the above proposal seeking prior approval under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to Regional Office, Bengaluru.
 - (ii) The legal status of the forest land proposed for diversion is Reserved Forest
 - (iii) The forest area proposed for diversion does not forms the part of any protected area

- (iv) The crown density of the forest area is mentioned as 0.25 with Eco Class-I
- (v) Presence of certain rare and endangered flora and fauna have been reported in the part-II of the proposal
- (vi) No violation was reported by the State Government.
- (vii) The revised land use plan of forest area proposed for diversion:

Land Type	Revised land use	
	Component Name	Area (ha)
Forest	Approach Road 1	0.003
	Approach Road 3	0.237
	Approach Road 4	0.367
	Approach Road 5	0.132
	Approach Road 6	0.069
	Approach Road 7	0.004
	Quarry	5.66
	Safety zone to Quarry	0.936
	Dumpyard	1.271
	Storage Area for Quarry Materials, Electrical trans	0.087
Sub-total (A)		8.808

- (viii) The user agency has identified 8.8038 ha of non-forest land for raising Compensatory Afforestation in two locations i.e. 0.969 ha. in Sy.No. 76A2, Kadavada village and 7.834 ha. in Sy.No.69, Belur village, Kinnara Hobli, Karwar Taluk, Uttara Kannada District. The DFO site inspection report has stated that the forest land proposed for diversion is suitable for taking up Compensatory Afforestation. It is also mentioned that the both the patches area adjacent to the Notified Forest.
- (ix) AS per the DSS report Proposed forest area falls under Not in High Conservation Value (HCV) Zone as per Decision Rule 1 and Decision Rule 2.
- (x) The proposal submitted by the State Government was initially examined by the Regional Office, Bengaluru. Certain clarifications from the State Government vide letter dated 03/05/2022 were sought including viz justification for opening of Justification for opening of new quarry as per para 7.8 of the Handbook of Forest (Conservation) Act, 1980, submission of proper Compensatory Afforestation Clear map depicting various components of quarry for proposed diversion, legal status of the land legal status of land required for

crushing unit, the CA land identified is suitable for planting 1000 plants per ha, quarry plan approved by the competent authority and status of environment clearance.

(xi) The State Government submitted the following reply on the clarification sought by the Regional Office.

- In Arga forest Sy. No. 52A1A, 0.494 ha was diverted for stone quarry in favour of M/s. Ramshree Construction Company, Kodibag, Karwar. as per Stage-II order of GOI No:4-KRB-754/2010- BAN/1531 dated 13-7-2012 and GOK No: FEE-160- FFM-2010 dated:13-8-2021. There was a re-diversion of 0.051 ha for the expansion of NH- 66(17) in Goa-Karnataka Border-Kundapur section as per GOI order No: F.No.4-KRA973/2013-BAN/ 698 dated: 07-10- 2020 and GOK order No:APJ/37/ FLL/2020 date:7-11-2020. Because of re- diversion of forest land to NH-66(17) there is issue of safe distance from National Highway which may lead to closure of quarry. Even though there is a lease period, Also the safe zone prevents the quarrying. There is a huge demand of stone quarry material for various developmental projects in the coastal areas especially in Karwar and Ankola taluk. The extent of private land holding is very less and the district has almost 80% of the geographical area under forest. There is no government land and or private land for quarrying purpose. There is a need for stones/boulders for various Government project as well as other developmental projects. Therefore, proposal for opening new quarry is submitted.
- The proper CA scheme is furnished and uploaded in the Parivesh web portal.
- Clear map depicting various components of quarry for proposed diversion is submitted.
- As per the components wise break up of land furnished in FORM A for the proposed quarry, crushing unit and road to an extent of 0.455 ha is mentioned as non-forest land. The record of Right of the said land i.e. Sy No.52A2, 52A3, 52B is submitted. Further, the partly dumping yard falling in prior 1978 encroachment, which has been communicated to the Government for regularization that portion is also included in the instant proposal.
- The area proposed for CA appears to have vegetation. This private land was abandoned due to crop raiding by wild animals. The area is just adjacent to forest land and forms contiguous patch of forest. It will help in consolidation of forest and also good habitat for wildlife. it is, therefore, proposed 400 plants per ha in the identified non-forest land for raising CA.
- The State Government has also submitted the approved quarry plan and Environment clearance.

(xii) After receipt of the above reply from the State Government, the proposal was forwarded to Ministry by the Regional Office as per the

sub as per sub rule 2 (ii) of rule 10 and sub rule 8 (ii) rule 16 of rule 16 of VSESA Rule 2023.

- (xiii) The Ministry vide its letter dated 27/06/2025 had sought additional information from the State Government *viz*: Comments of the State Government on recommendation of PCCF & Nodal Officer for quarry activity in only 2 ha out of the proposed area, a copy of the Government guidelines which state that no quarrying within 200m from NH shall be submitted., explore the possibility to relocate labour shed and dumping area to Non-Forest Land, Justification for minimum use of forest land for approach road, and to provide the information on other mining leases of stone quarrying granted in the vicinity of the project along with their KML.
- The State Government vide letter dated 18/03/2026 had submitted the reply wherein with regard to comments of State Government on recommendation of PCCF & Nodal Officer for 2ha of quarrying activity is concerned, the State Government has stated that User agency has submitted proposal for 8.803 ha. of forest land for establishing stone quarry and its approach road, dumping yard. The then PCCF & Nodal Officer vide letter dated 28-01-2022 had recommended for 2 ha quarrying activity excluding dumping site and other associated activities. Therefore, consider the quarrying activity for 2 ha and remaining area for other associated activities.
 - With regard to no quarrying within 200m from the NH, the State Government has submitted the reply stating that the proposed quarry site is more than 200 m from the National Highway-66, hence question of no quarrying within 200 meter does not arise.
 - With regard to shifting labour shed and dumping area to non-forest land is concerned, state government has informed that Department of Mines & Geology, Government of Karnataka, has advised that the quarry area and dumping yard to be located adjacent to each other for operational convenience and effective monitoring. Accordingly, the layout has been revised and submitted after inspection by the Department of Mines & Geology. It is further stated that the extent of private land (NFL) is limited and located at a considerable distance from the quarry site, which would increase production costs and lead to additional environmental impacts due to vehicle movement. The user agency has also indicated that the Non-Forest Land is uneven and unsuitable for storing quarry materials or for installation of power and DG-related infrastructure. Based these considerations, the locations for the dumping yard, storage of quarry materials, and installation of power-related equipment have been proposed within the forest land, which is nearer to the National Highway and facilitates ease of service and connectivity. The user agency has also submitted that relocating the labour shed and dumping yard would necessitate modification of the already approved quarry plan.
 - With regard to minimum use of forest land for approach road is concerned, it is informed that the approach roads marked as

Approach Road-1, Approach Road-3, and Approach Road-5 are old existing roads connecting the earlier quarry area to the Malki land, with widths ranging from 4.5 m to 5.5 m. Approach Road-6 is also an existing road connecting the Malki land to the National Highway, having a width of 6.5 m to 7.0 m. Similarly, Approach Road-7 is an existing road linking Approach Road-3 to the quarry material storage location. Approach Road-4 is the only newly proposed road, connecting Approach Road-3 to the newly identified quarry area. This stretch includes approximately 200 m with a gradient of 15-20%, followed by about 100 m with a gradient of 25-30%, and a remaining stretch of roughly 50 m with a milder slope. The proposed area supports wildlife movement, including wild pigs, hares, porcupines, leopards, and sambar. The area also contains various vegetation and 1,382 trees as per the marking list submitted."

- The user agency has stated that out of the seven approach roads indicated, six are existing roads already in use, and only one new road (Approach Road-4) is required to provide access to the proposed quarry site located within forest land. After considering the field conditions and operational requirements, the user agency has justified that the total forest area proposed for approach roads has been restricted to a bare minimum extent of 0.81618 ha. Based on the reports of the field officers and the justification furnished by the user agency, it is observed that except for Approach Road-4, all other roads included in the proposal are old existing roads that are presently being used. Though these existing roads have been included in the diversion proposal, they form the essential access network required for the functioning of the quarry project. Hence, the requirement of forest land for approach roads appears to be the minimum necessary.
- With regard to other mining leases granted vicinity of the Stone quarry, it is reported that approximately 400 meters from the proposed quarry site, an existing quarry lease in favour of M/s Ramshree Construction Company, Kodibag, Karwar, is located in Arga Forest Sy. No. 52A1A over an extent of 0.494 ha. This area was diverted for stone quarrying as per Stage-II approval of the Government of India vide No.4-KRB-754/2010-BAN/1531 dated 13-07-2012 and Government of Karnataka order No. FEE-160-FFM-2010 dated 13-08-2012. At present, this quarry is not operational. A renewal proposal has been submitted by the user agency and is under process; approval has not yet been accorded.
- As per the user agency, this quarry is situated adjacent to NH-66 (Panvel-Kanyakumari). The six-laning work on this highway has commenced from Kanyakumari Mangalore, and upon extension of the six-laning towards the Mangalore-Panvel stretch, issues relating to maintenance of safe distance from the National Highway may arise. This may restrict future quarrying operations irrespective of the remaining lease period.

- Within approximately 4000 meters from the proposed quarry site, another existing quarry pertaining to the Seabird Project is located, wherein 24.50 ha of forest land in Aligadda Hill, Sy. No. 142 A.A of Kodar Village, Uttara Kannada District, was diverted for quarrying purposes in favour of the Deputy Director General, Project Seabird Phase-IIA. This diversion was approved vide Government of India letter No. 4-KRC-1116/2017-BAN/868 dated 20-10-2017.
- There is a huge demand of stone quarry material for various developmental projects in the coastal areas especially in Karwar and Ankola Taluk. The extent of private land holding is very less and the district has almost 80% of the geographical area under forest. There is no Government land or private land for quarrying purpose. There is a need for stones/ boulders for various Government project as well as other developmental projects. And he is registered Class-I contractor in the name of M/S Ramshree Global Constructions Pvt. Ltd. (firm). This firm is registered with Military Engineer Services (MES) in SS Class, public Works Department (PWD) (Class-1 Contractor), Karnataka Power Corporation Limited and Nuclear Power Corporation of India (NPCIL). The material quarried will be fully utilizing for Government Developmental Works. This quarry does not fall under any already declared Eco-sensitive zone

- (xiv) The Regional Office, Bengaluru inspected the forest area proposed for diversion and CA land. The Regional Office, in its site inspection report has recommended the proposal with certain observations namely;
- The DCF in Form-A (Part-II) has listed certain Rare/endangered wildlife species, therefore a site-specific wildlife mitigation plan may be prepared.
 - Site specific Soil Moisture Conservation Plan may be prepared.
 - Naval Base, Karwar sea bird project is located in the vicinity of the project, if required the UA shall take the NoC from Naval Base.
 - With regard, to CA land Regional Office has mentioned that The CA land (Both the patches) identified are in private lands, having good canopy density and adjacent to the notified forest. Hence, proposed CA land may be accepted, as it will form contagious patch of forest and will be convenient for management and protection
- (xv) The Ministry sought certain additional information in the said proposal and reply submitted by the PCCF& Nodal Officer is as under;

SI No.	Information sought by the Ministry on 02/05/2026	Reply submitted by the Nodal Officer, Karnataka
1	The State Government has proposed only 2 ha out of 5.72072 ha area earmarked for the quarry from entire 8.80388. Accordingly, State Government	The user agency has submitted the proposal for 8.803 ha of forest land for establishing stone quarry and its approach road, dumping yard, the then PCCF& Nodal Officer, vide

	<p>is requested to intimate the status of the 3.72072 ha forest land. Accordingly, revised land use plan along with KML may be submitted</p>	<p>letter dated 28.01.2022 had recommended that project site is located on Karwar Ankola Highway approximately 12 Km from Karwar. It is on the left side of the National Highway which is under construction. On the right side of the national highway is sea bird project. The project proponent is having one existing quarry near to the project site which is likely to be closed after National Highway become functional as Government guideline does not allow stone quarry 200 meter from National Highway. The user agency has asked for 8.803 ha of forest land to initiate the quarrying activity in lieu of the existing quarry which is likely to be closed in view of Government regulations. It is noted that area asked for the quarrying activity is big in comparison to the existing quarry operated by the same user agency. Hence it is proposed that we may consider the proposal for full but the quarrying activity may be restricted for 2 ha excluding dumping site and other associated activities during the present lease period of 10 years. The quality of the forest land is scrub jungle. We may impose the condition for proper R and R of old quarry and also phased rehabilitation of the proposed stone quarry</p>
2	<p>Further in the site inspection report of Regional Office it is reported that based on the recommendations of Department of Mines and Geology, Dumpyard-2 mentioned in the land use plan has been shifted and merged with proposed quarry site. Accordingly, area of the quarry site will increase from 5.72072</p>	<p>The user agency has stated that the Department of Mines and Geology, Government of Karnataka has advised that quarry area and dumping yard to be located adjacent to each other for operational convenience and effective monitoring. Accordingly, the layout plan has been revised and submitted after inspection by the Department of Mines and</p>

	to 7.03692 ha. Therefore, the State Government is required to bring out clear land use plan of various components over the proposed area	Geology. The total area will remain same only as per the requirement of mines and geology the dump yard has been shifted to quarry area
3	The State Government has to submit the quarry plan as per the revised land use plan. Furthermore, the revised quarry plan shall be duly approved by the competent authority	The Department of Mines and Geology has approved the quarry plan as per the revised land use plan
4	The Regional Office in its site inspection report has reported that 1.214 ha forest land is encroached by the user agency since from 1978. However, the State Government has not taken action against the user agency for the said encroachment .The State Government is requested to provide the details of action taken against in this regard,	As per the component wise break up of land furnished in FORM A for the proposed quarry, crushing unit and the road to an extent of 0.455 ha is mentioned as non-forest land. The record right of the said land i.e. Sy. No.52A2,52A3,52B is furnished. The partly dumping yard falling in prior 1978 encroachment, which has been communicated and the proposal is under consideration for regularization. The encroached forest land portion is also included in the proposal
5	As per SIR of RO, the State Forest Department needs to carry out the tree enumeration. Accordingly, the State Government is requested to submit the tree enumeration for the proposed area	As per DCF Karwar report the area is also contain various vegetation and 1,382 trees as per marking list
6	As per the DSS report approximately 0.342 ha is overlapping with another diversion proposal of 0.7552 ha (Proposal No. FP/KA/MIN/QRY/430246/2023). The State Government is requested to submit the comments on the matter	AS per the earlier proposal which was submitted by the user agency there was an overlap when the file was referred to mines and geology , too many dumping yard are not permitted, accordingly in joint inspection by mines and geology and DCF Karwar on 04.12.2023 the dumping yard was shifted to quarry area and the area was increased and revised sketch copy has uploaded in Sl. No.23 of FORM A in additional information

- (xvi) The Nodal officer informed the committee that the state Government has recommended for quarry for only 2.0ha out of 5.72072 ha. The Nodal Office informed that committee that the remaining area will be maintained as green zone. The committee noted the same.
- (xvii) As per SIR of RO, 1.124ha forest land has been encroached by the User Agency. As per the Nodal officer, part of the dumping yard is falling under encroachment and is also part of the proposed area sought for diversion. The Committee noted that since there is an encroachment and the encroached area is part of the extant proposal, as informed by the Nodal Officer, penal provisions of the Adhinyam may be imposed.

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 the **Stage-I/In-principle for** diversion of 8.803 ha. of forest land in F.Sy.No.52A, Arga village, Bada Hobli, Karwar taluk, Uttara Kannada District (Karwar Forest Division) for establishing stone quarry and its approach road, dumping yard in favour of M/s. Shivaprasad Industries, Kodibag, Karwar, Uttara Kannada District, Karnataka State subject to general, standard and the following specific conditions:

- i. The State Government shall demarcate 2ha out of the quarry area for mining. Leftover area (3.66 ha) shall be kept as a green zone. No quarrying shall be carried out in the green zone. The user agency has to submit the undertaking in this regard. Further, State Government shall submit the updated land use plan and corresponding KML files along with compliance report.
- ii. The State Government has to submit an approved site specific wildlife mitigation plan along with the Stage-I compliance report. The same shall be implemented at the cost of user agency.
- iii. The State Government has to submit the revised Mining plan duly approved by the competent authority along with compliance report.
- iv. The State Government shall take action against the user agency for encroachment of the forest land under the local forest act. Action taken in this regard shall be submitted along with Stage-I compliance report. KML files demarcating the extent of encroachment on forest land shall also be submitted.
- v. In accordance with the provisions of para 1.16 of the Consolidated Guidelines, the State Government shall realize the penal NPV for the forest area used in violation of the Adhinyam by the user agency which shall be five times the NPV of forest land used in violation, plus 12 percent

simple interest from the date of raising of such demand and till the deposit is made by the user agency into the account of CAMPA.

- vi. 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.
- vii. Penal compensatory afforestation, proposed by the State Government shall be verified by Regional Office, Bengaluru and report shall be sent to the Ministry for examination along with CA details during submission of compliance report of Stage- I approval.

Agenda No. 22

Proposal No. 11/239/2025-FC

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of M/s GAWAR SCCPL JV for non-forestry use of 0.7076 ha of Reserved Forest for Upgradation of Tuirial Playground at Village- Seling, District- Aizawl in the State of Mizoram (Proposal No. FP/MZ/OTHERS/454598/2023)- regarding.

1. The agenda item was considered by the AC in its meeting held on 08.05.2026. The corresponding agenda note may be seen at www.parivesh.nic.in. The DIGF (Central), Regional Office, MoEFCC, Shillong and Nodal Officer, Government of Mizoram attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions 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 22.01.2026. After detailed discussion and deliberation with the DIGF (Central), RO, Shillong and after going through the facts of the proposal, the Committee decided to '**defer**' the proposal with the following observation:
 - (i) The State Government shall inform whether the temporary structures constructed in the forest land have been removed by the user agency or whether user agency is still using those structures for their various activities. An updated status report in this regards may be provided by the State Government.

4. The above decision of the Committee was communicated to the State Government on 08.02.2026. The State Government on 29.03.2026 submitted reply to queries raised by the Ministry on 08.02.2026 informing that the user agency (GAWAR SCCPL) has completely dismantled and removed the temporary structures constructed in the forest land.
5. In view of the foregoing observations, the Committee noted that the violations committed by the user agency constitute a clear breach of the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, involving unauthorized breaking up of forest land and removal of vegetation without obtaining the mandatory prior approval of the Central Government. The Committee further held that such acts have adversely affected the forest characteristics of the area concerned.
6. The Committee was of the considered opinion that waiver or dilution of the penal provisions in the instant case would defeat the very purpose for which such provisions have been incorporated under the statutory framework, namely, to ensure strict compliance with the provisions of the Adhiniyam and to deter future violations. Any leniency in the matter may set an undesirable precedent and undermine the sanctity of the regulatory regime governing diversion and protection of forest land.
7. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the DIGF (Central), RO, Shillong and Nodal Officer, Government of Mizoram and after going through the facts of the proposal, the Committee decided that the penal measures stipulated in the in-principle approval shall be complied with by the State Government and a report on the same shall be submitted along with the compliance of Stage-I approval.

Agenda No. 24

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 08.05.2026. 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 to the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of 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) Adhiniyam, 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 with 292 number of trees 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:

S. 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 DIC area which are violation under the Van Sarankshan Evam Samvardhan) Adhiniyam, 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 nos of seedlings.
 - xiii. The State Government submitted that the User Agency 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 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 SIR 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 costs borne by the User Agency.
 - e) Compensatory Afforestation sites must be cleared of encroachments and adequately 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 VSSA Rules, 2023.
 - f) The State Government shall take action against 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 proposal was considered in the Advisory Committee in its meeting held on 27.02.2026. The Committee after detailed discussion and deliberation '*deferred*' the proposal for the want of the following:
- a) 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.
 - b) 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.
- xx. The State Government submitted that mining operations commenced in 1997, when the lease area was recorded as non-forest land, and continued over time under various permissions and judicial directions. Subsequently, parts of the area were identified as forest land (including

DLC/PRF), and instances of violation were reported. The State Govt. clarified that violations involve 0.595 ha of PRF land, 0.078 ha within the safety zone (DLC area), and 0.214 ha outside the lease area, totalling 0.887 ha. Action has been taken, including booking of cases by the Forest Department and imposition of penalties by the Revenue authorities, which have been complied with by the User Agency.

- xxi. The State Govt. further submitted that the PCCF (WL) has recommended the proposal from Wildlife point of view, subject to the implementation of the Site Specific Wildlife Conservation Plan.
 - xxii. 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 DLC 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.
 - xxiii. The Committee observed that the User Agency has broken up the 0.214 ha outside the lease area. Accordingly, the same shall be treated as encroachment and the State government shall take relevant action in the matter.
 - xxiv. The Committee further observed 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 mining operations were also continued thereafter. However, the State Government has reported the violation over 0.595 ha of PRF land, 0.078 ha within the safety zone (DLC area).
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 User Agency has broken up the 0.214 ha outside the lease area. Accordingly, the same shall be treated as encroachment and the State government shall take relevant action in the matter.
 - ii. At the time of execution of the mining lease on 21.04.1997, the entire leased area measuring 18.00 ha was recorded as non-forest land. Subsequently, on 06.06.1998, Plot Nos. 1(P) and 54(P), admeasuring 12.565 ha, were declared as DLC forest land by the Forest Department based on the recommendations of the District Level Committee. Thereafter, mining operations continued in the area. However, the State Government has reported violation over 0.595 ha of Protected

Reserve Forest (PRF) land and 0.078 ha within the safety zone falling under the DLC forest area. Accordingly, the State Government shall furnish detailed chronological information regarding the execution of the mining lease, permissions/orders issued from time to time for continuation of mining operations in the area, along with supporting documentary evidence and details of the extent of violation.

Agenda No. 37

File No. 8-04/2016-FC

Subject: Diversion of 1576.81 ha. Reserved Forest land in favour of Adani Ports and Special Economic Zone Ltd (APSEZL) for the development of Special Economic Zone (SEZ) and Industrial Park at Village: Siracha, Navinal, Dhrub, Mundra, Baroi, Gorasama, Luni, Bhadreshwar, Tehsil Mundra, under Forest Division and District: Kutch, Gujarat (Online Proposal No. FP/GJ/IND/17613/2004)-compliance report of Stage-1 conditions for an area of 247.4272 Ha and 235.46 Ha (Phase-wise) (Proposal No. FP/GJ/IND/17613/2004)

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1. The agenda item was considered by the AC in its meeting held on 08.05.2026. the corresponding agenda note may be seen at www.parivesh.nic.in. The IGF (Central), Regional office, Gandhinagar and Nodal Officer (FCA), Government of Gujarat 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 through deliberation and discussion observed the following:

(i) The Ministry vide letter dt. 16.11.2018 has issued in-principle approval for the Diversion of 1576.81ha of Reserved forest land in favour of Adani Ports and Special Economic Zone Ltd (APSEZL) for the development of Special Economic Zone (SEZ) and Industrial Park.

(ii) The compliance of Stage-I conditions has been submitted nearly seven years after grant of approval. The State Government has informed that as per the user agency's submission, during the challenges of Covid-19 pandemic, securing the Non-Forest Land (NFL) was difficult, which is the main reason for delay in compliance submission.

(ii) The State Government of Gujarat vide letter dated 16.10.2025 and letter dated 21.01.2026 received through e-mail communication dated 14th January, 2026 and 28th January, 2026 has submitted phase-wise compliance of Stage-1 approval for an area of 247.4272 Ha and 235.46 Ha respectively.

(iii) As per Clause No.11, sub-clause no. (10) of the consolidated guidelines is as follows:-

Where compliance of condition imposed in the 'In-principle' approval is awaited from the State Government or Union territory Administration, as the case may be, for more than five years, the in-principle or Stage -I approval may be revoked by the Central Government:

Provided that the Central Government may, for the reasons to be recorded in writing, extend the validity of in-principal or Stage -I approval for such period as it deems fit, if it is satisfied that the circumstances were such which prevented the State Government or Union territory Administration, as the case may be, from submitting the compliance report within the stipulated period of five years:

Provided further that the Central Government for the reasons to be recorded in writing, in respect of proposals involving forest land of more than thousand hectares, where 'In-Principle' approval has been obtained, may consider grant of phase-wise 'Final' approval by the competent authority subject to compliance in respect of-

(a) payment of compensatory levies and notification of land identified and accepted for raising Compensatory Afforestation, proportional to the part area for which compliance is submitted; and

(b) any other specific condition that the Central Government may deem fit to have been complied with.

(iv) The User Agency/State Government has not fulfilled the conditions (vii), (ix), (x), (xi),(xii), (xvii), (xix) and (xx) of Stage-1 approval dated 16th November, 2018. The details are as follows:-

Condition no.	Description of the Stage 1 condition	Reply by the State Government
(vii)	Forest areas proposed within of Mundra survey no. 141 / P Baroit survey no. 207 / P Goversama survey no. 52/1), Luni survey no. 468/P and Bhadreshwar survey no. 733/P are having sea front. 100mt shelter belt/green belt in above villages be included in the Master plan of the SEZ, excluding stretches where use of water front is inevitable.	The State Govt. has informed that the User Agency has submitted that 100 m Shelter belt/green development will not be feasible for the forest land parcel falling within the sea front survey nos. due to required unobstructed water front. However, the User Agency has submitted that the green belt development is planned as per the development guidelines. (Map-1) (Annexure-3) and as per "Comprehensive General Development Control Regulations-2017" sanctioned by the Urban Development & Urban Housing dept vide notification no GH/V/269 of EPD-

		<p>102016-3269-L dated 12.10.2017, further amended and latest version was published in Oct 2019. The following submission has been made by the User Agency for this purpose:</p> <ul style="list-style-type: none"> • Mundra survey 141/p is adjoining with the SEZ/industrial activities, which is integrated with the adjoining development. • Baroi Survey no 207/p and Survey nos 52/p is adjoining with the existing Mundra airstrip development which is integrated with the Airport development expansion. • Luni survey no 468/p and Bhadreshwar survey no 733/p is having waterfront and adjoining with the SEZ area (Road rail and utility corridor, therefore integrated with the expansion development along with waterfront activities.
(ix)	<p>The State Government shall clarify whether any non-forest land situated in and around the SEZ but not forming part of the SEZ at present, can be acquired by/allotted to the APSEZ before Stage-II approval.</p>	<p>The State Government has informed that the User Agency has submitted that the non-forest land parcels situated in and around the SEZ area (excluding SEZ-designated land) consist of Private land and Gauchar (community grazing) land and certain land parcels have already been developed/occupied. Presently no State Government land is available for allocation to the SEZ. (Map-2.) (Annexure-4)</p>
(x)	<p>If 683 ha land of GMB or any other non-forest land is allotted for this SEZ, then the equivalent forest land shall be reduced from the forest land diverted/being diverted for the SEZ.</p>	<p>The State Government has informed that the User Agency has submitted that as per the provisions of the Gujarat Maritime Board Act, 1981, the Gujarat Maritime Board (GMB) is empowered to reclaim, develop, and allot land strictly within port limits for</p>

		maritime activities only. Accordingly, the reclaimed land 683 ha is exclusively intended for port-related infrastructure development and is not meant for SEZ or general industrial use. It has been submitted that the 683-ha reclaimed land should not be considered as equivalent land for offsetting the applied forest area. The nature and purpose of this land are exclusively for port development, and therefore, it may not be considered for deduction from the forest land proposed for diversion, as the above area is not available for the proposed purposes.
(xi)	The State Government and the UA shall make effort to include 122 ha of non-forest land in village Zarapara in the SEZ. Accordingly, it is recommended that 122 ha of forest land in Bhadreswar Block shall be maintained as green belt at the cost of UA.	The State Govt. has submitted that exchange of 122 ha of non-forest land in Village Zarpara is not possible due to different location i.e not adjoining with the forest land of 1576 Ha, hence could not be considered.
(xiii)	All other conditions imposed in the approval granted for diversion of 2008.41 ha (1840ha + 168.41ha) of forest land on 30.09.2009 shall be complied. <i>Condition no. 16 approval dt. 30.09.2009:"The Compensatory land has been already diverted in Kori-creek but as per the commitment of the company, the wasteland at Abdasa (GEDA plantation) of an area 3770.00 should be transferred to forest department as an habitat of Great India Bustards (GIBs) and other two Bustards i.e. Lesser Florican & Houbara Bustard before India for diversion of change of use. (Please refer to MoEF's letter of even No. dated 10-7-2009)"</i>	User Agency complied for the conditions as per the approval date 30-09-2009. Final Approval of 2008.41 ha (1840 + 168.41ha) of forest land is attached. A copy of undertaking in this regard is attached. <i>Reply submitted by State Government with respect to Condition no. 16 approval dt. 30.09.2009</i> 1) Revenue Dept., has already issued order for the transfer of 3770 ha. land in favour of Forest Dept., addressed to Collector, Kutch, also instructed that issue the further order to concern govt. authorities. (2) As per the Revenue Dept., instruction, Collector office issued order to the various authorities for the transfer of 3727.17 ha GEDA land to Forest Dept.

		<i>Once the entire land is handed over to forest department, APSEZ will carry the fancying work for conserved area.</i>
(xvii)	The user agency shall identify suitable land for Compensatory Afforestation over double the forest land being diverted. The land shall be transferred in the name of State Forest Department before the Stage-II approval.	The State Government has stated that as per the letter dated 17.08.2022 and follow up letter from MoEF&CC regarding additional conditions for diversion of forest land under Forest (Conservation) Act, 1980, Government of Gujarat issued Resolution dated 18/12/2023 stating that Resolution dated 12-06-2015 stands cancelled from the date of its issuance. Therefore equivalent non-forest land for compensatory afforestation (CA) purpose has been provided instead of double the forest land as mentioned in stage-1 approval.
(xix)	The Compensatory Afforestation shall be done over double non-forest land (NFL) i.e. 3154 ha to the forest area proposed to be diverted, as per recommendation of Government of Gujarat, vide its GR No. FCA-1013/1 1-IO/SF-24/F. dt 12.06.2015. The Compensatory Afforestation shall be done within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan in consultation with the State Forest Department at the cost of the User Agency. CA at rate of 1000 saplings per hectares shall be planted over 3154.00 ha (31,54,000 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and will be deposited online in the Ad hoc-CAMPA account of the state concerned.	
(xx)	The User agency shall identify and mutate in the name of State Forest Department of Government of Gujarat, 3154 ha of suitable	

	<p>non-forest land for CA adjacent to notified Forest for raising Compensatory Afforestation (CA) shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record;</p>	
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(v) As per the Stage –I ‘in principle’ approval dt. 16.09.2018, the CA land considered was in Amara, Junachaya and Murchabana villages of Kutch district. However, the CA land proposed as per reply to the Stage-I approval, received from the State Government, falls in Bela, Lodrani, Balasar villages in Kutch district and Gokhantar and Rampura villages in Patan district. Accordingly, the State Government has changed the CA sites.

(vi) CA land required as per Stage-I approval was for 3145 Ha. The State Government has stated that ‘as per the letter dated 17.08.2022 and follow up letter from MoEF&CC regarding additional conditions for diversion of forest land under Forest (Conservation) Act, 1980, Government of Gujarat issued Resolution dated 18/12/2023 stating that Resolution dated 12-06-2015 stands cancelled from the date of its issuance. Therefore equivalent non-forest land for compensatory afforestation (CA) purpose has been provided instead of double the forest land as mentioned in stage-1 approval.’

(vii) The State Government has submitted a certificate from the Nodal Officer and the concerned DFO that the proposed CA land is suitable for compensatory afforestation and is encumbrance free.

(viii) The proposed CA sites in Kutch and Patan district have been inspected by Regional Office, Gandhinagar. As per the Site Inspection Report of the Inspecting Officer, the following is observed:-

(a) For sites in Kutch district:

- Balasar: The site conditions, especially the edaphic conditions are not suitable for plantation of tree vegetation. Thus, the identified area is

found to be not suitable for establishing any successful tree vegetation. However, Indian Wild Ass, an endemic species roams in the area. The proposed area is a part of habitat of Indian wild ass.

- Lodrani: Terrain is mostly rocky with shallow soil depth and canopy density of less than 0.4. Wildlife (Neelgai, Chinkara) were sighted during site inspection. The area shows no evidence of past cultivation and has limited scope for additional plantation. However it may be used for wildlife habitat enhancement.
 - Bela: The area is rocky and barren with canopy density ~0.2. The site is unsuitable for agriculture or afforestation. However it may be used for wildlife habitat enhancement.
- (b) For sites in Patan district: The Patan CA sites are suitable for plantation, particularly around Gokhantar, where conditions match successful existing CA models. The creation of a connected forest landscape will significantly strengthen the region's ecological resilience.

(ix) As per Recommendation of RO, Gandhinagar:-

The NFL identified in Kutch District is largely Rann type of habitat (127.87 Ha. Patch at Balasar Village) suitable for some of the endemic flora and Fauna, most important being the Indian Wild Ass and some migratory birds. The remaining area is rocky with less soil depth and hence does not support high density plantation in the area. However, plantation to an extent of about 200 saplings can be accommodated in this area provided existing Prosopis is removed and suitable native species are planted followed by proper after care and protection. This area is also reported to be supporting wildlife including Blue Bull, Chinkara, Avifauna etc. The NFL identified in this District appears to be at its Climatic/ Edaphic climax stage and hence, is not completely suitable for CA plantation. However, it is suitable from the management and protection point of view.

As the entire area identified is not suitable for raising CA plantation with tree species, in terms of the Proviso to Rule 13 (Provided that in case the NFL or portion thereof provided by the user agency is not fit for raising CA of a specified density, then additional CA shall be raised on a degraded notified or unclassified forest land under the management control of the FD which is twice in size of such shortfall in the given CA land and the user agency shall also bear the additional cost on such account), additional CA may be considered.

The NFL identified in Patan district (267.23 ha), is found to be located adjacent to the NFL identified for other diversion proposals of the same user agency and are also closely located to the notified forest land. These lands are being under

agricultural activity and are having sufficient soil depth to support successful tree plantation provided suitable interventions like planting on the bunds to prevent submergence during monsoon etc are adopted. Thus, the NFL identified in this location is reported to be suitable for CA plantation as well as from the management point of view.

Based on the facts furnished in the inspection report, the CA NFL land is recommended along with additional CA in DFL as per the Proviso to Rule 13 of Van (Sanrakshan Evam Samvardhan) Rules, 2023

(ix) Stage-I approval conditions (xii) and (xxix) stated that 'State Government will provide details of lease period, terms and conditions on which the forest land is proposed to be diverted in favour of the User Agency' and 'The forest clearance will be for a period co-terminus with the lease period specified in the lease agreement. The State Government will submit the lease agreement documents specified in the lease agreement' respectively. In this regard, the State Government has submitted that 'As per agreement dated 25.11.2009, it is mentioned that "A period till the user agency will be using for the said project". Lease agreement dated 25.11.2009 for earlier proposal for 1840 ha would be applicable to the present proposal on the same terms and conditions.'

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation with the IGF (Central), Regional Office, Gandhinagar and Nodal Officer (FCA), Government of Gujarat observed the following:-
- (i) The valid and cogent reason given by the State Government for the delay in submission of the compliance of Stage-I conditions is justifiable and hence may be accepted.
 - (ii) The Advisory Committee recommended the acceptance of the phase wise compliance of the Stage-I approval for an area of 247.4272 ha and 235.46 ha. as per Clause 11, sub clause no. (10) of the VSES Rules, 2023.
 - (iii) Due to the technicalities involved in condition (vii) of the Stage-I approval dated 16.11.2018, the Advisory Committee recommended accepting the submission made by the State Government and the User Agency in this regard.
 - (iv) Due to the technical constraints and justifications provided, the Advisory Committee accepted the reasons given by the State Government and the User Agency regarding the non-feasibility of completing non-binding, suggestive conditions (ix), (x), (xi), and (xiii) of the Stage-I approval dated 16.11.2018.
 - (v) The Advisory Committee accepted the justifications of the State Government and User Agency for varying from conditions (xvii), (xix), and (xx) of the Stage-I approval dated 16.11.2018. The CA on equivalent Non forest land as provided by the User Agency to the State Government, which has been given under the possession of the forest department, may be accepted in the extant matter. The land shall be notified as Protected Forest under the Indian Forest Act, 1927 or

under the relevant section(s) of the State Forest Act before handing over forest land to the User Agency. Regarding any portion of the non-forest land found unsuitable for CA plantation, in terms of the Proviso to Rule 13 of Van Sanrakshan Evam Samvardhan Rules 2003, additional CA shall be raised on a degraded notified or unclassified forest land under the management control of the forest department which is twice in size of such shortfall in the given CA land and the user agency shall also bear the additional cost on such account.

Additional Agenda No. 1

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 207.171 ha (originally proposed for 243.74 ha of forest land) of forest land for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra (Proposal No. FP/MH/HYD/153240/2022)– reg.

1. The above stated agenda item was considered by the AC in its meeting held on 08.05.2026. 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 to the AC. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Maharashtra vide letter No. FLD-1225/CR-101/F-10 dated 05.08.2025 submitted the above-mentioned proposal for seeking prior approval of the Central Government under Section 2 (i) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of JSW Energy PSP Two Limited.
 - 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.

- iv. 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.
- v. 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.
- vi. The presence of animals such as leopards, hyena, wolf, jackal, hares, wild boar, porcupine and birds such as bee eater, grey hornbill, sunbirds is observed in this area.
- vii. The proposed area for diversion does not forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
- viii. 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.
- ix. The State Government further submitted that the proposal does not involves the violation of the Adhinyam, 1980. Further, no protected archaeological/ heritage site/defense establishment or any other important monuments is located in the area.
- x. The land use plan of the proposal is as under:

Sl. No.	Component	Forest Land (in Ha)	Non forest land (in Ha.)
1	TRT (Underground)	5.397	0
2	Cable & Ventilation	0.211	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	0.9	0
7	Fire Fighting Tank	0.1	0
8	Saddle Dam	0.11	0
9	ADIT/ MAT (Underground)	1.689	0
10	Approach Road to Upper Dam	0.77	1.93
11	Service Corridor	4.064	0
12	HRT (Underground)	4.764	0
13	Power House (Underground)	0.954	0
14	Approach Road to Lower Dam	19.381	0
15	TRC	1.389	0
16	Dumping Area & Job facilities-1 & 2	23.122	0
	Total	207.171	31.08

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

- xii. The State Government has submitted the Compensatory Afforestation Scheme for 30.00 ha. and scheme for crop improvement programme for an area of 215.7350 ha.
- xiii. Further, as per the SIR of the RO Nagpur, 20 Ha of NFL is unsuitable for plantation. Accordingly, as the 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.
- xiv. The Regional Office has recommended the Proposal subject to the following conditions:
 - a) Implement the site-specific Wildlife and Biodiversity Management Plan approved by CWLW at the project cost.
 - b) Obtain prior approval from the Igatpuri Conservation Reserve Management Committee before initiating non-forestry activities.
 - c) As 20 hectares of the land provided 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 VSS Rules, 2023.
 - d) Dump muck at designated sites with proper gradient; undertake plantation and re-grassing over the dumps at the UA's cost.
 - e) Implement the Catchment Area Treatment Plan at project cost; State Government to form a monitoring committee.
 - f) Implement controlled blasting mitigation measures as suggested by CSIR-Central Institute of Mining and Fuel Research; blasting material must not be stored in the forest area.
- xv. 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 the following:
 - a) Both the reservoirs are being constructed afresh. Further, there is no water source in the vicinity and the lower reservoir is proposed to be filled with rain water. Keeping above in view the site specificity of the project is not established. The site specificity of the project is therefore required to be examined in detail and state shall explore to locate the project over non-forest land.
 - b) 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.
 - c) 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.
 - d) As per the recommendations of Regional Office, 20 ha NFL proposed for CA is unsuitable for plantation. Accordingly, CA scheme shall be revised to carry out plantation in degraded forest areas at double the extent of unsuitable area. The improvement plan is required for the remaining non forest area where canopy density is more than 0.4. The detail of identified DFL along with KML files shall be submitted.

- e) The DFO Nasik in his recommendations submitted that the project involves construction of tunnel work, which may require stability studies from national level institutions. The details/report in this regard shall be submitted.
 - f) The DFO West Nasik has recommended that in case of land that were allotted prior to 1980, lying in the project area, the user agency shall not utilize/acquire said land parcel without a separate/ additional diversion proposal. The state/user agency has not provided any appropriate justification in this regard. A detailed justification along with a list of such areas involved in the project shall be submitted.
 - g) 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.
- xvi. The State Government vide letter dated 19.01.2026 has submitted the point wise information to the Ministry on the observations of the Advisory Committee.
 - xvii. 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.
 - xviii. The State Government further submitted that 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 layout has been designed to minimize forest land diversion, avoid critical wildlife habitats, and ensure engineering feasibility.
 - xix. The State Government further submitted that 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.
 - xx. The State Government was requested to examine the possibility of shifting 40.91 ha of forest land proposed for muck dumping and job facilities to non-forest land. In response, 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.
- xxi. The State Government further submitted that 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.
- xxii. The State Government further submitted that 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.
- xxiii. The State Government submitted 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.
- xxiv. The State Government submitted that the 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.
- xxv. The State Government submitted that 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 involved, and

- therefore, submission of a separate diversion proposal does not arise at this stage.
- xxvi. The State Government submitted that the forest patches of the size of 13.814 ha 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.
- xxvii. The proposal was again considered in the Advisory Committee meeting held on 27.02.2026. The Committee after detailed discussion and deliberation deferred the proposal for the want of the following:
- a) 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.
 - b) 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.
- xxviii. In response the State Govt. submitted that the Bhavali Pumped Storage Project is inherently site-specific, and shifting of such facilities is not feasible due to topographical, environmental, and logistical constraints, including non-availability of suitable non-forest land in proximity and adverse environmental and operational implications of long-distance transportation. However, the User Agency has optimized the proposal and reduced the area under muck dumping and job facilities from 40.91 ha to 23.122 ha, resulting in a reduction of 17.788 ha (43.5%), with emphasis on minimizing impact on Reserved Forest areas. The User Agency has undertaken to stabilize and scientifically reclaim the muck disposal sites post-use and to restore them with vegetation in accordance with the approved plan.
- xxix. The State Government further submitted that the access roads are essential for connectivity between various project components and have been designed considering terrain constraints, construction requirements, and operational needs in steep hilly areas. However, upon review, optimization measures such as reduction in carriageway width and adoption of underground access have been undertaken. Consequently, the forest land requirement for roads in the lower reservoir area has been reduced from 39.162 ha to 19.381 ha. Further, the overall forest land requirement for the project has been reduced from 243.74 ha to 207.171 ha, resulting in a net reduction of 36.59 ha.
- xxx. The User Agency has furnished an undertaking confirming that the 23.122 ha of land designated for muck dumping shall be handed over

- to the State Forest Department within six months of the commencement of commercial operations of the Bhavali PSP, after due stabilization and reclamation of the muck disposal area.
- xxxvi. The State Govt. further submitted that the User Agency has made the necessary corrections with regard to the component wise breakup of the land proposed for diversion on the Part-I of the PARIVESH portal. However, the DCF has mentioned that the option to update the Part-II is not available.
- xxxvii. The State Government submitted that, as per the User Agency, there is no change in the project layout or its components; therefore, revision of the approved DPR is not required. It was further stated that the approach/access to project components, as well as dumping and job facility areas, have been optimized with the objective of minimizing forest diversion. Additionally, the State Government informed that the revised forest diversion area of 207.171 ha has been comprehensively mapped, taking into account adjustments in certain component areas arising from overlaps between underground and surface works, and the same has been duly updated.
- xxxviii. The User Agency has submitted that optimization measures for access roads, including reduction in carriageway width and the adoption of underground access, have been duly incorporated in the revised proposal with the objective of minimizing diversion of forest land. It has further been stated that the forest land involved in underground road components has been fully accounted for in the total forest land proposed for diversion, including the underground stretches.
- xxxix. 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.
- xl. 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.
- xli. The Committee observed that the User Agency has furnished an undertaking confirming that the 23.122 ha of land designated for muck dumping shall be handed over to the State Forest Department within six months of the commencement of commercial operations of the Bhavali PSP, after due stabilization and reclamation of the muck disposal area.
- xlii. The Committee further observed that the State Government submitted that, as per the User Agency, there is no change in the project layout or its components; therefore, revision of the approved DPR is not required. It was further stated that the approach/access to project components, as well as dumping and job facility areas, have been optimized with the objective of minimizing forest diversion.
- xliiii. The Committee further observed that the User Agency has submitted that optimization measures for access roads, including reduction in

carriageway width and the adoption of underground access, have been duly incorporated in the revised proposal with the objective of minimizing diversion of forest land. It has further been stated that the forest land involved in underground road components has been fully accounted for in the total forest land proposed for diversion, including the underground stretches.

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 decided to recommend the '**Stage-1/In-principle**' approval for diversion of 207.171 ha (originally proposed for 243.74 ha of forest land) of forest land for Bhavali Pumped Storage Project (1500 MW) in Thane & Nasik District in the State of Maharashtra with general, standard and the following specific conditions:
- i. The State Government shall ensure implementation of the Site-Specific Wildlife and Biodiversity Management Plan, duly approved by the Chief Wildlife Warden (CWLW), at the cost of the User Agency. The requisite funds shall be deposited by the User Agency in the account of National CAMPA.
 - ii. The State Government shall ensure implementation of the duly approved CAT Plan at the cost of the User Agency. The requisite funds shall be deposited by the User Agency in the account of National CAMPA.
 - iii. The State Govt. shall ensure to 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.
 - iv. The State Govt. shall ensure that the 23.122 ha of land designated for muck dumping shall be handed over to the State Forest Department within six months of the commencement of commercial operations of the Bhavali PSP, after due stabilization and reclamation of the muck disposal area.

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

(Confirmed through email)
Shri Nityanand Srivastava
(non-official Member)

(Confirmed through email)
Dr. Mehraj AS

(Confirmed through email)
Shri Manoj Pant

Deputy Commissioner (NRM)
(Member)

(non-official Member)

(Confirmed on file)

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

(Confirmed through email)

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)